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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. **2310**

03/01/2023 Authored by Hansen, R.,
The bill was read for the first time and referred to the Committee on Rules and Legislative Administration
03/06/2023 Adoption of Report: Re-referred to the Committee on Environment and Natural Resources Finance and Policy
04/04/2023 Adoption of Report: Amended and re-referred to the Committee on Ways and Means

1.1 A bill for an act

1.2 relating to state government; appropriating money for environment and natural
1.3 resources; modifying prior appropriations; providing for and modifying disposition
1.4 of certain receipts; modifying and establishing duties, authorities, and prohibitions
1.5 regarding environment and natural resources; modifying and creating environment
1.6 and natural resources programs; modifying and creating grant programs;
1.7 reestablishing citizen board of Pollution Control Agency; reestablishing Legislative
1.8 Water Commission; modifying Legislative-Citizen Commission on Minnesota
1.9 Resources; modifying permit and environmental review requirements; modifying
1.10 requirements for recreational vehicles; modifying state trail and state park
1.11 provisions; establishing Lowland Conifer Carbon Reserve; modifying forestry
1.12 provisions; modifying game and fish provisions; modifying regulation of farmed
1.13 Cervidae; regulating certain seeds and pesticides; modifying Water Law; providing
1.14 appointments; modifying and providing for fees; requiring reports; requiring
1.15 rulemaking; amending Minnesota Statutes 2022, sections 13.643, subdivision 6;
1.16 16A.151, subdivision 2; 16A.152, subdivision 2; 17.118, subdivision 2; 18B.01,
1.17 subdivision 31; 18B.09, subdivision 2, by adding a subdivision; 21.82, subdivision
1.18 3; 21.86, subdivision 2; 35.155, subdivisions 1, 4, 10, 11, 12, by adding
1.19 subdivisions; 35.156, subdivision 2, by adding subdivisions; 84.02, by adding a
1.20 subdivision; 84.0274, subdivision 6; 84.0276; 84.415, subdivisions 3, 6, 7, by
1.21 adding a subdivision; 84.788, subdivision 5; 84.82, subdivision 2, by adding a
1.22 subdivision; 84.821, subdivision 2; 84.84; 84.86, subdivision 1; 84.87, subdivision
1.23 1; 84.90, subdivision 7; 84.992, subdivisions 2, 5; 84D.02, subdivision 3; 84D.10,
1.24 subdivision 3; 84D.15, subdivision 2; 85.015, subdivision 10; 85.052, subdivision
1.25 6; 85.055, subdivision 1; 85.536, subdivision 2; 85A.01, subdivision 1; 86B.005,
1.26 by adding a subdivision; 86B.313, subdivision 4; 86B.415, subdivisions 1, 1a, 2,
1.27 3, 4, 5, 7; 89A.03, subdivision 5; 90.181, subdivision 2; 97A.015, by adding a
1.28 subdivision; 97A.031; 97A.126; 97A.137, subdivision 3; 97A.315, subdivision 1;
1.29 97A.401, subdivision 1, by adding a subdivision; 97A.405, subdivision 5; 97A.421,
1.30 subdivision 3; 97A.473, subdivisions 2, 2a, 2b, 5, 5a; 97A.474, subdivision 2;
1.31 97A.475, subdivisions 6, 7, 8, 10, 10a, 11, 12, 13, 41; 97B.071; 97B.301,
1.32 subdivision 6; 97B.516; 97B.668; 97C.087, subdivision 2; 97C.315, subdivision
1.33 1; 97C.345, subdivision 1; 97C.355, by adding a subdivision; 97C.371, subdivisions
1.34 1, 2, 4; 97C.395, subdivision 1; 97C.601, subdivision 1; 97C.605, subdivisions 1,
1.35 2c, 3; 97C.611; 97C.836; 103B.101, subdivisions 2, 9, 16, by adding a subdivision;
1.36 103B.103; 103C.501, subdivisions 1, 4, 5, 6, by adding a subdivision; 103D.605,
1.37 subdivision 5; 103F.505; 103F.511, by adding subdivisions; 103G.005, by adding
1.38 subdivisions; 103G.2242, subdivision 1; 103G.271, subdivision 6; 103G.287,

3.1	<u>Environmental</u>	<u>105,227,000</u>	<u>112,600,000</u>
3.2	<u>Remediation</u>	<u>19,671,000</u>	<u>20,247,000</u>

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

3.6 The commissioner must present the agency's
 3.7 biennial budget for fiscal years 2026 and 2027
 3.8 to the legislature in a transparent way by
 3.9 agency division, including the proposed
 3.10 budget bill and presentations of the budget to
 3.11 committees and divisions with jurisdiction
 3.12 over the agency's budget.

3.13	<u>Subd. 2. Environmental Analysis and Outcomes</u>	<u>46,983,000</u>	<u>41,231,000</u>
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3.14	<u>Appropriations by Fund</u>		
3.15		<u>2024</u>	<u>2025</u>
3.16	<u>General</u>	<u>28,970,000</u>	<u>20,714,000</u>
3.17	<u>Environmental</u>	<u>17,764,000</u>	<u>20,312,000</u>
3.18	<u>Remediation</u>	<u>249,000</u>	<u>205,000</u>

3.19 (a) \$122,000 the first year and \$125,000 the
 3.20 second year are from the general fund for:

3.21 (1) a municipal liaison to assist municipalities
 3.22 in implementing and participating in the
 3.23 rulemaking process for water quality standards
 3.24 and navigating the NPDES/SDS permitting
 3.25 process;

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

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

- 4.1 (4) coordinating with the Public Facilities
4.2 Authority to identify and advocate for the
4.3 resources needed for urban, suburban, and
4.4 Greater Minnesota municipalities to achieve
4.5 permit requirements.
- 4.6 (b) \$216,000 the first year and \$219,000 the
4.7 second year are from the environmental fund
4.8 for a monitoring program under Minnesota
4.9 Statutes, section 116.454.
- 4.10 (c) \$132,000 the first year and \$137,000 the
4.11 second year are for monitoring water quality
4.12 and operating assistance programs.
- 4.13 (d) \$390,000 the first year and \$399,000 the
4.14 second year are from the environmental fund
4.15 for monitoring ambient air for hazardous
4.16 pollutants.
- 4.17 (e) \$106,000 the first year and \$109,000 the
4.18 second year are from the environmental fund
4.19 for duties related to harmful chemicals in
4.20 children's products under Minnesota Statutes,
4.21 sections 116.9401 to 116.9407. Of this
4.22 amount, \$68,000 the first year and \$70,000
4.23 the second year are transferred to the
4.24 commissioner of health.
- 4.25 (f) \$128,000 the first year and \$132,000 the
4.26 second year are from the environmental fund
4.27 for registering wastewater laboratories.
- 4.28 (g) \$1,492,000 the first year and \$1,519,000
4.29 the second year are from the environmental
4.30 fund to continue perfluorochemical
4.31 biomonitoring in eastern metropolitan
4.32 communities, as recommended by the
4.33 Environmental Health Tracking and
4.34 Biomonitoring Advisory Panel, and to address

5.1 other environmental health risks, including air
5.2 quality. The communities must include Hmong
5.3 and other immigrant farming communities.
5.4 Of this amount, up to \$1,226,000 the first year
5.5 and \$1,248,000 the second year are for transfer
5.6 to the commissioner of health.

5.7 (h) \$61,000 the first year and \$62,000 the
5.8 second year are from the environmental fund
5.9 for the listing procedures for impaired waters
5.10 required under this act.

5.11 (i) \$72,000 the first year and \$74,000 the
5.12 second year are from the remediation fund for
5.13 the leaking underground storage tank program
5.14 to investigate, clean up, and prevent future
5.15 releases from underground petroleum storage
5.16 tanks and for the petroleum remediation
5.17 program for vapor assessment and
5.18 remediation. These same annual amounts are
5.19 transferred from the petroleum tank fund to
5.20 the remediation fund.

5.21 (j) \$500,000 the first year is to facilitate the
5.22 collaboration and modeling of greenhouse gas
5.23 impacts, costs, and benefits of strategies to
5.24 reduce statewide greenhouse gas emissions.
5.25 This is a onetime appropriation.

5.26 (k) \$20,266,000 the first year and \$20,270,000
5.27 the second year are to establish and implement
5.28 a local government water infrastructure grant
5.29 program for local governmental units and
5.30 Tribal governments. Of this amount,
5.31 \$19,720,000 each year is for grants to support
5.32 communities in planning and implementing
5.33 projects that will allow for adaptation for a
5.34 changing climate. At least 50 percent of the
5.35 money granted under this paragraph must be

6.1 for projects in the seven-county metropolitan
6.2 area. This appropriation is available until June
6.3 30, 2027. The base for this appropriation in
6.4 fiscal year 2026 and beyond is \$270,000.

6.5 (l) \$2,070,000 the first year and \$2,070,000
6.6 the second year are from the environmental
6.7 fund to develop and implement a drinking
6.8 water protection and PFAS response program
6.9 related to emerging issues, including
6.10 *Minnesota's PFAS Blueprint*.

6.11 (m) \$1,820,000 the second year is from the
6.12 environmental fund to support improved
6.13 management of data collected by the agency
6.14 and its partners and regulated parties to
6.15 facilitate decision-making and public access.

6.16 (n) \$500,000 the first year is for developing
6.17 and implementing firefighter biomonitoring
6.18 protocols required under this act. Of this
6.19 amount, up to \$250,000 may be transferred to
6.20 the commissioner of health for biomonitoring
6.21 of firefighters. This appropriation is available
6.22 until June 30, 2025.

6.23 (o) \$2,000,000 the first year is to develop
6.24 protocols to be used by agencies and
6.25 departments for sampling and testing
6.26 groundwater, surface water, public drinking
6.27 water, and private wells for microplastics and
6.28 nanoplastics and to begin implementation. The
6.29 commissioner of the Pollution Control Agency
6.30 may transfer money appropriated under this
6.31 paragraph to the commissioners of agriculture,
6.32 natural resources, and health to implement the
6.33 protocols developed. This is a onetime
6.34 appropriation and is available until June 30,
6.35 2025.

7.1 (p) \$50,000 the first year is from the
7.2 remediation fund for the work group on PFAS
7.3 manufacturer fees and report required under
7.4 this act.

7.5 (q) \$387,000 the first year and \$90,000 the
7.6 second year are to develop and implement the
7.7 requirements for fish kills under Minnesota
7.8 Statutes, sections 103G.216 and 103G.2165.
7.9 Of this amount, up to \$331,000 the first year
7.10 and \$90,000 the second year may be
7.11 transferred to the commissioners of health,
7.12 natural resources, agriculture, and public
7.13 safety and to the Board of Regents of the
7.14 University of Minnesota as necessary to
7.15 implement those sections. The base for this
7.16 appropriation for fiscal year 2026 and beyond
7.17 is \$7,000.

7.18 (r) \$63,000 the first year and \$92,000 the
7.19 second year are for transfer to the
7.20 commissioner of health for amending the
7.21 health risk limit for PFOS. This is a onetime
7.22 appropriation and is available until June 30,
7.23 2026.

7.24 (s) \$5,000,000 the first year is for community
7.25 air-monitoring grants as provided in this act.
7.26 This is a onetime appropriation and is
7.27 available until June 30, 2025.

7.28 (t) \$625,000 the first year and \$779,000 the
7.29 second year are from the environmental fund
7.30 to adopt rules and implement air toxics
7.31 emissions requirements under Minnesota
7.32 Statutes, section 116.062. The base for this
7.33 appropriation is \$669,000 in fiscal year 2026
7.34 and \$1,400,000 in fiscal year 2027 and
7.35 beyond.

8.1	<u>Subd. 3. Industrial</u>	<u>54,056,000</u>	<u>34,308,000</u>
8.2	<u>Appropriations by Fund</u>		
8.3		<u>2024</u>	<u>2025</u>
8.4	<u>General</u>	<u>34,980,000</u>	<u>14,577,000</u>
8.5	<u>Environmental</u>	<u>17,355,000</u>	<u>17,958,000</u>
8.6	<u>Remediation</u>	<u>1,721,000</u>	<u>1,773,000</u>

8.7 (a) \$1,621,000 the first year and \$1,670,000
 8.8 the second year are from the remediation fund
 8.9 for the leaking underground storage tank
 8.10 program to investigate, clean up, and prevent
 8.11 future releases from underground petroleum
 8.12 storage tanks and for the petroleum
 8.13 remediation program for vapor assessment
 8.14 and remediation. These same annual amounts
 8.15 are transferred from the petroleum tank fund
 8.16 to the remediation fund.

8.17 (b) \$448,000 the first year and \$457,000 the
 8.18 second year are from the environmental fund
 8.19 to further evaluate the use and reduction of
 8.20 trichloroethylene around Minnesota and
 8.21 identify its potential health effects on
 8.22 communities. Of this amount, \$145,000 the
 8.23 first year and \$149,000 the second year are
 8.24 transferred to the commissioner of health.

8.25 (c) \$4,000 the first year and \$4,000 the second
 8.26 year are from the environmental fund to
 8.27 purchase air emissions monitoring equipment
 8.28 to support compliance and enforcement
 8.29 activities.

8.30 (d) \$3,200,000 the first year and \$3,200,000
 8.31 the second year are to provide air emission
 8.32 reduction grants. Of this amount, \$2,800,000
 8.33 each year is for grants to reduce air pollution
 8.34 at regulated facilities within environmental
 8.35 justice areas of concern. This appropriation is

9.1 available until June 30, 2027, and is a onetime
9.2 appropriation.

9.3 (e) \$40,000 the first year and \$40,000 the
9.4 second year are for air compliance equipment
9.5 maintenance. This is a onetime appropriation.

9.6 (f) \$20,000,000 the first year and \$300,000
9.7 the second year are to support research on
9.8 innovative technologies to treat
9.9 difficult-to-manage pollutants and for
9.10 implementation grants based on this research
9.11 at taconite facilities. Of this amount,
9.12 \$2,100,000 is for transfer to the Board of
9.13 Regents of the University of Minnesota for
9.14 academic and applied research through the
9.15 MnDRIVE program at the Natural Resources
9.16 Research Institute for research to foster
9.17 economic development of the state's natural
9.18 resources in an environmentally sound manner
9.19 and \$17,600,000 is for grants. Of the
9.20 \$2,100,000 transferred, at least \$900,000 is to
9.21 develop and demonstrate technologies that
9.22 enhance the long-term health and management
9.23 of Minnesota's water and mineral resources.

9.24 This appropriation is for continued
9.25 characterization of Minnesota's iron resources
9.26 and development of next-generation process
9.27 technologies for iron products and reduced
9.28 effluent. This research must be conducted in
9.29 consultation with the Mineral Coordinating
9.30 Committee established under Minnesota
9.31 Statutes, section 93.0015. This is a onetime
9.32 appropriation and is available until June 30,
9.33 2027.

9.34 (g) \$500,000 the first year and \$500,000 the
9.35 second year are for the purposes of biofuel

- 10.1 wastewater monitoring requirements under
10.2 Minnesota Statutes, section 115.03,
10.3 subdivision 12.
- 10.4 (h) \$250,000 the first year is for a life cycle
10.5 assessment of the presence of neonicotinoid
10.6 pesticide in the production of ethanol,
10.7 biodiesel, and advanced biofuel, including
10.8 feedstocks, coproducts, air emissions, and the
10.9 fuel itself. This is a onetime appropriation and
10.10 is available until June 30, 2025. No later than
10.11 December 15, 2024, the commissioner of the
10.12 Pollution Control Agency must submit the
10.13 assessment, including recommendations, to
10.14 the chairs and ranking minority members of
10.15 the legislative committees with jurisdiction
10.16 over agriculture and environment.
- 10.17 (i) \$670,000 the first year and \$522,000 the
10.18 second year are from the general fund and
10.19 \$277,000 the first year and \$277,000 the
10.20 second year are from the environmental fund
10.21 for the purposes of the nonexpiring state
10.22 individual air quality permit requirements
10.23 under Minnesota Statutes, section 116.07,
10.24 subdivision 4m. The base for this
10.25 appropriation in fiscal year 2026 and beyond
10.26 is \$277,000 from the environmental fund.
- 10.27 (j) \$250,000 the first year and \$250,000 the
10.28 second year are for rulemaking and
10.29 implementation of the odor management
10.30 requirements under Minnesota Statutes,
10.31 section 116.063. The base for this
10.32 appropriation is \$250,000 in fiscal year 2026
10.33 and \$500,000 in fiscal year 2027 and beyond.
- 10.34 (k) \$9,526,000 the first year and \$9,221,000
10.35 the second year are from the general fund for

11.1 implementation of the environmental justice,
 11.2 cumulative impact analysis, and demographic
 11.3 analysis requirements under this act. This is a
 11.4 onetime appropriation and is available until
 11.5 June 30, 2028. The base for this appropriation
 11.6 in fiscal year 2026 and beyond is \$9,021,000
 11.7 from the environmental fund.

11.8 **Subd. 4. Municipal** 10,725,000 11,373,000

11.9 Appropriations by Fund

	<u>2024</u>	<u>2025</u>
11.10		
11.11 <u>General</u>	<u>761,000</u>	<u>767,000</u>
11.12 <u>State Government</u>		
11.13 <u>Special Revenue</u>	<u>85,000</u>	<u>90,000</u>
11.14 <u>Environmental</u>	<u>9,879,000</u>	<u>10,516,000</u>

11.15 (a) \$217,000 the first year and \$223,000 the
 11.16 second year are for:

11.17 (1) a municipal liaison to assist municipalities
 11.18 in implementing and participating in the
 11.19 rulemaking process for water quality standards
 11.20 and navigating the NPDES/SDS permitting
 11.21 process;

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

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

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

- 12.1 (b) \$50,000 the first year and \$50,000 the
12.2 second year are from the environmental fund
12.3 for transfer to the Office of Administrative
12.4 Hearings to establish sanitary districts.
- 12.5 (c) \$1,240,000 the first year and \$1,338,000
12.6 the second year are from the environmental
12.7 fund for subsurface sewage treatment system
12.8 (SSTS) program administration and
12.9 community technical assistance and education,
12.10 including grants and technical assistance to
12.11 communities for water-quality protection. Of
12.12 this amount, \$350,000 each year is for
12.13 assistance to counties through grants for SSTS
12.14 program administration. A county receiving
12.15 a grant from this appropriation must submit
12.16 the results achieved with the grant to the
12.17 commissioner as part of its annual SSTS
12.18 report. Any unexpended balance in the first
12.19 year does not cancel but is available in the
12.20 second year.
- 12.21 (d) \$994,000 the first year and \$1,094,000 the
12.22 second year are from the environmental fund
12.23 to address the need for continued increased
12.24 activity in new technology review, technical
12.25 assistance for local governments, and
12.26 enforcement under Minnesota Statutes,
12.27 sections 115.55 to 115.58, and to complete the
12.28 requirements of Laws 2003, chapter 128,
12.29 article 1, section 165.
- 12.30 (e) Notwithstanding Minnesota Statutes,
12.31 section 16A.28, the appropriations
12.32 encumbered on or before June 30, 2025, as
12.33 grants or contracts for subsurface sewage
12.34 treatment systems, surface water and
12.35 groundwater assessments, storm water, and

13.1 water-quality protection in this subdivision
 13.2 are available until June 30, 2028.

13.3 **Subd. 5. Operations** 34,236,000 32,836,000

13.4 Appropriations by Fund

	<u>2024</u>	<u>2025</u>
13.5		
13.6 <u>General</u>	<u>23,250,000</u>	<u>21,859,000</u>
13.7 <u>Environmental</u>	<u>8,369,000</u>	<u>8,486,000</u>
13.8 <u>Remediation</u>	<u>2,617,000</u>	<u>2,491,000</u>

13.9 (a) \$1,154,000 the first year and \$1,124,000
 13.10 the second year are from the remediation fund
 13.11 for the leaking underground storage tank
 13.12 program to investigate, clean up, and prevent
 13.13 future releases from underground petroleum
 13.14 storage tanks and for the petroleum
 13.15 remediation program for vapor assessment
 13.16 and remediation. These same annual amounts
 13.17 are transferred from the petroleum tank fund
 13.18 to the remediation fund.

13.19 (b) \$3,000,000 the first year and \$3,109,000
 13.20 the second year are to support agency
 13.21 information technology services provided at
 13.22 the enterprise and agency level to improve
 13.23 operations.

13.24 (c) \$906,000 the first year and \$919,000 the
 13.25 second year are from the environmental fund
 13.26 to develop and maintain systems to support
 13.27 agency permitting and regulatory business
 13.28 processes and data.

13.29 (d) \$2,000,000 the first year and \$2,000,000
 13.30 the second year are to provide technical
 13.31 assistance to Tribal governments. This is a
 13.32 onetime appropriation.

13.33 (e) \$18,250,000 the first year and \$16,750,000
 13.34 the second year are to support modernizing

14.1 and automating agency environmental
 14.2 programs and data systems and how the
 14.3 agency provides services to regulated parties,
 14.4 partners, and the public. This appropriation is
 14.5 available until June 30, 2027. This is a onetime
 14.6 appropriation.

14.7 (f) \$270,000 the first year and \$270,000 the
 14.8 second year are from the environmental fund
 14.9 to support current and future career pathways
 14.10 for underrepresented students.

14.11 (g) \$700,000 the first year and \$700,000 the
 14.12 second year are from the environmental fund
 14.13 to improve the coordination, effectiveness,
 14.14 transparency, and accountability of the
 14.15 environmental review and permitting process.

14.16 (h) \$438,000 the first year and \$333,000 the
 14.17 second year are from the environmental fund
 14.18 for the Minnesota Pollution Control Agency
 14.19 citizen members.

14.20 **Subd. 6. Remediation** 40,318,000 16,022,000

14.21	<u>Appropriations by Fund</u>		
14.22		<u>2024</u>	<u>2025</u>
14.23	<u>General</u>	<u>25,000,000</u>	<u>-0-</u>
14.24	<u>Environmental</u>	<u>607,000</u>	<u>628,000</u>
14.25	<u>Remediation</u>	<u>14,711,000</u>	<u>15,394,000</u>

14.26 (a) All money for environmental response,
 14.27 compensation, and compliance in the
 14.28 remediation fund not otherwise appropriated
 14.29 is appropriated to the commissioners of the
 14.30 Pollution Control Agency and agriculture for
 14.31 purposes of Minnesota Statutes, section
 14.32 115B.20, subdivision 2, clauses (1), (2), (3),
 14.33 (6), and (7). At the beginning of each fiscal
 14.34 year, the two commissioners must jointly

- 15.1 submit to the commissioner of management
15.2 and budget an annual spending plan that
15.3 maximizes resource use and appropriately
15.4 allocates the money between the two
15.5 departments. This appropriation is available
15.6 until June 30, 2025.
- 15.7 (b) \$415,000 the first year and \$426,000 the
15.8 second year are from the environmental fund
15.9 to manage contaminated sediment projects at
15.10 multiple sites identified in the St. Louis River
15.11 remedial action plan to restore water quality
15.12 in the St. Louis River Area of Concern.
- 15.13 (c) \$4,476,000 the first year and \$4,622,000
15.14 the second year are from the remediation fund
15.15 for the leaking underground storage tank
15.16 program to investigate, clean up, and prevent
15.17 future releases from underground petroleum
15.18 storage tanks and for the petroleum
15.19 remediation program for vapor assessment
15.20 and remediation. These same annual amounts
15.21 are transferred from the petroleum tank fund
15.22 to the remediation fund.
- 15.23 (d) \$308,000 the first year and \$316,000 the
15.24 second year are from the remediation fund for
15.25 transfer to the commissioner of health for
15.26 private water-supply monitoring and health
15.27 assessment costs in areas contaminated by
15.28 unpermitted mixed municipal solid waste
15.29 disposal facilities and drinking water
15.30 advisories and public information activities
15.31 for areas contaminated by hazardous releases.
- 15.32 (e) \$25,000,000 the first year is for grants to
15.33 support planning, designing, and preparing for
15.34 solutions for public water treatment systems
15.35 contaminated with PFAS. The grants are to

16.1 reimburse local public water supply operators
 16.2 for source investigations, sampling and
 16.3 treating private drinking water wells, and
 16.4 evaluating solutions for treating private
 16.5 drinking water wells. At least 50 percent of
 16.6 the money appropriated under this paragraph
 16.7 must be for grants in the seven-county
 16.8 metropolitan area. This appropriation is
 16.9 available until June 30, 2027, and is a onetime
 16.10 appropriation.

16.11 (f) \$76,000 the first year is from the
 16.12 remediation fund for the petroleum tank
 16.13 release cleanup program duties and report
 16.14 required under this act. This is a onetime
 16.15 appropriation.

16.16 **Subd. 7. Resource Management and Assistance** 75,025,000 63,467,000

16.17	<u>Appropriations by Fund</u>	
16.18	<u>2024</u>	<u>2025</u>
16.19	<u>General</u>	<u>31,477,000</u> <u>18,655,000</u>
16.20	<u>Environmental</u>	<u>43,548,000</u> <u>44,812,000</u>

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

16.26 (b) \$1,000,000 the first year and \$1,000,000
 16.27 the second year are for competitive recycling
 16.28 grants under Minnesota Statutes, section
 16.29 115A.565. Of this amount, \$300,000 the first
 16.30 year and \$300,000 the second year are from
 16.31 the general fund, and \$700,000 the first year
 16.32 and \$700,000 the second year are from the
 16.33 environmental fund. This appropriation is
 16.34 available until June 30, 2027.

- 17.1 (c) \$694,000 the first year and \$694,000 the
17.2 second year are from the environmental fund
17.3 for emission-reduction activities and grants to
17.4 small businesses and other
17.5 nonpoint-emission-reduction efforts. Of this
17.6 amount, \$100,000 the first year and \$100,000
17.7 the second year are to continue work with
17.8 Clean Air Minnesota, and the commissioner
17.9 may enter into an agreement with
17.10 Environmental Initiative to support this effort.
- 17.11 (d) \$22,450,000 the first year and \$22,450,000
17.12 the second year are for SCORE block grants
17.13 to counties. Of this amount, \$4,000,000 the
17.14 first year and \$4,000,000 the second year are
17.15 from the general fund, and \$18,450,000 the
17.16 first year and \$18,450,000 the second year are
17.17 from the environmental fund. The base in
17.18 fiscal year 2026 and beyond is \$18,450,000
17.19 from the environmental fund. For fiscal years
17.20 2024 and 2025, each county's allocation is
17.21 based on Minnesota Statutes, section
17.22 115A.557, and \$2,000,000 must be used only
17.23 for waste prevention and reuse activities.
- 17.24 (e) \$119,000 the first year and \$119,000 the
17.25 second year are from the environmental fund
17.26 for environmental assistance grants or loans
17.27 under Minnesota Statutes, section 115A.0716.
- 17.28 (f) \$400,000 the first year and \$400,000 the
17.29 second year are from the environmental fund
17.30 for grants to develop and expand recycling
17.31 markets for Minnesota businesses.
- 17.32 (g) \$767,000 the first year and \$770,000 the
17.33 second year are from the environmental fund
17.34 for reducing and diverting food waste,
17.35 redirecting edible food for consumption, and

18.1 removing barriers to collecting and recovering
18.2 organic waste. Of this amount, \$500,000 each
18.3 year is for grants to increase food rescue and
18.4 waste prevention. This appropriation is
18.5 available until June 30, 2027.

18.6 (h) \$2,797,000 the first year and \$2,811,000
18.7 the second year are from the environmental
18.8 fund for the purposes of Minnesota Statutes,
18.9 section 473.844.

18.10 (i) \$318,000 the first year and \$474,000 the
18.11 second year are from the environmental fund
18.12 to address chemicals in products, including to
18.13 implement and enforce flame retardant
18.14 provisions under Minnesota Statutes, section
18.15 325F.071, and perfluoroalkyl and
18.16 polyfluoroalkyl substances in food packaging
18.17 provisions under Minnesota Statutes, section
18.18 325F.075. Of this amount, \$78,000 the first
18.19 year and \$80,000 the second year are
18.20 transferred to the commissioner of health.

18.21 (j) \$180,000 the first year and \$140,000 the
18.22 second year are for quantifying climate-related
18.23 impacts from projects for environmental
18.24 review. This is a onetime appropriation.

18.25 (k) \$1,790,000 the first year and \$70,000 the
18.26 second year are for accelerating pollution
18.27 prevention at small businesses. Of this amount,
18.28 \$1,720,000 the first year is for zero-interest
18.29 loans to phase out high-polluting equipment,
18.30 products, and processes and replace with new
18.31 options. This appropriation is available until
18.32 June 30, 2027. This is a onetime appropriation.

19.1 (l) \$190,000 the first year and \$190,000 the
19.2 second year are to support the Greenstep Cities
19.3 program. This is a onetime appropriation.

19.4 (m) \$420,000 the first year is to complete a
19.5 study on the viability of recycling solar energy
19.6 equipment. This is a onetime appropriation.

19.7 (n) \$650,000 the first year and \$650,000 the
19.8 second year are from the environmental fund
19.9 for Minnesota GreenCorps investment.

19.10 (o) \$4,210,000 the first year and \$210,000 the
19.11 second year are for PFAS reduction grants.
19.12 Of this amount, \$4,000,000 the first year is
19.13 for grants to industry and public entities to
19.14 identify sources of PFAS entering facilities
19.15 and to develop pollution prevention and
19.16 reduction initiatives to reduce PFAS entering
19.17 facilities, prevent releases, and monitor the
19.18 effectiveness of these projects. Priority must
19.19 be given to projects in underserved
19.20 communities. This is a onetime appropriation
19.21 and is available until June 30, 2027.

19.22 (p) \$12,940,000 the first year and \$12,940,000
19.23 the second year are for a waste prevention and
19.24 reduction grants and loan program. This is a
19.25 onetime appropriation and is available until
19.26 June 30, 2027.

19.27 (q) \$825,000 the first year and \$1,453,000 the
19.28 second year are from the environmental fund
19.29 for rulemaking and implementation of the new
19.30 PFAS requirements under Minnesota Statutes,
19.31 section 116.943. Of this amount, \$312,000 the
19.32 first year and \$468,000 the second year are
19.33 for transfer to the commissioner of health. The
19.34 base for this appropriation is \$1,115,000 in

20.1 fiscal year 2026 and beyond. The base for the
20.2 transfer to the commissioner of health in fiscal
20.3 year 2026 and beyond is \$468,000.

20.4 (r) \$680,000 the first year is for the zero-waste
20.5 report required in this act. This is a onetime
20.6 appropriation and is available until June 30,
20.7 2026.

20.8 (s) \$1,592,000 the first year and \$805,000 the
20.9 second year are for zero-waste grants under
20.10 Minnesota Statutes, section 115A.566.

20.11 (t) \$35,000 the second year is from the
20.12 environmental fund for the compostable
20.13 labeling requirements under Minnesota
20.14 Statutes, section 325E.046. The base for this
20.15 appropriation in fiscal year 2026 and beyond
20.16 is \$68,000.

20.17 (u) \$175,000 the first year is for the
20.18 rulemaking required under this act providing
20.19 for the safe and lawful disposal of waste
20.20 treated seed. This appropriation is available
20.21 until June 30, 2025.

20.22 (v) \$1,000,000 the first year is for a lead tackle
20.23 reduction program that provides outreach,
20.24 education, and opportunities to safely dispose
20.25 of and exchange lead tackle throughout the
20.26 state. This is a onetime appropriation and is
20.27 available until June 30, 2025.

20.28 (w) \$4,000,000 is for a grant to the owner of
20.29 a biomass energy generation plant in Shakopee
20.30 that uses waste heat from the generation of
20.31 electricity in the malting process to purchase
20.32 a wood dehydrator to facilitate disposal of
20.33 wood that is infested by the emerald ash borer.
20.34 By October 1, 2024, the commissioner of the

21.1 Pollution Control Agency must report to the
 21.2 chairs and ranking minority members of the
 21.3 legislative committees and divisions with
 21.4 jurisdiction over environment and natural
 21.5 resources on the use of money appropriated
 21.6 under this paragraph.

21.7 (x) Any unencumbered grant and loan
 21.8 balances in the first year do not cancel but are
 21.9 available for grants and loans in the second
 21.10 year. Notwithstanding Minnesota Statutes,
 21.11 section 16A.28, the appropriations
 21.12 encumbered on or before June 30, 2025, as
 21.13 contracts or grants for environmental
 21.14 assistance awarded under Minnesota Statutes,
 21.15 section 115A.0716; technical and research
 21.16 assistance under Minnesota Statutes, section
 21.17 115A.152; technical assistance under
 21.18 Minnesota Statutes, section 115A.52; and
 21.19 pollution prevention assistance under
 21.20 Minnesota Statutes, section 115D.04, are
 21.21 available until June 30, 2027.

21.22 **Subd. 8. Watershed** 12,678,000 13,952,000

21.23	<u>Appropriations by Fund</u>	
21.24	<u>2024</u>	<u>2025</u>
21.25	<u>General</u>	<u>3,906,000</u>
21.26	<u>Environmental</u>	<u>9,662,000</u>
21.27	<u>Remediation</u>	<u>384,000</u>

21.28 (a) \$3,000,000 the first year and \$3,000,000
 21.29 the second year are for grants to delegated
 21.30 counties to administer the county feedlot
 21.31 program under Minnesota Statutes, section
 21.32 116.0711, subdivisions 2 and 3. Money
 21.33 remaining after the first year is available for
 21.34 the second year. The base for this

22.1 appropriation in fiscal year 2026 and beyond
22.2 is \$1,959,000.

22.3 (b) \$236,000 the first year and \$241,000 the
22.4 second year are from the environmental fund
22.5 for the costs of implementing general
22.6 operating permits for feedlots over 1,000
22.7 animal units.

22.8 (c) \$125,000 the first year and \$129,000 the
22.9 second year are from the remediation fund for
22.10 the leaking underground storage tank program
22.11 to investigate, clean up, and prevent future
22.12 releases from underground petroleum storage
22.13 tanks and for the petroleum remediation
22.14 program for vapor assessment and
22.15 remediation. These same annual amounts are
22.16 transferred from the petroleum tank fund to
22.17 the remediation fund.

22.18 (d) \$459,000 the first year and \$494,000 the
22.19 second year are from the general fund and
22.20 \$1,680,000 the second year is from the
22.21 environmental fund to implement feedlot
22.22 financial assurance requirements and compile
22.23 the annual feedlot and manure storage area
22.24 lists required under Minnesota Statutes,
22.25 section 116.07, subdivisions 7f and 7g. The
22.26 general fund base for this appropriation in
22.27 fiscal year 2026 and beyond is \$315,000. The
22.28 environmental fund base in fiscal year 2026
22.29 and beyond is \$1,680,000.

22.30 (e) \$700,000 the first year is for distribution
22.31 to delegated counties based on registered
22.32 feedlots and manure storage areas for
22.33 inspections of manure storage areas and the
22.34 abandoned manure storage area reports

23.1 required under this act. This appropriation is
 23.2 available until June 30, 2025.

23.3 (f) \$250,000 the first year is for a grant to the
 23.4 Minnesota Association of County Feedlot
 23.5 Officers to provide training on state feedlot
 23.6 requirements, working efficiently and
 23.7 effectively with producers, and reducing the
 23.8 incidence of manure or nutrients entering
 23.9 surface water or groundwater.

23.10 (g) \$140,000 the first year and \$140,000 the
 23.11 second year are for the Pig's Eye Landfill Task
 23.12 Force.

23.13	<u>Subd. 9. Environmental Quality Board</u>	<u>2,075,000</u>	<u>1,639,000</u>
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23.14	<u>Appropriations by Fund</u>		
23.15		<u>2024</u>	<u>2025</u>
23.16	<u>General</u>	<u>1,854,000</u>	<u>1,413,000</u>
23.17	<u>Environmental</u>	<u>221,000</u>	<u>226,000</u>

23.18 \$620,000 the first year and \$140,000 the
 23.19 second year are to develop a Minnesota-based
 23.20 greenhouse gas sector and source-specific
 23.21 guidance, including climate information, a
 23.22 greenhouse gas calculator, and technical
 23.23 assistance for users. This is a onetime
 23.24 appropriation.

23.25 **Subd. 10. Transfers**

23.26 (a) The commissioner must transfer up to
 23.27 \$23,000,000 the first year and \$24,000,000
 23.28 the second year from the environmental fund
 23.29 to the remediation fund for purposes of the
 23.30 remediation fund under Minnesota Statutes,
 23.31 section 116.155, subdivision 2. The base for
 23.32 this transfer is \$24,000,000 in fiscal year 2026
 23.33 and beyond.

25.1 relating to mine permitting, of which \$200,000
 25.2 each year is from the minerals management
 25.3 account in the natural resources fund and
 25.4 \$119,000 each year is from the general fund.

25.5 (b) \$3,383,000 the first year and \$3,383,000
 25.6 the second year are from the minerals
 25.7 management account in the natural resources
 25.8 fund for use as provided under Minnesota
 25.9 Statutes, section 93.2236, paragraph (c), for
 25.10 mineral resource management, projects to
 25.11 enhance future mineral income, and projects
 25.12 to promote new mineral-resource
 25.13 opportunities.

25.14 (c) \$218,000 the first year and \$218,000 the
 25.15 second year are transferred from the forest
 25.16 suspense account to the permanent school fund
 25.17 and are appropriated from the permanent
 25.18 school fund to secure maximum long-term
 25.19 economic return from the school trust lands
 25.20 consistent with fiduciary responsibilities and
 25.21 sound natural resources conservation and
 25.22 management principles.

25.23 (d) \$338,000 the first year and \$338,000 the
 25.24 second year are from the water management
 25.25 account in the natural resources fund for
 25.26 mining hydrology.

25.27 (e) \$1,052,000 the first year and \$242,000 the
 25.28 second year are for modernizing utility
 25.29 licensing for state lands and public waters.
 25.30 The first year appropriation is available
 25.31 through fiscal year 2026.

25.32 (f) \$125,000 the first year and \$125,000 the
 25.33 second year are for conservation stewardship.

25.34 Subd. 3. **Ecological and Water Resources** 58,394,000 46,763,000

26.1	<u>Appropriations by Fund</u>	
26.2	<u>2024</u>	<u>2025</u>
26.3	<u>General</u>	<u>37,664,000</u> <u>26,008,000</u>
26.4	<u>Natural Resources</u>	<u>15,006,000</u> <u>15,031,000</u>
26.5	<u>Game and Fish</u>	<u>5,724,000</u> <u>5,724,000</u>

26.6 (a) \$5,397,000 the first year and \$5,422,000
 26.7 the second year are from the invasive species
 26.8 account in the natural resources fund and
 26.9 \$2,831,000 the first year and \$2,831,000 the
 26.10 second year are from the general fund for
 26.11 management, public awareness, assessment
 26.12 and monitoring research, and water access
 26.13 inspection to prevent the spread of invasive
 26.14 species; management of invasive plants in
 26.15 public waters; and management of terrestrial
 26.16 invasive species on state-administered lands.

26.17 (b) \$6,056,000 the first year and \$6,056,000
 26.18 the second year are from the water
 26.19 management account in the natural resources
 26.20 fund for only the purposes specified in
 26.21 Minnesota Statutes, section 103G.27,
 26.22 subdivision 2.

26.23 (c) \$124,000 the first year and \$124,000 the
 26.24 second year are for a grant to the Mississippi
 26.25 Headwaters Board for up to 50 percent of the
 26.26 cost of implementing the comprehensive plan
 26.27 for the upper Mississippi within areas under
 26.28 the board's jurisdiction. By December 15,
 26.29 2025, the board must submit a report to the
 26.30 chairs and ranking minority members of the
 26.31 legislative committees and divisions with
 26.32 jurisdiction over environment and natural
 26.33 resources on the activities funded under this
 26.34 paragraph and the progress made in
 26.35 implementing the comprehensive plan.

- 27.1 (d) \$10,000 the first year and \$10,000 the
27.2 second year are for payment to the Leech Lake
27.3 Band of Chippewa Indians to implement the
27.4 band's portion of the comprehensive plan for
27.5 the upper Mississippi River.
- 27.6 (e) \$300,000 the first year and \$300,000 the
27.7 second year are for grants for up to 50 percent
27.8 of the cost of implementing the Red River
27.9 mediation agreement. The base for this
27.10 appropriation in fiscal year 2026 and beyond
27.11 is \$264,000.
- 27.12 (f) \$2,498,000 the first year and \$2,498,000
27.13 the second year are from the heritage
27.14 enhancement account in the game and fish
27.15 fund for only the purposes specified in
27.16 Minnesota Statutes, section 297A.94,
27.17 paragraph (h), clause (1).
- 27.18 (g) \$1,150,000 the first year and \$1,150,000
27.19 the second year are from the nongame wildlife
27.20 management account in the natural resources
27.21 fund for nongame wildlife management.
27.22 Notwithstanding Minnesota Statutes, section
27.23 290.431, \$100,000 the first year and \$100,000
27.24 the second year may be used for nongame
27.25 wildlife information, education, and
27.26 promotion.
- 27.27 (h) Notwithstanding Minnesota Statutes,
27.28 section 84.943, \$48,000 the first year and
27.29 \$48,000 the second year from the critical
27.30 habitat private sector matching account may
27.31 be used to publicize the critical habitat license
27.32 plate match program.
- 27.33 (i) \$5,700,000 the first year and \$6,000,000
27.34 the second year are for the following activities:

- 28.1 (1) financial reimbursement and technical
28.2 support to soil and water conservation districts
28.3 or other local units of government for
28.4 groundwater-level monitoring;
- 28.5 (2) surface water monitoring and analysis,
28.6 including installing monitoring gauges;
- 28.7 (3) groundwater analysis to assist with
28.8 water-appropriation permitting decisions;
- 28.9 (4) permit application review incorporating
28.10 surface water and groundwater technical
28.11 analysis;
- 28.12 (5) precipitation data and analysis to improve
28.13 irrigation use;
- 28.14 (6) information technology, including
28.15 electronic permitting and integrated data
28.16 systems; and
- 28.17 (7) compliance and monitoring.
- 28.18 (j) \$410,000 the first year and \$410,000 the
28.19 second year are from the heritage enhancement
28.20 account in the game and fish fund and
28.21 \$500,000 the first year and \$500,000 the
28.22 second year are from the general fund for
28.23 grants to the Minnesota Aquatic Invasive
28.24 Species Research Center at the University of
28.25 Minnesota to prioritize, support, and develop
28.26 research-based solutions that can reduce the
28.27 effects of aquatic invasive species in
28.28 Minnesota by preventing spread, controlling
28.29 populations, and managing ecosystems and to
28.30 advance knowledge to inspire action by others.
- 28.31 (k) \$134,000 the first year and \$134,000 the
28.32 second year are for increased capacity for

29.1 broadband utility licensing for state lands and
29.2 public waters.

29.3 (l) \$998,000 the first year and \$568,000 the
29.4 second year are for protecting and restoring
29.5 carbon storage in state-administered peatlands
29.6 by reviewing and updating the state's peatland
29.7 inventory, piloting a restoration project, and
29.8 piloting trust fund buyouts. This is a onetime
29.9 appropriation and is available until June 30,
29.10 2028.

29.11 (m) \$900,000 the first year is for a grant to the
29.12 Minnesota Lakes and Rivers Advocates to
29.13 work with civic leaders to purchase, install,
29.14 and operate waterless cleaning stations for
29.15 watercraft; conduct aquatic invasive species
29.16 education; and implement education upgrades
29.17 at public accesses to prevent invasive starry
29.18 stonewort spread beyond the lakes already
29.19 infested. This is a onetime appropriation and
29.20 is available until June 30, 2025.

29.21 (n) \$300,000 the first year is to prepare an
29.22 analysis of alternative sources of water to
29.23 resolve the water-use conflict in the Little
29.24 Rock Creek area and to protect the stream
29.25 from negative impacts due to groundwater use.

29.26 The analysis must be submitted to the
29.27 legislative committees and divisions with
29.28 jurisdiction over environment and natural
29.29 resources by June 30, 2027, and include:

29.30 (1) a conceptual engineering plan;
29.31 (2) an estimate of implementation costs and
29.32 funding needs;

29.33 (3) governance and operational considerations;
29.34 (4) a development schedule; and

30.1 (5) an economic evaluation of lost revenue if
 30.2 no action is taken.

30.3 (o) \$6,000,000 the first year is for land
 30.4 acquisition and maintenance and restoration
 30.5 at Grey Cloud Dunes Scientific and Natural
 30.6 Area. This is a onetime appropriation and is
 30.7 available until June 30, 2027.

30.8 (p) \$6,000,000 the first year is for improved
 30.9 maintenance at scientific and natural areas
 30.10 under Minnesota Statutes, section 86A.05,
 30.11 subdivision 5, including additional natural
 30.12 resource specialists and technicians,
 30.13 coordinators, seasonal crews, equipment,
 30.14 supplies, and administrative support. This is
 30.15 a onetime appropriation and is available until
 30.16 June 30, 2027.

30.17 (q) The general fund base for the Ecological
 30.18 and Water Resources Division in fiscal year
 30.19 2026 and beyond is \$25,004,000.

30.20 **Subd. 4. Forest Management** 116,725,000 76,067,000

	<u>Appropriations by Fund</u>	
	<u>2024</u>	<u>2025</u>
30.22		
30.23 <u>General</u>	<u>99,072,000</u>	<u>58,389,000</u>
30.24 <u>Natural Resources</u>	<u>16,161,000</u>	<u>16,161,000</u>
30.25 <u>Game and Fish</u>	<u>1,492,000</u>	<u>1,517,000</u>

30.26 (a) \$7,521,000 the first year and \$7,521,000
 30.27 the second year are for prevention,
 30.28 presuppression, and suppression costs of
 30.29 emergency firefighting and other costs
 30.30 incurred under Minnesota Statutes, section
 30.31 88.12. The amount necessary to pay for
 30.32 presuppression and suppression costs during
 30.33 the biennium is appropriated from the general
 30.34 fund. By January 15 each year, the

31.1 commissioner of natural resources must submit
31.2 a report to the chairs and ranking minority
31.3 members of the house and senate committees
31.4 and divisions having jurisdiction over
31.5 environment and natural resources finance that
31.6 identifies all firefighting costs incurred and
31.7 reimbursements received in the prior fiscal
31.8 year. These appropriations may not be
31.9 transferred. Any reimbursement of firefighting
31.10 expenditures made to the commissioner from
31.11 any source other than federal mobilizations
31.12 must be deposited into the general fund.

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

31.19 (c) \$1,492,000 the first year and \$1,517,000
31.20 the second year are from the heritage
31.21 enhancement account in the game and fish
31.22 fund to advance ecological classification
31.23 systems (ECS), forest habitat, and invasive
31.24 species management.

31.25 (d) \$906,000 the first year and \$926,000 the
31.26 second year are for the Forest Resources
31.27 Council to implement the Sustainable Forest
31.28 Resources Act.

31.29 (e) \$1,143,000 the first year and \$1,143,000
31.30 the second year are for the Next Generation
31.31 Core Forestry data system. Of this
31.32 appropriation, \$868,000 each year is from the
31.33 general fund and \$275,000 each year is from
31.34 the forest management investment account in
31.35 the natural resources fund.

- 32.1 (f) \$500,000 the first year and \$500,000 the
32.2 second year are from the forest management
32.3 investment account in the natural resources
32.4 fund for forest road maintenance on state
32.5 forest roads.
- 32.6 (g) \$500,000 the first year and \$500,000 the
32.7 second year are for forest road maintenance
32.8 on county forest roads.
- 32.9 (h) \$2,086,000 the first year and \$2,086,000
32.10 the second year are to support forest
32.11 management, cost-share assistance, and
32.12 inventory on private woodlands. This is a
32.13 onetime appropriation.
- 32.14 (i) \$800,000 the first year and \$800,000 the
32.15 second year are to accelerate tree seed
32.16 collection to support a growing demand for
32.17 tree planting on public and private lands. This
32.18 is a onetime appropriation and is available
32.19 until June 30, 2027.
- 32.20 (j) \$10,400,000 the first year and \$10,400,000
32.21 the second year are for grants to local and
32.22 Tribal governments and nonprofit
32.23 organizations to enhance community forest
32.24 ecosystem health and sustainability under
32.25 Minnesota Statutes, section 88.82, the
32.26 Minnesota ReLeaf program. This
32.27 appropriation is available until June 30, 2027.
32.28 Money appropriated for grants under this
32.29 paragraph may be used to pay reasonable costs
32.30 incurred by the commissioner of natural
32.31 resources to administer the grants. The base
32.32 is \$400,000 beginning in fiscal year 2026.
- 32.33 (k) \$3,000,000 the first year and \$3,000,000
32.34 the second year are for forest stand

33.1 improvement and to meet the reforestation
33.2 requirements of Minnesota Statutes, section
33.3 89.002, subdivision 2. This is a onetime
33.4 appropriation.

33.5 (l) \$5,000,000 is for purposes of the Lowland
33.6 Conifer Carbon Reserve under Minnesota
33.7 Statutes, section 88.85. This is a onetime
33.8 appropriation and is available until June 30,
33.9 2026.

33.10 (m) \$37,000,000 the first year is for emerald
33.11 ash borer response grants under Minnesota
33.12 Statutes, section 88.83. This is a onetime
33.13 appropriation and is available until June 30,
33.14 2030. The commissioner may use up to two
33.15 percent of this appropriation to administer the
33.16 grants. Of this amount:

33.17 (1) \$9,000,000 is for grants to local units of
33.18 government responding or actively preparing
33.19 to respond to an emerald ash borer infestation;
33.20 and

33.21 (2) \$28,000,000 is for grants to a Minnesota
33.22 nonprofit corporation that owns a cogeneration
33.23 facility that serves a St. Paul district heating
33.24 and cooling system.

33.25 (n) \$1,000,000 the first year is for grants to
33.26 schools, including public and private schools,
33.27 to plant trees on school grounds while
33.28 providing hands-on learning opportunities for
33.29 students. A grant application under this section
33.30 must be prepared jointly with the
33.31 parent-teacher organization or similar parent
33.32 organization for the school. This is a onetime
33.33 appropriation and is available until June 30,
33.34 2026.

34.1	<u>Subd. 5. Parks and Trails Management</u>	<u>125,897,000</u>	<u>113,230,000</u>
34.2	<u>Appropriations by Fund</u>		
34.3		<u>2024</u>	<u>2025</u>
34.4	<u>General</u>	<u>50,094,000</u>	<u>38,707,000</u>
34.5	<u>Natural Resources</u>	<u>73,503,000</u>	<u>72,223,000</u>
34.6	<u>Game and Fish</u>	<u>2,300,000</u>	<u>2,300,000</u>
34.7	<u>(a) \$7,985,000 the first year and \$7,985,000</u>		
34.8	<u>the second year are from the natural resources</u>		
34.9	<u>fund for state trail, park, and recreation area</u>		
34.10	<u>operations. This appropriation is from revenue</u>		
34.11	<u>deposited in the natural resources fund under</u>		
34.12	<u>Minnesota Statutes, section 297A.94,</u>		
34.13	<u>paragraph (h), clause (2).</u>		
34.14	<u>(b) \$23,828,000 the first year and \$23,828,000</u>		
34.15	<u>the second year are from the state parks</u>		
34.16	<u>account in the natural resources fund to</u>		
34.17	<u>operate and maintain state parks and state</u>		
34.18	<u>recreation areas.</u>		
34.19	<u>(c) \$1,300,000 the first year and \$1,300,000</u>		
34.20	<u>the second year are from the natural resources</u>		
34.21	<u>fund for park and trail grants to local units of</u>		
34.22	<u>government on land to be maintained for at</u>		
34.23	<u>least 20 years for parks or trails. Priority must</u>		
34.24	<u>be given for projects that are in underserved</u>		
34.25	<u>communities or that increase access to persons</u>		
34.26	<u>with disabilities. This appropriation is from</u>		
34.27	<u>revenue deposited in the natural resources fund</u>		
34.28	<u>under Minnesota Statutes, section 297A.94,</u>		
34.29	<u>paragraph (h), clause (4). Any unencumbered</u>		
34.30	<u>balance does not cancel at the end of the first</u>		
34.31	<u>year and is available for the second year.</u>		
34.32	<u>(d) \$9,624,000 the first year and \$9,624,000</u>		
34.33	<u>the second year are from the snowmobile trails</u>		
34.34	<u>and enforcement account in the natural</u>		
34.35	<u>resources fund for the snowmobile</u>		

35.1 grants-in-aid program. Any unencumbered
35.2 balance does not cancel at the end of the first
35.3 year and is available for the second year.

35.4 (e) \$2,435,000 the first year and \$2,435,000
35.5 the second year are from the natural resources
35.6 fund for the off-highway vehicle grants-in-aid
35.7 program. Of this amount, \$1,960,000 each
35.8 year is from the all-terrain vehicle account;
35.9 \$150,000 each year is from the off-highway
35.10 motorcycle account; and \$325,000 each year
35.11 is from the off-road vehicle account. Any
35.12 unencumbered balance does not cancel at the
35.13 end of the first year and is available for the
35.14 second year.

35.15 (f) \$2,250,000 the first year and \$2,250,000
35.16 the second year are from the state land and
35.17 water conservation account in the natural
35.18 resources fund for priorities established by the
35.19 commissioner for eligible state projects and
35.20 administrative and planning activities
35.21 consistent with Minnesota Statutes, section
35.22 84.0264, and the federal Land and Water
35.23 Conservation Fund Act. Any unencumbered
35.24 balance does not cancel at the end of the first
35.25 year and is available for the second year.

35.26 (g) \$250,000 the first year and \$250,000 the
35.27 second year are for matching grants for local
35.28 parks and outdoor recreation areas under
35.29 Minnesota Statutes, section 85.019,
35.30 subdivision 2.

35.31 (h) \$250,000 the first year and \$250,000 the
35.32 second year are for matching grants for local
35.33 trail connections under Minnesota Statutes,
35.34 section 85.019, subdivision 4c.

- 36.1 (i) \$750,000 the first year is from the
36.2 all-terrain vehicle account in the natural
36.3 resources fund for a grant to St. Louis County
36.4 to match other funding sources for design,
36.5 right-of-way acquisition, permitting, and
36.6 construction of trails within the Voyageur
36.7 Country ATV trail system. This is a onetime
36.8 appropriation and is available until June 30,
36.9 2026. This appropriation may be used as a
36.10 local match to a 2023 state bonding award.
- 36.11 (j) \$700,000 the first year is from the
36.12 all-terrain vehicle account in the natural
36.13 resources fund for a grant to St. Louis County
36.14 to match other funding sources for design,
36.15 right-of-way acquisition, permitting, and
36.16 construction of a new trail within the
36.17 Prospector trail system. This is a onetime
36.18 appropriation and is available until June 30,
36.19 2026. This appropriation may be used as a
36.20 local match to a 2023 state bonding award.
- 36.21 (k) \$5,000,000 the first year is to facilitate the
36.22 transfer of land within Upper Sioux Agency
36.23 State Park required under this act, including
36.24 but not limited to the acquisition of any land
36.25 necessary to facilitate the transfer. This is a
36.26 onetime appropriation and is available until
36.27 June 30, 2033.
- 36.28 (l) \$10,000,000 the first year is to remove
36.29 hazardous trees and replace ash trees with
36.30 more diverse, climate-adapted species within
36.31 the state park system. This is a onetime
36.32 appropriation and is available until June 30,
36.33 2027.
- 36.34 (m) \$100,000 the first year is for the report on
36.35 state trails required under this act.

37.1 (n) \$1,075,000 the first year and \$1,075,000
 37.2 the second year are from the water recreation
 37.3 account in the natural resources fund for
 37.4 maintaining and enhancing public
 37.5 water-access facilities.

37.6 **Subd. 6. Fish and Wildlife Management** 116,489,000 99,230,000

37.7	<u>Appropriations by Fund</u>	
37.8	<u>2024</u>	<u>2025</u>
37.9	<u>General</u>	<u>3,616,000</u>
37.10	<u>Natural Resources</u>	<u>2,082,000</u>
37.11	<u>Game and Fish</u>	<u>91,282,000</u>
37.12	<u>Reinvest in</u>	
37.13	<u>Minnesota Resources</u>	<u>2,250,000</u>

37.14 (a) \$10,458,000 the first year and \$10,658,000
 37.15 the second year are from the heritage
 37.16 enhancement account in the game and fish
 37.17 fund only for activities specified under
 37.18 Minnesota Statutes, section 297A.94,
 37.19 paragraph (h), clause (1). Notwithstanding
 37.20 Minnesota Statutes, section 297A.94, five
 37.21 percent of this appropriation may be used for
 37.22 expanding hunter and angler recruitment and
 37.23 retention.

37.24 (b) \$982,000 the first year and \$982,000 the
 37.25 second year are from the general fund and
 37.26 \$1,675,000 the first year and \$1,675,000 the
 37.27 second year are from the game and fish fund
 37.28 for statewide response and management of
 37.29 chronic wasting disease. The commissioner
 37.30 and the Board of Animal Health must each
 37.31 submit annual reports on chronic wasting
 37.32 disease activities funded in this biennium to
 37.33 the chairs and ranking minority members of
 37.34 the legislative committees and divisions with
 37.35 jurisdiction over environment and natural

38.1 resources and agriculture. The general fund
38.2 base for this appropriation in fiscal year 2026
38.3 and beyond is \$282,000.

38.4 (c) \$484,000 of the general fund appropriation
38.5 for fiscal year 2023 in Laws 2021, First
38.6 Special Session chapter 6, article 1, section 3,
38.7 subdivision 6, paragraph (b), for planning for
38.8 and emergency response to disease outbreaks
38.9 in wildlife is canceled no later than June 29,
38.10 2023.

38.11 (d) \$8,546,000 the first year and \$8,546,000
38.12 the second year are from the deer management
38.13 account for the purposes identified in
38.14 Minnesota Statutes, section 97A.075,
38.15 subdivision 1.

38.16 (e) \$134,000 the first year and \$134,000 the
38.17 second year are for increased capacity for
38.18 broadband utility licensing for state lands and
38.19 public waters.

38.20 (f) \$15,000,000 the first year is for enhancing
38.21 prairies and grasslands and restoring wetlands
38.22 on state-owned wildlife management areas to
38.23 sequester more carbon and enhance climate
38.24 resiliency. This is a onetime appropriation and
38.25 is available until June 30, 2027.

38.26 (g) \$500,000 the first year and \$500,000 the
38.27 second year are from the general fund and
38.28 \$500,000 the first year and \$500,000 the
38.29 second year are from the heritage enhancement
38.30 account in the game and fish fund for grants
38.31 for natural-resource-based education and
38.32 recreation programs serving youth under
38.33 Minnesota Statutes, section 84.976, and for
38.34 grant administration. Priority must be given

39.1 to projects benefiting underserved
39.2 communities. The base for this appropriation
39.3 in fiscal year 2026 and beyond is \$500,000
39.4 from the heritage enhancement account in the
39.5 game and fish fund. The general fund
39.6 appropriation is onetime.

39.7 (h) \$400,000 the first year and \$400,000 the
39.8 second year are from the heritage enhancement
39.9 account in the game and fish fund for the
39.10 walk-in access program under Minnesota
39.11 Statutes, section 97A.126.

39.12 (i) \$1,000,000 the first year and \$1,000,000
39.13 the second year are from the game and fish
39.14 fund for investments in fish management
39.15 activities.

39.16 (j) \$2,000,000 the first year and \$2,000,000
39.17 the second year are for grants to the Fond du
39.18 Lac Band of Lake Superior Chippewa to
39.19 expand Minnesota's wild elk population and
39.20 range. Consideration must be given to moving
39.21 elk from existing herds in northwest
39.22 Minnesota to the area of the Fond du Lac State
39.23 Forest and the Fond du Lac Reservation in
39.24 Carlton and southern St. Louis Counties. The
39.25 Fond du Lac Band of Lake Superior
39.26 Chippewa's elk reintroduction efforts must
39.27 undergo thorough planning with the
39.28 Department of Natural Resources to develop
39.29 necessary capture and handling protocols,
39.30 including protocols related to cervid disease
39.31 management, and to produce postrelease state
39.32 and Tribal elk comanagement plans. This is a
39.33 onetime appropriation and is available until
39.34 June 30, 2026.

40.1 (k) \$773,000 the first year is to examine the
40.2 impacts of neonicotinoid exposure on the
40.3 reproduction and survival of Minnesota's game
40.4 species, including deer and prairie chicken.
40.5 This is a onetime appropriation and is
40.6 available until June 30, 2027.

40.7 (l) \$134,000 the first year and \$134,000 the
40.8 second year are from the heritage enhancement
40.9 account in the game and fish fund for native
40.10 fish conservation and classification.

40.11 (m) \$1,400,000 the first year is for designating
40.12 swan protection areas under Minnesota
40.13 Statutes, section 97A.096, and to provide
40.14 increased education and outreach promoting
40.15 the protection of swans in the state, including
40.16 education regarding the restrictions on taking
40.17 swans. This is a onetime appropriation and is
40.18 available until June 30, 2026.

40.19 (n) \$65,000 the first year is for preparing the
40.20 report on feral pigs and mink required under
40.21 this act and holding at least one public meeting
40.22 on the topic.

40.23 (o) Notwithstanding Minnesota Statutes,
40.24 section 84.943, subdivision 3, \$5,750,000 the
40.25 first year and \$2,250,000 the second year are
40.26 transferred from the Minnesota critical habitat
40.27 private sector matching account to the reinvest
40.28 in Minnesota resources fund and are
40.29 appropriated from the reinvest in Minnesota
40.30 resources fund for wildlife management area
40.31 acquisition. This appropriation is available
40.32 until June 30, 2027.

41.1 (p) \$82,000 the first year is for the native fish
 41.2 reports required under this act. This is a
 41.3 onetime appropriation.

41.4 (q) Notwithstanding Minnesota Statutes,
 41.5 section 297A.94, \$300,000 the first year and
 41.6 \$300,000 the second year are from the heritage
 41.7 enhancement account in the game and fish
 41.8 fund for shooting sports facility grants under
 41.9 Minnesota Statutes, section 87A.10, including
 41.10 grants for archery facilities. Grants must be
 41.11 matched with a nonstate match, which may
 41.12 include in-kind contributions. Priority must
 41.13 be given to facilities that prohibit the use of
 41.14 lead ammunition. Recipients of money
 41.15 appropriated under this paragraph must
 41.16 provide information on the toxic effects of
 41.17 lead. This is a onetime appropriation and is
 41.18 available until June 30, 2026. This
 41.19 appropriation must be allocated as follows:

41.20 (1) \$200,000 each fiscal year is for grants of
 41.21 \$25,000 or less; and

41.22 (2) \$100,000 each fiscal year is for grants in
 41.23 excess of \$25,000.

41.24 Subd. 7. Enforcement 64,672,000 67,712,000

41.25	<u>Appropriations by Fund</u>	
41.26	<u>2024</u>	<u>2025</u>
41.27 <u>General</u>	<u>18,322,000</u>	<u>22,937,000</u>
41.28 <u>Natural Resources</u>	<u>13,911,000</u>	<u>14,011,000</u>
41.29 <u>Game and Fish</u>	<u>32,322,000</u>	<u>30,647,000</u>
41.30 <u>Remediation</u>	<u>117,000</u>	<u>117,000</u>

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

- 42.1 (b) \$2,080,000 the first year and \$1,892,000
42.2 the second year are from the heritage
42.3 enhancement account in the game and fish
42.4 fund for only the purposes specified under
42.5 Minnesota Statutes, section 297A.94,
42.6 paragraph (h), clause (1).
- 42.7 (c) \$1,442,000 the first year and \$1,442,000
42.8 the second year are from the water recreation
42.9 account in the natural resources fund for grants
42.10 to counties for boat and water safety. Any
42.11 unencumbered balance does not cancel at the
42.12 end of the first year and is available for the
42.13 second year.
- 42.14 (d) \$315,000 the first year and \$315,000 the
42.15 second year are from the snowmobile trails
42.16 and enforcement account in the natural
42.17 resources fund for grants to local law
42.18 enforcement agencies for snowmobile
42.19 enforcement activities. Any unencumbered
42.20 balance does not cancel at the end of the first
42.21 year and is available for the second year.
- 42.22 (e) \$250,000 the first year and \$250,000 the
42.23 second year are from the all-terrain vehicle
42.24 account in the natural resources fund for grants
42.25 to qualifying organizations to assist in safety
42.26 and environmental education and monitoring
42.27 trails on public lands under Minnesota
42.28 Statutes, section 84.9011. Grants issued under
42.29 this paragraph must be issued through a formal
42.30 agreement with the organization. By
42.31 December 15 each year, an organization
42.32 receiving a grant under this paragraph must
42.33 report to the commissioner with details on
42.34 expenditures and outcomes from the grant. Of
42.35 this appropriation, \$25,000 each year is for

43.1 administering these grants. Any unencumbered
43.2 balance does not cancel at the end of the first
43.3 year and is available for the second year.

43.4 (f) \$510,000 the first year and \$510,000 the
43.5 second year are from the natural resources
43.6 fund for grants to county law enforcement
43.7 agencies for off-highway vehicle enforcement
43.8 and public education activities based on
43.9 off-highway vehicle use in the county. Of this
43.10 amount, \$498,000 each year is from the
43.11 all-terrain vehicle account, \$11,000 each year
43.12 is from the off-highway motorcycle account,
43.13 and \$1,000 each year is from the off-road
43.14 vehicle account. The county enforcement
43.15 agencies may use money received under this
43.16 appropriation to make grants to other local
43.17 enforcement agencies within the county that
43.18 have a high concentration of off-highway
43.19 vehicle use. Of this appropriation, \$25,000
43.20 each year is for administering the grants. Any
43.21 unencumbered balance does not cancel at the
43.22 end of the first year and is available for the
43.23 second year.

43.24 (g) \$2,250,000 the first year and \$5,734,000
43.25 the second year are appropriated for
43.26 inspections, investigations, and enforcement
43.27 activities taken in conjunction with the Board
43.28 of Animal Health for the white-tailed deer
43.29 farm program and for statewide response and
43.30 management of chronic wasting disease. This
43.31 appropriation is available until June 30, 2027.
43.32 The base for fiscal year 2026 and beyond is
43.33 \$3,250,000.

43.34 (h) \$3,000,000 of the general fund
43.35 appropriation for fiscal years 2022 and 2023

44.1 in Laws 2021, First Special Session chapter
 44.2 6, article 1, section 3, subdivision 7, paragraph
 44.3 (i), for inspections, investigations, and
 44.4 enforcement activities taken in conjunction
 44.5 with the Board of Animal Health for the
 44.6 white-tailed deer farm program is canceled no
 44.7 later than June 29, 2023.

44.8 (i) \$3,050,000 the first year is for modernizing
 44.9 the enforcement aviation fleet. This
 44.10 appropriation is available until June 30, 2027.

44.11 (j) \$360,000 the first year and \$360,000 the
 44.12 second year are for training department
 44.13 enforcement officers and for maintaining and
 44.14 storing equipment for conservation officer
 44.15 public safety responses. The training may not
 44.16 include training for duties unrelated to
 44.17 enforcement of game and fish laws. This is a
 44.18 onetime appropriation.

44.19 **Subd. 8. Operations Support** 2,434,000 1,408,000

44.20 (a) \$1,684,000 the first year and \$1,408,000
 44.21 second year are for information technology
 44.22 security and modernization. This is a onetime
 44.23 appropriation.

44.24 (b) \$750,000 the first year is for legal costs.
 44.25 The unencumbered amount of the general fund
 44.26 appropriation in Laws 2019, First Special
 44.27 Session chapter 4, article 1, section 3,
 44.28 subdivision 8, for legal costs, estimated to be
 44.29 \$750,000, is canceled no later than June 29,
 44.30 2023.

44.31 **Subd. 9. Pass Through Funds** 11,244,000 11,165,000

44.32	<u>Appropriations by Fund</u>	
44.33	<u>2024</u>	<u>2025</u>
44.34	<u>General</u>	<u>10,161,000</u> <u>10,171,000</u>

45.1	<u>Natural Resources</u>	<u>510,000</u>	<u>510,000</u>
45.2	<u>Permanent School</u>	<u>573,000</u>	<u>484,000</u>

45.3 (a) \$510,000 the first year and \$510,000 the
 45.4 second year are from the natural resources
 45.5 fund for grants to be divided equally between
 45.6 the city of St. Paul for the Como Park Zoo and
 45.7 Conservatory and the city of Duluth for the
 45.8 Lake Superior Zoo. This appropriation is from
 45.9 revenue deposited to the natural resources fund
 45.10 under Minnesota Statutes, section 297A.94,
 45.11 paragraph (h), clause (5).

45.12 (b) \$211,000 the first year and \$221,000 the
 45.13 second year are for the Office of School Trust
 45.14 Lands.

45.15 (c) \$250,000 the first year and \$150,000 the
 45.16 second year are transferred from the forest
 45.17 suspense account to the permanent school fund
 45.18 and are appropriated from the permanent
 45.19 school fund for transaction and project
 45.20 management costs for divesting of school trust
 45.21 lands within Boundary Waters Canoe Area
 45.22 Wilderness.

45.23 (d) \$323,000 the first year and \$334,000 the
 45.24 second year are transferred from the forest
 45.25 suspense account to the permanent school fund
 45.26 and are appropriated from the permanent
 45.27 school fund for the Office of School Trust
 45.28 Lands.

45.29 (e) \$9,950,000 the first year and \$9,950,000
 45.30 the second year are to be added as a
 45.31 supplement to the 1854 Treaty Area agreement
 45.32 payment under Minnesota Statutes, section
 45.33 97A.165. This is a onetime appropriation.

45.34 **Subd. 10. Get Out MORE (Modernizing Outdoor**
 45.35 **Recreation Experiences)**

65,000,000

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47.1 reinvest in Minnesota reserve program.
47.2 Expenditures may be made from this
47.3 appropriation for supplies and services
47.4 benefiting soil and water conservation
47.5 districts. Any district receiving a payment
47.6 under this paragraph must maintain a website
47.7 that publishes, at a minimum, the district's
47.8 annual report, annual audit, annual budget,
47.9 and meeting notices.

47.10 (b) \$761,000 the first year and \$761,000 the
47.11 second year are to implement, enforce, and
47.12 provide oversight for the Wetland
47.13 Conservation Act, including administering the
47.14 wetland banking program and in-lieu fee
47.15 mechanism.

47.16 (c) \$1,560,000 the first year and \$1,560,000
47.17 the second year are for the following:

47.18 (1) \$1,460,000 each year is for cost-sharing
47.19 programs of soil and water conservation
47.20 districts for accomplishing projects and
47.21 practices consistent with Minnesota Statutes,
47.22 section 103C.501, including perennially
47.23 vegetated riparian buffers, erosion control,
47.24 water retention and treatment, water quality
47.25 cost-sharing for feedlots under 500 animal
47.26 units and nutrient and manure management
47.27 projects in watersheds where there are
47.28 impaired waters, and other high-priority
47.29 conservation practices; and

47.30 (2) \$100,000 each year is for county
47.31 cooperative weed management programs and
47.32 to restore native plants at selected invasive
47.33 species management sites.

48.1 (d) \$166,000 the first year and \$166,000 the
48.2 second year are to provide technical assistance
48.3 to local drainage management officials and
48.4 for the costs of the Drainage Work Group. The
48.5 board must coordinate the activities of the
48.6 Drainage Work Group according to Minnesota
48.7 Statutes, section 103B.101, subdivision 13.
48.8 The Drainage Work Group must review a
48.9 drainage authority's power under Minnesota
48.10 Statutes, chapter 103E, to consider the
48.11 abandonment or dismantling of drainage
48.12 systems; to re-meander, restore, or reconstruct
48.13 a natural waterway that has been modified by
48.14 drainage; or to deconstruct dikes, dams, or
48.15 other water-control structures.

48.16 (e) \$100,000 the first year and \$100,000 the
48.17 second year are for a grant to the Red River
48.18 Basin Commission for water quality and
48.19 floodplain management, including program
48.20 administration. This appropriation must be
48.21 matched by nonstate funds.

48.22 (f) \$140,000 the first year and \$140,000 the
48.23 second year are for grants to Area II
48.24 Minnesota River Basin Projects for floodplain
48.25 management.

48.26 (g) \$125,000 the first year and \$125,000 the
48.27 second year are for conservation easement
48.28 stewardship.

48.29 (h) \$240,000 the first year and \$240,000 the
48.30 second year are for a grant to the Lower
48.31 Minnesota River Watershed District to defray
48.32 the annual cost of operating and maintaining
48.33 sites for dredge spoil to sustain the state,
48.34 national, and international commercial and

49.1 recreational navigation on the lower Minnesota
49.2 River.

49.3 (i) \$2,000,000 the first year and \$2,000,000
49.4 the second year are for the lawns to legumes
49.5 program under Minnesota Statutes, section
49.6 103B.104. The board may enter into
49.7 agreements with local governments, Metro
49.8 Blooms, and other organizations to support
49.9 this effort. This appropriation is available until
49.10 June 30, 2029. The base for fiscal year 2026
49.11 and each year thereafter is \$250,000.

49.12 (j) \$2,000,000 the first year and \$2,000,000
49.13 the second year are for the habitat
49.14 enhancement landscape program under
49.15 Minnesota Statutes, section 103B.106. This is
49.16 a onetime appropriation and is available until
49.17 June 30, 2029.

49.18 (k) \$203,000 the first year and \$203,000 the
49.19 second year are for soil health practice
49.20 adoption purposes consistent with the
49.21 cost-sharing provisions of Minnesota Statutes,
49.22 section 103C.501, and for soil health program
49.23 responsibilities in consultation with the
49.24 University of Minnesota Office for Soil
49.25 Health.

49.26 (l) \$8,500,000 the first year and \$8,500,000
49.27 the second year are for conservation easements
49.28 and to restore and enhance grasslands and
49.29 adjacent lands consistent with Minnesota
49.30 Statutes, sections 103F.501 to 103F.531, for
49.31 the purposes of climate resiliency, adaptation,
49.32 carbon sequestration, and related benefits. Of
49.33 this amount, up to \$423,000 is for deposit in
49.34 the water and soil conservation easement
49.35 stewardship account established under

50.1 Minnesota Statutes, section 103B.103. This is
50.2 a onetime appropriation and is available until
50.3 June 30, 2029. The board must give priority
50.4 to leveraging nonstate funding, including
50.5 practices, programs, and projects funded by
50.6 the U.S. Department of Agriculture via the
50.7 Conservation Reserve Enhancement Program,
50.8 the Conservation Reserve Program, the
50.9 Federal Inflation Reduction Act, the Federal
50.10 Farm Bill, or the Climate-Smart Commodities
50.11 Program.

50.12 (m) \$2,500,000 the first year and \$5,000,000
50.13 the second year are to acquire conservation
50.14 easements and to restore and enhance
50.15 peatlands and adjacent lands consistent with
50.16 Minnesota Statutes, sections 103F.501 to
50.17 103F.531, for the purposes of climate
50.18 resiliency, adaptation, carbon sequestration,
50.19 and related benefits. Of this amount, up to
50.20 \$299,000 is for deposit in the water and soil
50.21 conservation easement stewardship account
50.22 established under Minnesota Statutes, section
50.23 103B.103. This is a onetime appropriation and
50.24 is available until June 30, 2029. The board
50.25 must give priority to leveraging nonstate
50.26 funding, including practices, programs, and
50.27 projects funded by the U.S. Department of
50.28 Agriculture via the Conservation Reserve
50.29 Enhancement Program, the Conservation
50.30 Reserve Program, the Federal Inflation
50.31 Reduction Act, the Federal Farm Bill, or the
50.32 Climate-Smart Commodities Program.

50.33 (n) \$3,550,000 the first year and \$3,550,000
50.34 the second year are to enhance existing
50.35 easements established under Minnesota

- 51.1 Statutes, sections 103F.501 to 103F.531.
- 51.2 Enhancements are for the purposes of climate
- 51.3 resiliency, adaptation, and carbon
- 51.4 sequestration and include but are not limited
- 51.5 to increasing biodiversity and mitigating the
- 51.6 effects of rainfall and runoff events. This is a
- 51.7 onetime appropriation and is available until
- 51.8 June 30, 2029. The board must give priority
- 51.9 to leveraging nonstate funding, including
- 51.10 practices, programs, and projects funded by
- 51.11 the U.S. Department of Agriculture via the
- 51.12 Conservation Reserve Enhancement Program,
- 51.13 the Conservation Reserve Program, the
- 51.14 Federal Inflation Reduction Act, the Federal
- 51.15 Farm Bill, or the Climate-Smart Commodities
- 51.16 Program.
- 51.17 (o) \$8,500,000 the first year and \$8,500,000
- 51.18 the second year are for water quality and
- 51.19 storage practices and projects to protect
- 51.20 infrastructure, improve water quality and
- 51.21 related public benefits, and mitigate climate
- 51.22 change impacts consistent with Minnesota
- 51.23 Statutes, section 103F.05. This is a onetime
- 51.24 appropriation and is available until June 30,
- 51.25 2029. The board must give priority to
- 51.26 leveraging nonstate funding, including
- 51.27 practices, programs, and projects funded by
- 51.28 the U.S. Department of Agriculture via the
- 51.29 Conservation Reserve Enhancement Program,
- 51.30 the Conservation Reserve Program, the
- 51.31 Federal Inflation Reduction Act, the Federal
- 51.32 Farm Bill, or the Climate-Smart Commodities
- 51.33 Program.
- 51.34 (p) \$4,673,000 the first year and \$4,673,000
- 51.35 the second year are for natural resources block

52.1 grants to local governments to implement the
52.2 Wetland Conservation Act and shoreland
52.3 management program under Minnesota
52.4 Statutes, chapter 103F, and local water
52.5 management responsibilities under Minnesota
52.6 Statutes, chapter 103B. The board may reduce
52.7 the amount of the natural resources block grant
52.8 to a county by an amount equal to any
52.9 reduction in the county's general services
52.10 allocation to a soil and water conservation
52.11 district from the county's previous year
52.12 allocation when the board determines that the
52.13 reduction was disproportionate. The base for
52.14 this appropriation in fiscal year 2026 and
52.15 beyond is \$3,423,000.

52.16 (q) \$129,000 the first year and \$136,000 the
52.17 second year are to accomplish the objectives
52.18 of Minnesota Statutes, section 10.65, and
52.19 related Tribal government coordination. The
52.20 base for fiscal year 2026 and each year
52.21 thereafter is \$144,000.

52.22 (r) \$5,000,000 the first year is to provide
52.23 onetime state incentive payments to enrollees
52.24 in the federal Conservation Reserve Program
52.25 (CRP) during the continuous enrollment
52.26 period and to enroll complementary areas in
52.27 conservation easements consistent with
52.28 Minnesota Statutes, section 103F.515. The
52.29 board may establish payment rates based on
52.30 land valuation and on environmental benefit
52.31 criteria, including but not limited to surface
52.32 water or groundwater pollution reduction,
52.33 drinking water protection, soil health,
52.34 pollinator and wildlife habitat, and other
52.35 conservation enhancements. The board may

53.1 use state funds to implement the program and
53.2 to provide technical assistance to landowners
53.3 or their agents to fulfill enrollment and
53.4 contract provisions. The board must consult
53.5 with the commissioners of agriculture, health,
53.6 natural resources, and the Pollution Control
53.7 Agency and the United States Department of
53.8 Agriculture in establishing program criteria.
53.9 This is a onetime appropriation and is
53.10 available until June 30, 2027.

53.11 (s) \$3,000,000 the first year is to acquire
53.12 conservation easements from landowners to
53.13 preserve, restore, create, and enhance wetlands
53.14 and associated uplands of prairie and
53.15 grasslands and to restore and enhance rivers
53.16 and streams, riparian lands, and associated
53.17 uplands of prairie and grasslands, in order to
53.18 protect soil and water quality, support fish and
53.19 wildlife habitat, reduce flood damage, and
53.20 provide other public benefits. Minnesota
53.21 Statutes, section 103F.515, applies to this
53.22 program. The board must give priority to
53.23 leveraging federal money by enrolling targeted
53.24 new lands or enrolling environmentally
53.25 sensitive lands that have expiring federal
53.26 conservation agreements. The board is
53.27 authorized to enter into new agreements and
53.28 amend past agreements with landowners as
53.29 required by Minnesota Statutes, section
53.30 103F.515, subdivision 5, to allow for
53.31 restoration. Up to five percent of this
53.32 appropriation may be used for restoration and
53.33 enhancement.

55.1 regional parks operation and maintenance
55.2 according to Minnesota Statutes, section
55.3 473.351. The base for this appropriation in
55.4 fiscal year 2026 and beyond is \$2,540,000.

55.5 (b) \$8,950,000 the first year and \$8,950,000
55.6 the second year are from the natural resources
55.7 fund for metropolitan-area regional parks and
55.8 trails maintenance and operations. This
55.9 appropriation is from revenue deposited in the
55.10 natural resources fund under Minnesota
55.11 Statutes, section 297A.94, paragraph (h),
55.12 clause (3).

55.13 (c) \$5,000,000 the first year is for developing
55.14 a decision-making support tool set to help
55.15 local partners quantify the risks of a changing
55.16 climate and prioritize strategies that mitigate
55.17 those risks. This is a onetime appropriation
55.18 and is available until June 30, 2027.

55.19 (d) \$9,000,000 the first year is to modernize
55.20 regional parks and trails. This is a onetime
55.21 appropriation and is available until June 30,
55.22 2027.

55.23 (e) \$5,000,000 the first year is for reducing
55.24 the amount of inflow and infiltration to the
55.25 Metropolitan Council's metropolitan sanitary
55.26 sewer disposal system. Of this amount,
55.27 \$4,000,000 is for grants to cities for capital
55.28 improvements in municipal wastewater
55.29 collection systems under Minnesota Statutes,
55.30 section 473.5491, and \$1,000,000 is for grants
55.31 and loans to inspect, repair, and replace
55.32 privately owned sewer service lines. Priority
55.33 for grants and loans for privately owned lines
55.34 must be given to applicants with a household
55.35 income at or below 80 percent of area median

56.1 income. This is a onetime appropriation and
 56.2 is available until June 30, 2026.

56.3 (f) \$9,000,000 the first year is for grants to
 56.4 implementing agencies to remove hazardous
 56.5 trees and replace ash trees with more diverse,
 56.6 climate-adapted species within the
 56.7 metropolitan regional park system. This is a
 56.8 onetime appropriation.

56.9 **Sec. 6. CONSERVATION CORPS**
 56.10 **MINNESOTA** **\$ 1,195,000 \$ 1,195,000**

56.11	<u>Appropriations by Fund</u>	
56.12	<u>2024</u>	<u>2025</u>
56.13	<u>General</u>	<u>705,000</u>
56.14	<u>Natural Resources</u>	<u>490,000</u>

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

56.20 **Sec. 7. ZOOLOGICAL BOARD** **\$ 14,494,000 \$ 13,812,000**

56.21	<u>Appropriations by Fund</u>	
56.22	<u>2024</u>	<u>2025</u>
56.23	<u>General</u>	<u>14,239,000</u>
56.24	<u>Natural Resources</u>	<u>255,000</u>

56.25 (a) \$255,000 the first year and \$255,000 the
 56.26 second year are from the natural resources
 56.27 fund from revenue deposited under Minnesota
 56.28 Statutes, section 297A.94, paragraph (h),
 56.29 clause (5).

56.30 (b) \$850,000 the first year is to improve safety
 56.31 and security at the Minnesota Zoo. This is a
 56.32 onetime appropriation.

56.33 (c) \$250,000 the first year is for removing
 56.34 hazardous trees and replacing ash trees with

57.1 more diverse, climate-adapted species. This
 57.2 is a onetime appropriation.

57.3 **Sec. 8. SCIENCE MUSEUM** **\$ 10,200,000 \$ 1,710,000**

57.4 \$9,000,000 the first year and \$450,000 the
 57.5 second year are for debt reduction, rehiring
 57.6 and retaining employees, and reducing
 57.7 entrance fees for fiscal years 2024 and 2025.

57.8 **Sec. 9. LEGISLATIVE COORDINATING**
 57.9 **COMMISSION** **\$ 52,000 \$ 52,000**

57.10 \$52,000 the first year and \$52,000 the second
 57.11 year are for the Legislative Water Commission
 57.12 established in this act.

57.13 **Sec. 10. UNIVERSITY OF MINNESOTA** **\$ 8,433,000 \$ 1,856,000**

57.14 (a) \$1,633,000 the first year and \$1,856,000
 57.15 the second year are for chronic wasting disease
 57.16 contingency plans developed by the Center
 57.17 for Infectious Disease Research and Policy.
 57.18 The center must develop, refine, and share
 57.19 with relevant experts and stakeholders
 57.20 contingency plans regarding the potential
 57.21 transmission of chronic wasting disease from
 57.22 Cervidae to humans, livestock, and other
 57.23 species. The contingency plans must provide
 57.24 a blueprint for preparedness and response
 57.25 planning documents, including authoritative
 57.26 risk communication, education, and outreach
 57.27 materials. This is a onetime appropriation and
 57.28 is available until June 30, 2026.

57.29 (b) \$200,000 the first year is for the University
 57.30 of Minnesota Water Council to develop a
 57.31 scope of work, timeline, and budget for the
 57.32 50-year clean water plan as required under
 57.33 this act.

58.1 (c) \$6,600,000 the first year is for the
58.2 Minnesota Aquatic Invasive Species Research
58.3 Center to enhance and implement the center's
58.4 aquatic invasive species research-based
58.5 solutions through:

58.6 (1) implementation of a watershed-scale carp
58.7 management plan and additional research
58.8 focused on site-specific method refinement
58.9 and evaluation;

58.10 (2) creation of a long-term monitoring
58.11 program with state and local partners that
58.12 evaluates the feasibility of whole-lake zebra
58.13 mussel control projects and the development
58.14 of criteria for selecting and managing lakes;

58.15 (3) refinement and implementation of
58.16 large-scale surveillance and early detection
58.17 methods for high-priority aquatic invasive
58.18 species, including but not limited to zebra
58.19 mussels, spiny water flea, and starry
58.20 stonewort; and

58.21 (4) development and sharing, with relevant
58.22 experts and stakeholders, contingency plans
58.23 regarding the potential risks of aquatic
58.24 invasive species. The contingency plans must
58.25 provide a blueprint for preparedness and
58.26 response planning documents, including
58.27 authoritative risk communication, education,
58.28 and outreach materials. The communication,
58.29 education, and outreach materials must be
58.30 prepared in multiple languages, including but
58.31 not limited to Tribal languages.

58.32 (d) The board must ensure that the Minnesota
58.33 Aquatic Invasive Species Research Center

59.1 coordinates research activities funded under
 59.2 paragraph (c) with Tribal governments.
 59.3 (e) The appropriation under paragraph (c) is
 59.4 onetime and available until June 30, 2027.

59.5 **Sec. 11. PUBLIC SAFETY** **\$** **-0-** **\$** **229,000**
 59.6 \$229,000 the second year is from the fire
 59.7 safety account in the special revenue fund for
 59.8 purposes of the class B firefighting foam
 59.9 requirements under Minnesota Statutes,
 59.10 section 325F.072.

59.11 **ARTICLE 2**

59.12 **ENVIRONMENT AND NATURAL RESOURCES TRUST FUND**

59.13 **Section 1. APPROPRIATIONS.**

59.14 The sums shown in the columns marked "Appropriations" are appropriated to the agencies
 59.15 and for the purposes specified in this article. The appropriations are from the environment
 59.16 and natural resources trust fund, or another named fund, and are available for the fiscal
 59.17 years indicated for each purpose. The figures "2024" and "2025" used in this article mean
 59.18 that the appropriations listed under them are available for the fiscal year ending June 30,
 59.19 2024, or June 30, 2025, respectively. "The first year" is fiscal year 2024. "The second year"
 59.20 is fiscal year 2025. "The biennium" is fiscal years 2024 and 2025. Any unencumbered
 59.21 balance remaining in the first year does not cancel and is available for the second year or
 59.22 until the end of the appropriation. These are onetime appropriations.

59.23 **APPROPRIATIONS**
 59.24 **Available for the Year**
 59.25 **Ending June 30**
 59.26 **2024** **2025**

59.27 **Sec. 2. MINNESOTA RESOURCES**

59.28 **Subdivision 1. Total Appropriation** **\$** **79,833,000** **\$** **-0-**
 59.29 **Appropriations by Fund**
 59.30 **2024** **2025**
 59.31 **Environment and**
 59.32 **Natural Resources**
 59.33 **Trust Fund** **79,644,000** **-0-**
 59.34 **Great Lakes**
 59.35 **Protection Account** **189,000** **-0-**

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

60.4 **Subd. 2. Definitions**

60.5 (a) "Trust fund" means the Minnesota
 60.6 environment and natural resources trust fund
 60.7 established under the Minnesota Constitution,
 60.8 article XI, section 14.

60.9 (b) "Great Lakes protection account" means
 60.10 the account referred to in Minnesota Statutes,
 60.11 section 116Q.02.

60.12 **Subd. 3. Foundational Natural Resource Data**
 60.13 **and Information**

8,219,000

-0-

60.14 **(a) Assessing Restorations for Rusty-Patched**
 60.15 **and Other Bumblebee Habitat**

60.16 \$75,000 the first year is from the trust fund to
 60.17 the commissioner of natural resources for an
 60.18 agreement with the Friends of the Mississippi
 60.19 River to assess how prairie restoration and
 60.20 different restoration seeding methods affect
 60.21 bumblebee abundance, diversity, and habitat
 60.22 and make recommendations to improve
 60.23 restoration outcomes.

60.24 **(b) Removing Barriers to Carbon Market Entry**

60.25 \$482,000 the first year is from the trust fund
 60.26 to the Board of Regents of the University of
 60.27 Minnesota to develop ground-tested carbon
 60.28 stock models of forest resources throughout
 60.29 Minnesota to enable better resource
 60.30 management of public and private forests as
 60.31 well as generate reliable tools for landowners
 60.32 seeking to enter carbon markets.

60.33 **(c) Mapping Migratory Bird Pit Stops in**
 60.34 **Minnesota**

61.1 \$340,000 the first year is from the trust fund
61.2 to the commissioner of natural resources for
61.3 an agreement with the National Audubon
61.4 Society, Minnesota office, to identify avian
61.5 migratory stopover sites, develop a shared
61.6 decision-support tool, and publish guidance
61.7 for conserving migratory birds in Minnesota.

61.8 This appropriation is available until June 30,
61.9 2027, by which time the project must be
61.10 completed and final products delivered.

61.11 **(d) Enhancing Knowledge of Minnesota River**
61.12 **Fish Ecology**

61.13 \$199,000 the first year is from the trust fund
61.14 to the commissioner of natural resources to
61.15 collect baseline information about the diets,
61.16 distribution, status, and movement patterns of
61.17 fish in the Minnesota River to inform
61.18 management and conservation decisions.

61.19 **(e) Changing Distribution of Flying Squirrel**
61.20 **Species in Minnesota**

61.21 \$186,000 the first year is from the trust fund
61.22 to the Board of Regents of the University of
61.23 Minnesota for the Natural Resources Research
61.24 Institute in Duluth to determine current
61.25 distribution and habitat associations of
61.26 northern and southern flying squirrels to fill
61.27 key knowledge gaps in flying squirrel status
61.28 in Minnesota.

61.29 **(f) Statewide Forest Carbon Inventory and**
61.30 **Change Mapping**

61.31 \$987,000 the first year is from the trust fund
61.32 to the commissioner of natural resources to
61.33 work with Minnesota Forest Resources
61.34 Council, Minnesota Forestry Association, the
61.35 Board of Water and Soil Resources, and the

62.1 University of Minnesota to develop a
62.2 programmatic approach and begin collecting
62.3 plot-based inventories on private forestland
62.4 for use with remote sensing data to better
62.5 assess changing forest conditions and climate
62.6 mitigation opportunities across all ownerships
62.7 in the state.

62.8 **(g) Predicting the Future of Aquatic Species by**
62.9 **Understanding the Past**

62.10 \$170,000 the first year is from the trust fund
62.11 to the Board of Regents of the University of
62.12 Minnesota to use past and present information
62.13 to model future ranges of native aquatic
62.14 species in Minnesota to generate publicly
62.15 available tools for species and habitat
62.16 management.

62.17 **(h) Assessing Status of Common Tern**
62.18 **Populations in Minnesota**

62.19 \$199,000 the first year is from the trust fund
62.20 to the Board of Regents of the University of
62.21 Minnesota for the Natural Resources Research
62.22 Institute in Duluth to assess the population
62.23 status of Common Tern breeding colonies in
62.24 Minnesota, implement management activities,
62.25 and develop a standardized monitoring
62.26 protocol and online database for accessing
62.27 current and historic monitoring data to help
62.28 prioritize conservation and restoration actions
62.29 for this state-threatened species.

62.30 **(i) Salvaged Wildlife to Inform Environmental**
62.31 **Health, Ecology, and Education**

62.32 \$486,000 the first year is from the trust fund
62.33 to the Board of Regents of the University of
62.34 Minnesota, Bell Museum of Natural History,
62.35 to establish a statewide network to collect,

- 63.1 analyze, and archive salvaged dead wildlife
63.2 and build a foundation of biodiversity
63.3 resources to track ecosystem-wide changes,
63.4 monitor environmental health, and educate
63.5 Minnesotans about the value of scientific
63.6 specimens.
- 63.7 **(j) Developing Conservation Priorities for Rare**
63.8 **and Specialist Bees**
- 63.9 \$619,000 the first year is from the trust fund
63.10 to the Board of Regents of the University of
63.11 Minnesota to collect data on rare and specialist
63.12 bees and their habitat preferences, determine
63.13 their conservation status, and develop
63.14 strategies to improve their chances of survival.
- 63.15 **(k) Efficacy of Urban Archery Hunting to**
63.16 **Manage Deer**
- 63.17 \$393,000 the first year is from the trust fund
63.18 to the Board of Trustees of the Minnesota
63.19 State Colleges and Universities for Bemidji
63.20 State University to conduct an analysis of deer
63.21 survival, habitat use, and hunter data in the
63.22 city of Bemidji to improve special archery
63.23 hunt management practices in urban areas of
63.24 the state.
- 63.25 **(l) Mapping the Ecology of Urban and Rural**
63.26 **Canids**
- 63.27 \$601,000 the first year is from the trust fund
63.28 to the Board of Regents of the University of
63.29 Minnesota to determine how disease
63.30 prevalence, diet, habitat use, and interspecies
63.31 interactions of coyotes and foxes change from
63.32 urban to rural areas along the Mississippi
63.33 River corridor.
- 63.34 **(m) Maximizing Lowland Conifer Ecosystem**
63.35 **Services - Phase II**

64.1 \$482,000 the first year is from the trust fund
64.2 to the Board of Regents of the University of
64.3 Minnesota to continue monitoring forested
64.4 peatland hydrology and wildlife, conduct new
64.5 wildlife and habitat surveys, and quantify
64.6 carbon storage to provide support for
64.7 management decisions.

64.8 **(n) Modernizing Minnesota's Wildlife (and**
64.9 **Plant) Action Plan**

64.10 \$889,000 the first year is from the trust fund
64.11 to the commissioner of natural resources to
64.12 modernize the Minnesota Wildlife Action Plan
64.13 by filling critical data gaps, including adding
64.14 rare plants to the plan, and standardizing
64.15 conservation status assessment methods to
64.16 ensure Minnesota's natural heritage is
64.17 protected into the future.

64.18 **(o) Linking Breeding and Migratory Bird**
64.19 **Populations in Minnesota**

64.20 \$199,000 the first year is from the trust fund
64.21 to the commissioner of natural resources for
64.22 an agreement with Hawk Ridge Bird
64.23 Observatory to map year-round habitat use of
64.24 understudied bird species of special
64.25 conservation concern and evaluate areas with
64.26 the greatest risk of contaminant exposure.

64.27 **(p) Old Growth Forest Monitoring**

64.28 \$441,000 the first year is from the trust fund
64.29 to the commissioner of natural resources to
64.30 establish baseline conditions and develop a
64.31 cost-effective method to monitor
64.32 approximately 93,000 acres of old growth
64.33 forest in Minnesota to ensure that these rare
64.34 and important forest resources are properly
64.35 protected.

65.1 **(q) Integrating Remotely Sensed Data with**
65.2 **Traditional Forest Inventory**

65.3 \$191,000 the first year is from the trust fund
65.4 to the Board of Regents of the University of
65.5 Minnesota for the Natural Resources Research
65.6 Institute in Duluth to calibrate and optimize
65.7 the use of LiDAR for forest inventory
65.8 purposes and estimate stand-level forest
65.9 resource metrics in northeastern Minnesota so
65.10 ecosystem services can be better considered
65.11 in management decisions.

65.12 **(r) Community Response Monitoring for**
65.13 **Adaptive Management in Southeast Minnesota**

65.14 \$483,000 the first year is from the trust fund
65.15 to the commissioner of natural resources for
65.16 an agreement with The Nature Conservancy
65.17 to assess community-level plant and animal
65.18 responses to past restoration efforts in select
65.19 southeast Minnesota conservation focus areas
65.20 to determine if management outcomes are
65.21 being achieved.

65.22 **(s) Minnesota Biodiversity Atlas - Phase III**

65.23 \$797,000 the first year is from the trust fund
65.24 to the Board of Regents of the University of
65.25 Minnesota, Bell Museum of Natural History,
65.26 to expand the Minnesota Biodiversity Atlas
65.27 to include more than 2,000,000 records and
65.28 images of Minnesota wildlife, plants, and
65.29 fungi by adding insect specimens, collections
65.30 from new partners, historical data, and
65.31 repatriating records of Minnesota's
65.32 biodiversity that exist in various federal
65.33 institutions.

66.1	<u>Subd. 4. Water Resources</u>	<u>8,328,000</u>	<u>-0-</u>
66.2	<u>Appropriations by Fund</u>		
66.3	<u>Environment and</u>		
66.4	<u>Natural Resources</u>		
66.5	<u>Trust Fund</u> <u>8,139,000</u>		<u>-0-</u>
66.6	<u>Great Lakes</u>		
66.7	<u>Protection Account</u> <u>189,000</u>		<u>-0-</u>
66.8	<u>(a) Ditching Delinquent Ditches: Optimizing</u>		
66.9	<u>Wetland Restoration</u>		
66.10	<u>\$199,000 the first year is from the trust fund</u>		
66.11	<u>to the Board of Regents of the University of</u>		
66.12	<u>Minnesota to use new techniques to identify</u>		
66.13	<u>and rank areas statewide where targeted</u>		
66.14	<u>removal of poorly functioning drainage ditches</u>		
66.15	<u>and restoration to wetlands can provide</u>		
66.16	<u>maximum human and ecological benefits,</u>		
66.17	<u>including aquifer recharge and flood</u>		
66.18	<u>prevention.</u>		
66.19	<u>(b) Assessment of Red River Basin Project</u>		
66.20	<u>Outcomes</u>		
66.21	<u>\$920,000 the first year is from the trust fund</u>		
66.22	<u>to the commissioner of natural resources for</u>		
66.23	<u>an agreement with Red River Watershed</u>		
66.24	<u>Management Board acting as fiscal agent for</u>		
66.25	<u>the Red River Basin Flood Damage Reduction</u>		
66.26	<u>Work Group to plan and implement</u>		
66.27	<u>multiresource monitoring at flood damage</u>		
66.28	<u>reduction and natural resource enhancement</u>		
66.29	<u>projects across the Red River Basin to evaluate</u>		
66.30	<u>outcomes and improve design of future</u>		
66.31	<u>projects at a regional scale. This appropriation</u>		
66.32	<u>is available until June 30, 2028, by which time</u>		
66.33	<u>the project must be completed and final</u>		
66.34	<u>products delivered.</u>		
66.35	<u>(c) Wind Wave and Boating Impacts on Inland</u>		
66.36	<u>Lakes</u>		

67.1 \$415,000 the first year is from the trust fund
67.2 to the Board of Regents of the University of
67.3 Minnesota for the St. Anthony Falls
67.4 Laboratory to conduct a field study to measure
67.5 the impacts of boat propeller wash and boat
67.6 wakes on lake bottoms, shorelines, and water
67.7 quality compared to the impacts of
67.8 wind-generated waves.

67.9 **(d) Finding, Capturing, and Destroying PFAS**
67.10 **in Minnesota Waters**

67.11 \$478,000 the first year is from the trust fund
67.12 to the Board of Regents of the University of
67.13 Minnesota to develop novel methods for the
67.14 detection, sequestration, and degradation of
67.15 poly- and perfluoroalkyl substances (PFAS)
67.16 in Minnesota's lakes and rivers.

67.17 **(e) Sinking and Suspended Microplastic**
67.18 **Particles in Lake Superior**

67.19 \$412,000 the first year is to the Board of
67.20 Regents of the University of Minnesota for
67.21 the Large Lakes Observatory in Duluth to
67.22 investigate the abundance, characteristics, and
67.23 fate of microplastic particles in Lake Superior
67.24 to inform remediation strategies and analyses
67.25 of environmental impacts. Of this amount,
67.26 \$189,000 is from the Great Lakes protection
67.27 account and \$223,000 is from the trust fund.
67.28 These appropriations may also be used to
67.29 educate the public about the research
67.30 conducted with this appropriation.

67.31 **(f) Ecotoxicological Impacts of Quinone Outside**
67.32 **Inhibitor (QoI) Fungicides**

67.33 \$279,000 the first year is from the trust fund
67.34 to the commissioner of natural resources for
67.35 an agreement with the University of St.

68.1 Thomas to assess the ecological hazards
68.2 associated with QoI fungicides and their major
68.3 environmental transformation products.

68.4 **(g) Brightsdale Dam Channel Restoration**
68.5 \$1,004,000 the first year is from the trust fund
68.6 to the commissioner of natural resources for
68.7 an agreement with Fillmore County Soil and
68.8 Water Conservation District to reduce
68.9 sedimentation and improve aquatic habitat by
68.10 restoring a channel of the north branch of the
68.11 Root River at the site of a failed hydroelectric
68.12 power dam that was removed in 2003.

68.13 **(h) Mapping Aquifer Recharge Potential**
68.14 \$391,000 the first year is from the trust fund
68.15 to the Board of Regents of the University of
68.16 Minnesota for the St. Anthony Falls
68.17 Laboratory to partner with the Freshwater
68.18 Society to develop a practical tool for mapping
68.19 aquifer recharge potential, demonstrate the
68.20 tool with laboratory and field tests, use the
68.21 tool to evaluate recharge potential of several
68.22 aquifers in Minnesota, and analyze aquifer
68.23 recharge policy.

68.24 **(i) ALASD's Chloride Source Reduction Pilot**
68.25 **Program**
68.26 \$764,000 the first year is from the trust fund
68.27 to the commissioner of natural resources for
68.28 an agreement with Alexandria Lake Area
68.29 Sanitary District (ALASD) to coordinate with
68.30 Douglas County and the Pollution Control
68.31 Agency to pilot an incentive program for
68.32 residences and businesses to install
68.33 high-efficiency water softeners, salt-free
68.34 systems, or softener discharge disposal
68.35 systems to reduce the annual salt load to Lake

69.1 Winona and downstream waters. The pilot
69.2 program includes rebates, inspections,
69.3 community education, and water quality
69.4 monitoring to measure chloride reduction
69.5 success. This appropriation is available until
69.6 June 30, 2027, by which time the project must
69.7 be completed and final products delivered.

69.8 **(j) Removing CECs from Stormwater with**
69.9 **Biofiltration**

69.10 \$641,000 the first year is from the trust fund
69.11 to the Board of Regents of the University of
69.12 Minnesota for the St. Anthony Falls
69.13 Laboratory to develop a treatment practice
69.14 design using biofiltration media to remove
69.15 contaminants of emerging concern (CECs)
69.16 from stormwater runoff and to provide
69.17 statewide stormwater management guidance.

69.18 **(k) Didymo II The North Shore Threat**
69.19 **Continues**

69.20 \$394,000 the first year is from the trust fund
69.21 to the Science Museum of Minnesota for the
69.22 St. Croix Watershed Research Station to
69.23 identify North Shore streams with didymo,
69.24 determine the risk of invasion to other streams,
69.25 document didymo impacts to stream
69.26 functioning, and develop strategies to prevent
69.27 further spread of didymo.

69.28 **(l) Leveraging Data Analytics Innovations for**
69.29 **Watershed District Planning**

69.30 \$738,000 the first year is from the trust fund
69.31 to the commissioner of natural resources for
69.32 an agreement with Minnehaha Creek
69.33 Watershed District to integrate local and
69.34 statewide data sets into a high-resolution
69.35 planning tool that forecasts the impacts of

70.1 changing precipitation patterns and
 70.2 quantitatively compares cost effectiveness and
 70.3 outcomes for water quality, ecological
 70.4 integrity, and flood prevention projects in the
 70.5 district. Minnehaha Creek Watershed District
 70.6 may license third parties to use products
 70.7 developed with this appropriation without
 70.8 further approval from the legislature or the
 70.9 Legislative-Citizen Commission on Minnesota
 70.10 Resources, provided the licensing does not
 70.11 generate income. This appropriation is subject
 70.12 to Minnesota Statutes, section 116P.10.

70.13 **(m) Protecting Water in the Central Sands**
 70.14 **Region of the Mississippi River Headwaters**

70.15 \$1,693,000 the first year is from the trust fund
 70.16 to the commissioner of natural resources for
 70.17 an agreement with the White Earth Band of
 70.18 Minnesota Chippewa Indians to conduct a
 70.19 policy analysis and assess aggregate irrigation
 70.20 impacts on water quality and quantity in the
 70.21 Pineland Sands region of the state.

70.22 **Subd. 5. Environmental Education** 3,905,000 -0-

70.23 **(a) Fostering Conservation by Connecting**
 70.24 **Students to the BWCA**

70.25 \$1,080,000 the first year is from the trust fund
 70.26 to the commissioner of natural resources for
 70.27 an agreement with the Friends of the Boundary
 70.28 Waters Wilderness to connect Minnesota
 70.29 youth to the Boundary Waters through
 70.30 environmental education, experiential learning,
 70.31 and wilderness canoe trips.

70.32 **(b) Statewide Environmental Education via PBS**
 70.33 **Outdoor Series**

70.34 \$391,000 the first year is from the trust fund
 70.35 to the commissioner of natural resources for

71.1 an agreement with Pioneer Public
71.2 Broadcasting Service to produce new episodes
71.3 of a statewide public television series and an
71.4 educational web page designed to inspire
71.5 Minnesotans to connect with the outdoors and
71.6 to restore and protect the state's natural
71.7 resources.

71.8 **(c) Increasing Diversity in Environmental**
71.9 **Careers**

71.10 \$763,000 the first year is from the trust fund
71.11 to the commissioner of natural resources in
71.12 cooperation with Conservation Corps
71.13 Minnesota and Iowa to ensure a stable and
71.14 prepared natural resources work force in
71.15 Minnesota by encouraging a diversity of
71.16 students to pursue careers in environment and
71.17 natural resources through internships,
71.18 mentorships, and fellowships with the
71.19 Department of Natural Resources, the Board
71.20 of Water and Soil Resources, and the Pollution
71.21 Control Agency. This appropriation is
71.22 available until June 30, 2028, by which time
71.23 the project must be completed and final
71.24 products delivered.

71.25 **(d) Reducing Biophobia & Fostering**
71.26 **Environmental Stewardship in Underserved**
71.27 **Schools**

71.28 \$180,000 the first year is from the trust fund
71.29 to the Board of Regents of the University of
71.30 Minnesota for the Raptor Center to foster
71.31 long-lasting environmental stewardship and
71.32 literacy in Minnesota youth in underserved
71.33 schools by providing engaging, multiunit,
71.34 standards-based environmental programming
71.35 featuring positive interactions with raptors and

72.1 evaluating program effectiveness and areas
72.2 for improvement.

72.3 **(e) Sharing Minnesota's Biggest Environmental**
72.4 **Investment**

72.5 \$628,000 the first year is from the trust fund
72.6 to the Science Museum of Minnesota, in
72.7 coordination with the Legislative-Citizen
72.8 Commission on Minnesota Resources
72.9 (LCCMR), to increase public access to the
72.10 results of LCCMR-recommended research,
72.11 including through a free online interactive
72.12 map, in-depth videos, and public events.

72.13 **(f) North Shore Private Forestry Outreach and**
72.14 **Implementation**

72.15 \$375,000 the first year is from the trust fund
72.16 to the commissioner of natural resources for
72.17 an agreement with Sugarloaf: The North Shore
72.18 Stewardship Association to conduct outreach
72.19 to private forest landowners, develop site
72.20 restoration plans, and connect landowners with
72.21 restoration assistance to encourage private
72.22 forest restoration and improve the ecological
72.23 health of Minnesota's North Shore forest
72.24 landscape.

72.25 **(g) Teaching Students about Watersheds**
72.26 **through Outdoor Science**

72.27 \$290,000 the first year is from the trust fund
72.28 to the commissioner of natural resources for
72.29 an agreement with Minnesota Trout Unlimited
72.30 to engage students in classroom and outdoor
72.31 hands-on learning focused on water quality,
72.32 groundwater, aquatic life, and watershed
72.33 stewardship and provide youth and their
72.34 families with fishing experiences to further
72.35 foster a conservation ethic.

73.1 **(h) Bioblitz Urban Parks: Engaging**
 73.2 **Communities in Scientific Efforts**

73.3 \$198,000 the first year is from the trust fund
 73.4 to the commissioner of natural resources for
 73.5 an agreement with the Minneapolis Park and
 73.6 Recreation Board to work with volunteers to
 73.7 collect baseline biodiversity data for
 73.8 neighborhood and regional parks to inspire
 73.9 stewardship and inform habitat restoration
 73.10 work.

73.11 **Subd. 6. Aquatic and Terrestrial Invasive**
 73.12 **Species**

5,104,000

-0-

73.13 **(a) Northward Expansion of Ecologically**
 73.14 **Damaging Amphibians and Reptiles**

73.15 \$163,000 the first year is from the trust fund
 73.16 to the Board of Regents of the University of
 73.17 Minnesota to assess the distribution and
 73.18 potential for expansion of key detrimental and
 73.19 nonnative amphibians and reptiles in
 73.20 Minnesota.

73.21 **(b) Developing Research-Based Solutions to**
 73.22 **Minnesota's AIS Problems**

73.23 \$4,941,000 the first year is from the trust fund
 73.24 to the Board of Regents of the University of
 73.25 Minnesota for the Minnesota Aquatic Invasive
 73.26 Species Research Center to conduct
 73.27 high-priority projects aimed at solving
 73.28 Minnesota's aquatic invasive species problems
 73.29 using rigorous science and a collaborative
 73.30 process. Additionally, funds may be spent to
 73.31 deliver research findings to end users through
 73.32 strategic communication and outreach. This
 73.33 appropriation is subject to Minnesota Statutes,
 73.34 section 116P.10. This appropriation is
 73.35 available until June 30, 2027, by which time

74.1 the project must be completed and final
 74.2 products delivered.

74.3 **Subd. 7. Air Quality, Climate Change, and**
 74.4 **Renewable Energy**

3,913,000

-0-

74.5 **(a) Community Forestry AmeriCorps**

74.6 \$1,500,000 the first year is from the trust fund
 74.7 to the commissioner of natural resources for
 74.8 an agreement with ServeMinnesota to preserve
 74.9 and increase tree canopy throughout the state
 74.10 by training, supporting, and deploying
 74.11 AmeriCorps members to local agencies and
 74.12 nonprofit organizations to plant and inventory
 74.13 trees, develop and implement pest
 74.14 management plans, create and maintain
 74.15 nursery beds for replacement trees, and
 74.16 organize opportunities for community
 74.17 engagement in tree stewardship activities.

74.18 **(b) Biochar Implementation in Habitat**
 74.19 **Restoration: A Pilot**

74.20 \$185,000 the first year is from the trust fund
 74.21 to the commissioner of natural resources for
 74.22 an agreement with Great River Greening to
 74.23 pilot the use of portable biochar kilns as an
 74.24 alternative to open-pile burning of trees and
 74.25 shrubs to reduce smoke and carbon emissions
 74.26 and produce beneficial by-products from
 74.27 invasive species removal and land restoration
 74.28 efforts.

74.29 **(c) Completing Installment of the Minnesota**
 74.30 **Ecological Monitoring Network**

74.31 \$1,094,000 the first year is from the trust fund
 74.32 to the commissioner of natural resources to
 74.33 improve conservation and management of
 74.34 Minnesota's native forests, wetlands, and
 74.35 grasslands by completing the Ecological

75.1 Monitoring Network to measure ecosystems'
75.2 change through time.

75.3 **(d) Lichens as Low-Cost Air Quality Monitors**
75.4 **in Minnesota**

75.5 \$341,000 the first year is from the trust fund
75.6 to the Board of Regents of the University of
75.7 Minnesota to develop community science
75.8 protocols for using lichens as indicators of air
75.9 quality and conduct an analysis of air pollution
75.10 changes across Minnesota in the present and
75.11 in the past century.

75.12 **(e) Environment-Friendly Decarbonizing of Steel**
75.13 **Production with Hydrogen Plasma**

75.14 \$739,000 the first year is from the trust fund
75.15 to the Board of Regents of the University of
75.16 Minnesota to investigate the use of microwave
75.17 hydrogen plasma to reduce fossil fuel use,
75.18 carbon dioxide emissions, and waste and
75.19 enable the use of alternative iron resources,
75.20 including lower quality iron ores, tailings, and
75.21 iron ore waste piles, in the iron-making
75.22 industry. This appropriation is subject to
75.23 Minnesota Statutes, section 116P.10.

75.24 **(f) Economic Analysis Guide for Minnesota**
75.25 **Climate Investments**

75.26 \$54,000 the first year is from the trust fund to
75.27 the commissioner of the Minnesota Pollution
75.28 Control Agency to create a guide that will
75.29 incorporate nation-wide best practices for
75.30 considering costs, benefits, economics, and
75.31 equity in Minnesota climate policy decisions.

75.32 **Subd. 8. Methods to Protect or Restore Land,**
75.33 **Water, and Habitat**

15,997,000

-0-

75.34 **(a) Minnesota Bee and Beneficial Species Habitat**
75.35 **Enhancement II**

76.1 \$876,000 the first year is from the trust fund
76.2 to the commissioner of natural resources for
76.3 an agreement with Pheasants Forever Inc. to
76.4 enhance grassland habitats to benefit
76.5 pollinators and other wildlife species on
76.6 permanently protected lands and to collaborate
76.7 with the University of Minnesota to determine
76.8 best practices for seeding timing and
76.9 techniques.

76.10 **(b) Karner Blue Butterfly Insurance Population**
76.11 **Establishment in Minnesota**

76.12 \$405,000 the first year is from the trust fund
76.13 to the commissioner of natural resources for
76.14 an agreement with the Three Rivers Park
76.15 District to establish a breeding population of
76.16 the federally endangered Karner blue butterfly
76.17 on protected lands within the butterfly's
76.18 northern expanding range, increase the habitat
76.19 area, and evaluate the butterfly establishment
76.20 effort to assist with adaptive management.
76.21 This appropriation is available until June 30,
76.22 2027, by which time the project must be
76.23 completed and final products delivered.

76.24 **(c) Root River Habitat Restoration at Eagle**
76.25 **Bluff**

76.26 \$866,000 the first year is from the trust fund
76.27 to the commissioner of natural resources for
76.28 an agreement with Eagle Bluff Environmental
76.29 Learning Center to restore habitat in and
76.30 alongside the Root River north of Lanesboro,
76.31 Minnesota, and to conduct monitoring to
76.32 ensure water quality and fish population
76.33 improvements are achieved. This appropriation
76.34 is available until June 30, 2028, by which time
76.35 the project must be completed and final
76.36 products delivered.

77.1 **(d) Restoring Mussels in Streams and Lakes -**
77.2 **Continuation**

77.3 \$825,000 the first year is from the trust fund
77.4 to the commissioner of natural resources to
77.5 propagate, rear, and restore native freshwater
77.6 mussel assemblages and the ecosystem
77.7 services they provide in the Mississippi,
77.8 Cedar, and Cannon Rivers; to evaluate
77.9 reintroduction success; and to inform the
77.10 public on mussels and mussel conservation.

77.11 **(e) Minnesota Million: Seedlings for**
77.12 **Reforestation and CO₂ Sequestration**

77.13 \$906,000 the first year is from the trust fund
77.14 to the Board of Regents of the University of
77.15 Minnesota, Duluth, to collaborate with The
77.16 Nature Conservancy and Minnesota Extension
77.17 to expand networks of seed collectors and tree
77.18 growers and to research tree planting strategies
77.19 to accelerate reforestation for carbon
77.20 sequestration, wildlife habitat, and watershed
77.21 resilience.

77.22 **(f) Panoway on Wayzata Bay Shoreline**
77.23 **Restoration Project**

77.24 \$200,000 the first year is from the trust fund
77.25 to the commissioner of natural resources for
77.26 an agreement with the city of Wayzata to
77.27 restore native lake bottom and shoreline
77.28 vegetation to improve shoreline stability,
77.29 wildlife habitat, and the natural beauty of Lake
77.30 Minnetonka's Wayzata Bay. The recipient
77.31 must report to the Legislative-Citizen
77.32 Commission on Minnesota Resources on the
77.33 effectiveness of any new methods tested while
77.34 conducting the project and may use a portion
77.35 of the appropriation to prepare that report.

78.1 **(g) Pollinator Central III: Habitat Improvement**
78.2 **with Community Monitoring**

78.3 \$190,000 the first year is from the trust fund
78.4 to the commissioner of natural resources for
78.5 an agreement with Great River Greening to
78.6 restore and enhance pollinator habitat in parks,
78.7 schools, and other public spaces to benefit
78.8 pollinators and people and to build knowledge
78.9 about impacts of the pollinator plantings
78.10 through community-based monitoring.

78.11 **(h) Restoring Forests and Savannas Using**
78.12 **Silvopasture - Phase II**

78.13 \$674,000 the first year is from the trust fund
78.14 to the commissioner of natural resources for
78.15 an agreement with Great River Greening to
78.16 continue to partner with the University of
78.17 Minnesota and the Sustainable Farming
78.18 Association to demonstrate, evaluate, and
78.19 increase adoption of the combined use of
78.20 intensive tree, forage, and grazing as a method
78.21 to restore and manage forest and savanna
78.22 habitats.

78.23 **(i) Minnesota Community Schoolyards**

78.24 \$1,433,000 the first year is from the trust fund
78.25 to the commissioner of natural resources for
78.26 an agreement with The Trust for Public Land
78.27 to engage students and communities to create
78.28 nature-focused habitat improvements at
78.29 schoolyards across the state to increase
78.30 environmental outcomes and encourage
78.31 outdoor learning.

78.32 **(j) Pollinator Enhancement and Mississippi**
78.33 **River Shoreline Restoration**

78.34 \$187,000 the first year is from the trust fund
78.35 to the adjutant general of the Department of

79.1 Military Affairs to restore native prairie,
79.2 support pollinator plantings, and stabilize a
79.3 large section of stream bank along the
79.4 Mississippi River within Camp Ripley.

79.5 **(k) Conservation Cooperative for Working**
79.6 **Lands**

79.7 \$2,611,000 the first year is from the trust fund
79.8 to the commissioner of natural resources for
79.9 an agreement with Pheasants Forever Inc. to
79.10 collaborate with Natural Resources
79.11 Conservation Service, Board of Water and
79.12 Soil Resources, and Minnesota Association
79.13 of Soil and Water Conservation Districts to
79.14 accelerate adoption of voluntary conservation
79.15 practices on working lands in Minnesota by
79.16 increasing technical assistance to farmers and
79.17 landowners while also attracting federal
79.18 matching funds.

79.19 **(l) Quantifying Environmental Benefits of**
79.20 **Peatland Restoration in Minnesota**

79.21 \$754,000 the first year is from the trust fund
79.22 to the Board of Regents of the University of
79.23 Minnesota to quantify the capacity of restored
79.24 peatlands to store and accumulate atmospheric
79.25 carbon and prevent release of accumulated
79.26 mercury into the surrounding environment.
79.27 This appropriation is available until June 30,
79.28 2027, by which time the project must be
79.29 completed and final products delivered.

79.30 **(m) Renewing Access to an Iconic North Shore**
79.31 **Vista**

79.32 \$197,000 the first year is from the trust fund
79.33 to the commissioner of natural resources for
79.34 an agreement with the Superior Hiking Trail
79.35 Association to use national trail design best

80.1 practices to renew trails and a campground
80.2 along the Bean and Bear Lakes section of the
80.3 Superior Hiking Trail that provides access to
80.4 one of Minnesota's most iconic vistas.

80.5 **(n) Addressing Erosion Along High Use River**
80.6 **Loops**

80.7 \$368,000 the first year is from the trust fund
80.8 to the commissioner of natural resources for
80.9 an agreement with the Superior Hiking Trail
80.10 Association to rehabilitate and renew popular
80.11 river loops of the Superior Hiking Trail to
80.12 withstand high visitor use and serve
80.13 Minnesotans for years to come.

80.14 **(o) Pollinator Habitat Creation at Minnesota**
80.15 **Closed Landfills**

80.16 \$1,508,000 the first year is from the trust fund
80.17 to the commissioner of the Minnesota
80.18 Pollution Control Agency to conduct a pilot
80.19 project to create pollinator habitat at closed
80.20 landfill sites in the closed landfill program.
80.21 This appropriation is available until June 30,
80.22 2027, by which time the project must be
80.23 completed and final products delivered.

80.24 **(p) Enhancing Habitat Connectivity within the**
80.25 **Urban Mississippi Flyway**

80.26 \$190,000 the first year is from the trust fund
80.27 to the commissioner of natural resources for
80.28 an agreement with the Minneapolis Park and
80.29 Recreation Board to enhance and restore
80.30 habitat in and between urban neighborhood
80.31 parks and the Mississippi River to benefit
80.32 animals, plants, and neighborhoods
80.33 traditionally disconnected from nature and to
80.34 raise awareness of the Mississippi River
80.35 Flyway.

81.1 **(q) Statewide Diversion of Furniture and**
81.2 **Mattress Waste Pilots**

81.3 \$2,833,000 the first year is from the trust fund
81.4 to the commissioner of natural resources for
81.5 an agreement with EMERGE Community
81.6 Development to work collaboratively with the
81.7 University of Minnesota, Second Chance
81.8 Recycling, and local governments to test and
81.9 implement methods to expand mattress and
81.10 furniture recycling statewide, including by
81.11 researching value-add commodity markets for
81.12 recycled materials, piloting mattress collection
81.13 in greater Minnesota counties, piloting
81.14 curbside furniture collection in the
81.15 metropolitan area, and increasing facility
81.16 capacity to recycle collected mattresses. Any
81.17 revenue generated from selling products or
81.18 assets developed or acquired with this
81.19 appropriation must be repaid to the trust fund
81.20 unless a plan is approved for reinvestment of
81.21 income in the project. This appropriation is
81.22 subject to Minnesota Statutes, section 116P.10.

81.23 **(r) Phelps Mill Wetland and Prairie Restoration**

81.24 \$974,000 the first year is from the trust fund
81.25 to the commissioner of natural resources for
81.26 an agreement with Otter Tail County to plan,
81.27 engineer, and restore wetlands and prairie
81.28 within the newly expanded Phelps Mill County
81.29 Park to improve habitat connectivity for
81.30 wildlife and enhance recreational experiences
81.31 for users. Up to \$322,000 of this appropriation
81.32 may be used to plan, engineer, and construct
81.33 a boardwalk, viewing platforms, and soft trails
81.34 within the park. This appropriation is available
81.35 until June 30, 2027, by which time the project

82.1 must be completed and final products
 82.2 delivered.

82.3 **Subd. 9. Land Acquisition, Habitat, and**
 82.4 **Recreation**

31,241,000

-0-

82.5 **(a) SNA Stewardship, Outreach, and**
 82.6 **Biodiversity Protection**

82.7 \$1,919,000 the first year is from the trust fund
 82.8 to the commissioner of natural resources to
 82.9 restore and enhance exceptional habitat on
 82.10 scientific and natural areas (SNAs), increase
 82.11 public involvement and outreach, and
 82.12 strategically acquire lands that meet criteria
 82.13 for SNAs under Minnesota Statutes, section
 82.14 86A.05, from willing sellers. This
 82.15 appropriation is available until June 30, 2027,
 82.16 by which time the project must be completed
 82.17 and final products delivered.

82.18 **(b) Wannigan Regional Park Land Acquisition**

82.19 \$727,000 the first year is from the trust fund
 82.20 to the commissioner of natural resources for
 82.21 an agreement with the city of Frazee to acquire
 82.22 land for protecting and enhancing natural
 82.23 resources and for future development as
 82.24 Wannigan Regional Park, where the Heartland
 82.25 State, North Country National, and Otter Tail
 82.26 River Water Trails will meet. Initial site
 82.27 development or restoration work may be
 82.28 conducted with this appropriation.

82.29 **(c) Local Parks, Trails, and Natural Areas Grant**
 82.30 **Programs**

82.31 \$3,802,000 the first year is from the trust fund
 82.32 to the commissioner of natural resources to
 82.33 solicit and rank applications and fund
 82.34 competitive matching grants for local parks,
 82.35 trail connections, and natural and scenic areas

83.1 under Minnesota Statutes, section 85.019. This
83.2 appropriation is for local nature-based
83.3 recreation, connections to regional and state
83.4 natural areas, and recreation facilities and may
83.5 not be used for athletic facilities such as sport
83.6 fields, courts, and playgrounds.

83.7 **(d) Outreach and Stewardship Through the**
83.8 **Native Prairie Bank Program**

83.9 \$620,000 the first year is from the trust fund
83.10 to the commissioner of natural resources to
83.11 enhance and monitor lands enrolled in the
83.12 native prairie bank and to provide outreach
83.13 and technical assistance to landowners,
83.14 practitioners, and the public to increase
83.15 awareness and stewardship of the state's
83.16 remaining native prairie. This appropriation
83.17 is available until June 30, 2027, by which time
83.18 the project must be completed and final
83.19 products delivered.

83.20 **(e) Minnesota State Trails Development**

83.21 \$4,952,000 the first year is from the trust fund
83.22 to the commissioner of natural resources to
83.23 expand recreational opportunities on
83.24 Minnesota state trails by rehabilitating and
83.25 enhancing existing state trails and replacing
83.26 or repairing existing state trail bridges.

83.27 **(f) Construction of East Park**

83.28 \$700,000 the first year is from the trust fund
83.29 to the commissioner of natural resources for
83.30 an agreement with the city of St. Joseph to
83.31 increase recreational opportunities and access
83.32 at East Park along the Sauk River in St. Joseph
83.33 through enhancements such as a canoe and
83.34 kayak access, a floating dock, paved and

84.1 mowed trails, and parking entrance

84.2 improvements.

84.3 **(g) Scandia Gateway Trail to William O'Brien**

84.4 **State Park**

84.5 \$2,689,000 the first year is from the trust fund

84.6 to the commissioner of natural resources for

84.7 an agreement with the city of Scandia to

84.8 engineer and construct a segment of the

84.9 Gateway State Trail between the city of

84.10 Scandia and William O'Brien State Park that

84.11 will be maintained by the Department of

84.12 Natural Resources. The segment to be

84.13 constructed includes a pedestrian tunnel and

84.14 trailhead parking area. This project must be

84.15 designed and constructed in accordance with

84.16 Department of Natural Resources state trail

84.17 standards. Engineering and construction plans

84.18 must be approved by the commissioner of

84.19 natural resources before construction may

84.20 commence. This appropriation is available

84.21 until June 30, 2027, by which time the project

84.22 must be completed and final products

84.23 delivered.

84.24 **(h) Grand Marais Mountain Bike Trail**

84.25 **Rehabilitation - Phase II**

84.26 \$200,000 the first year is from the trust fund

84.27 to the commissioner of natural resources for

84.28 an agreement with Superior Cycling

84.29 Association to rehabilitate and modify existing

84.30 mountain bike trails at Pincushion Mountain

84.31 to increase the trail's environmental

84.32 sustainability and provide better access to

84.33 beginner and adaptive cyclers.

84.34 **(i) Acquisition of State Parks and Trails**

84.35 **Inholdings**

85.1 \$5,425,000 the first year is from the trust fund
85.2 to the commissioner of natural resources to
85.3 acquire high-priority inholdings from willing
85.4 sellers within the legislatively authorized
85.5 boundaries of state parks, recreation areas, and
85.6 trails to protect Minnesota's natural heritage,
85.7 enhance outdoor recreation, and improve the
85.8 efficiency of public land management. This
85.9 appropriation is available until June 30, 2027,
85.10 by which time the project must be completed
85.11 and final products delivered.

85.12 **(j) St. Louis River Re-Connect - Phase II**

85.13 \$1,375,000 the first year is from the trust fund
85.14 to the commissioner of natural resources for
85.15 an agreement with the city of Duluth to
85.16 increase recreational opportunities and access
85.17 to the Waabizheshikana hiking and water trails
85.18 in West Duluth with trail and trailhead
85.19 enhancements such as accessible canoe and
85.20 kayak launches, picnic areas, and restrooms;
85.21 restored habitat; stormwater improvements;
85.22 directional signage, and trailside interpretation.
85.23 This appropriation may also be used to partner
85.24 with the St. Louis River Alliance to create an
85.25 ambassadors program to engage the
85.26 surrounding community and facilitate use of
85.27 the trails.

85.28 **(k) City of Biwabik Recreation**

85.29 \$1,306,000 the first year is from the trust fund
85.30 to the commissioner of natural resources for
85.31 an agreement with the city of Biwabik to
85.32 reconstruct and renovate Biwabik Recreation
85.33 Area's access road, parking area, and bathroom
85.34 facilities.

85.35 **(l) Silver Bay Multimodal Trailhead Project**

86.1 \$1,970,000 the first year is from the trust fund
86.2 to the commissioner of natural resources for
86.3 an agreement with the city of Silver Bay to
86.4 develop a multimodal trailhead center to
86.5 provide safe access to the Superior Hiking,
86.6 Gitchi-Gami Bike, and C.J. Ramstad/North
86.7 Shore trails; Black Beach Park; and other
86.8 recreational destinations. Before any
86.9 construction costs are incurred, the city must
86.10 demonstrate that all funding to complete the
86.11 project are secured.

86.12 **(m) Above the Falls Regional Park Restoration**
86.13 **Planning and Acquisition**

86.14 \$1,376,000 the first year is from the trust fund
86.15 to the commissioner of natural resources for
86.16 an agreement with the Minneapolis Park and
86.17 Recreation Board to acquire land along the
86.18 Mississippi River from willing sellers for
86.19 habitat restoration, trail development, and
86.20 low-intensity recreational facilities in Above
86.21 the Falls Regional Park. This appropriation
86.22 may also be used to prepare restoration plans
86.23 for lands acquired. This appropriation may not
86.24 be used to purchase habitable residential
86.25 structures. Before the acquisition, a phase 1
86.26 environmental assessment must be completed
86.27 and the Minneapolis Park and Recreation
86.28 Board must not accept any liability for
86.29 previous contamination of lands acquired with
86.30 this appropriation.

86.31 **(n) Redhead Mountain Bike Park**

86.32 \$1,666,000 the first year is from the trust fund
86.33 to the commissioner of natural resources for
86.34 an agreement with the city of Chisholm as the
86.35 fiscal agent for the Minnesota Discovery

87.1 Center to enhance outdoor recreational
 87.2 opportunities by adding trails and amenities
 87.3 to the Redhead Mountain Bike Park in
 87.4 Chisholm. Amenities may include such things
 87.5 as pump tracks, skills courses, changing
 87.6 stations, shade shakes, and signage.

87.7 **(o) Maplewood State Park Trail Segment of the**
 87.8 **Perham to Pelican Rapids Regional Trail**

87.9 \$2,514,000 the first year is from the trust fund
 87.10 to the commissioner of natural resources for
 87.11 an agreement with Otter Tail County to partner
 87.12 with the Department of Natural Resources to
 87.13 construct the Maplewood State Park segment
 87.14 of the Perham to Pelican Rapids Regional
 87.15 Trail. This project must be designed and
 87.16 constructed in accordance with Department
 87.17 of Natural Resources state trail standards.
 87.18 Engineering and construction plans must be
 87.19 approved by the commissioner of natural
 87.20 resources before construction may commence.

87.21 **Subd. 10. Administration, Emerging Issues, and**
 87.22 **Contract Agreement Reimbursement**

3,126,000

-0-

87.23 **(a) LCCMR Administrative Budget**

87.24 \$2,133,000 the first year is from the trust fund
 87.25 to the Legislative-Citizen Commission on
 87.26 Minnesota Resources for administration in
 87.27 fiscal years 2024 and 2025 as provided in
 87.28 Minnesota Statutes, section 116P.09,
 87.29 subdivision 5. This appropriation is available
 87.30 until June 30, 2025. Notwithstanding
 87.31 Minnesota Statutes, section 116P.11,
 87.32 paragraph (b), Minnesota Statutes, section
 87.33 16A.281, applies to this appropriation.

87.34 **(b) Emerging Issues**

88.1 \$767,000 the first year is from the trust fund
88.2 to the Legislative-Citizen Commission on
88.3 Minnesota Resources to an emerging issues
88.4 account authorized in Minnesota Statutes,
88.5 section 116P.08, subdivision 4, paragraph (d).

88.6 **(c) Contract Agreement Reimbursement**

88.7 \$224,000 the first year is from the trust fund
88.8 to the commissioner of natural resources, at
88.9 the direction of the Legislative-Citizen
88.10 Commission on Minnesota Resources, for
88.11 expenses incurred in preparing and
88.12 administering contracts, including for the
88.13 agreements specified in this section.

88.14 **(d) Legislative Coordinating Commission Legacy**
88.15 **Website**

88.16 \$2,000 the first year is from the trust fund to
88.17 the Legislative Coordinating Commission for
88.18 the website required in Minnesota Statutes,
88.19 section 3.303, subdivision 10.

88.20 **Subd. 11. Availability of Appropriations**

88.21 Money appropriated in this section may not
88.22 be spent on activities unless they are directly
88.23 related to and necessary for a specific
88.24 appropriation and are specified in the work
88.25 plan approved by the Legislative-Citizen
88.26 Commission on Minnesota Resources. Money
88.27 appropriated in this section must not be spent
88.28 on indirect costs or other institutional overhead
88.29 charges that are not directly related to and
88.30 necessary for a specific appropriation. Costs
88.31 that are directly related to and necessary for
88.32 an appropriation, including financial services,
88.33 human resources, information services, rent,
88.34 and utilities, are eligible only if the costs can
88.35 be clearly justified and individually

89.1 documented specific to the appropriation's
89.2 purpose and would not be generated by the
89.3 recipient but for receipt of the appropriation.
89.4 No broad allocations for costs in either dollars
89.5 or percentages are allowed. Unless otherwise
89.6 provided, the amounts in this section are
89.7 available for three years beginning July 1,
89.8 2023, and ending June 30, 2026, when projects
89.9 must be completed and final products
89.10 delivered. For acquisition of real property, the
89.11 appropriations in this section are available for
89.12 an additional fiscal year if a binding contract
89.13 for acquisition of the real property is entered
89.14 into before the expiration date of the
89.15 appropriation. If a project receives a federal
89.16 award, the period of the appropriation is
89.17 extended to equal the federal award period to
89.18 a maximum trust fund appropriation length of
89.19 six years.

89.20 **Subd. 12. Data Availability Requirements Data**

89.21 Data collected by the projects funded under
89.22 this section must conform to guidelines and
89.23 standards adopted by Minnesota IT Services.
89.24 Spatial data must also conform to additional
89.25 guidelines and standards designed to support
89.26 data coordination and distribution that have
89.27 been published by the Minnesota Geospatial
89.28 Information Office. Descriptions of spatial
89.29 data must be prepared as specified in the state's
89.30 geographic metadata guideline and must be
89.31 submitted to the Minnesota Geospatial
89.32 Information Office. All data must be
89.33 accessible and free to the public unless made
89.34 private under the Data Practices Act,
89.35 Minnesota Statutes, chapter 13. To the extent

90.1 practicable, summary data and results of
90.2 projects funded under this section should be
90.3 readily accessible on the Internet and
90.4 identified as having received funding from the
90.5 environment and natural resources trust fund.

90.6 **Subd. 13. Project Requirements**

90.7 (a) As a condition of accepting an
90.8 appropriation under this section, an agency or
90.9 entity receiving an appropriation or a party to
90.10 an agreement from an appropriation must
90.11 comply with paragraphs (b) to (l) and
90.12 Minnesota Statutes, chapter 116P, and must
90.13 submit a work plan and annual or semiannual
90.14 progress reports in the form determined by the
90.15 Legislative-Citizen Commission on Minnesota
90.16 Resources for any project funded in whole or
90.17 in part with funds from the appropriation.
90.18 Modifications to the approved work plan and
90.19 budget expenditures must be made through
90.20 the amendment process established by the
90.21 Legislative-Citizen Commission on Minnesota
90.22 Resources.

90.23 (b) A recipient of money appropriated in this
90.24 section that conducts a restoration using funds
90.25 appropriated in this section must use native
90.26 plant species according to the Board of Water
90.27 and Soil Resources' native vegetation
90.28 establishment and enhancement guidelines
90.29 and include an appropriate diversity of native
90.30 species selected to provide habitat for
90.31 pollinators throughout the growing season as
90.32 required under Minnesota Statutes, section
90.33 84.973.

90.34 (c) For all restorations conducted with money
90.35 appropriated under this section, a recipient

91.1 must prepare an ecological restoration and
91.2 management plan that, to the degree
91.3 practicable, is consistent with the
91.4 highest-quality conservation and ecological
91.5 goals for the restoration site. Consideration
91.6 should be given to soil, geology, topography,
91.7 and other relevant factors that would provide
91.8 the best chance for long-term success and
91.9 durability of the restoration project. The plan
91.10 must include the proposed timetable for
91.11 implementing the restoration, including site
91.12 preparation, establishment of diverse plant
91.13 species, maintenance, and additional
91.14 enhancement to establish the restoration;
91.15 identify long-term maintenance and
91.16 management needs of the restoration and how
91.17 the maintenance, management, and
91.18 enhancement will be financed; and take
91.19 advantage of the best-available science and
91.20 include innovative techniques to achieve the
91.21 best restoration.

91.22 (d) An entity receiving an appropriation in this
91.23 section for restoration activities must provide
91.24 an initial restoration evaluation at the
91.25 completion of the appropriation and an
91.26 evaluation three years after the completion of
91.27 the expenditure. Restorations must be
91.28 evaluated relative to the stated goals and
91.29 standards in the restoration plan, current
91.30 science, and, when applicable, the Board of
91.31 Water and Soil Resources' native vegetation
91.32 establishment and enhancement guidelines.
91.33 The evaluation must determine whether the
91.34 restorations are meeting planned goals,
91.35 identify any problems with implementing the
91.36 restorations, and, if necessary, give

- 92.1 recommendations on improving restorations.
- 92.2 The evaluation must be focused on improving
- 92.3 future restorations.
- 92.4 (e) All restoration and enhancement projects
- 92.5 funded with money appropriated in this section
- 92.6 must be on land permanently protected by a
- 92.7 conservation easement or public ownership.
- 92.8 (f) A recipient of money from an appropriation
- 92.9 under this section must give consideration to
- 92.10 contracting with Conservation Corps
- 92.11 Minnesota for contract restoration and
- 92.12 enhancement services.
- 92.13 (g) All conservation easements acquired with
- 92.14 money appropriated under this section must:
- 92.15 (1) be permanent;
- 92.16 (2) specify the parties to an easement in the
- 92.17 easement;
- 92.18 (3) specify all provisions of an agreement that
- 92.19 are permanent;
- 92.20 (4) be sent to the Legislative-Citizen
- 92.21 Commission on Minnesota Resources in an
- 92.22 electronic format at least ten business days
- 92.23 before closing;
- 92.24 (5) include a long-term monitoring and
- 92.25 enforcement plan and funding for monitoring
- 92.26 and enforcing the easement agreement; and
- 92.27 (6) include requirements in the easement
- 92.28 document to protect the quantity and quality
- 92.29 of groundwater and surface water through
- 92.30 specific activities such as keeping water on
- 92.31 the landscape, reducing nutrient and
- 92.32 contaminant loading, and not permitting
- 92.33 artificial hydrological modifications.

93.1 (h) For any acquisition of lands or interest in
93.2 lands, a recipient of money appropriated under
93.3 this section must not agree to pay more than
93.4 100 percent of the appraised value for a parcel
93.5 of land using this money to complete the
93.6 purchase, in part or in whole, except that up
93.7 to ten percent above the appraised value may
93.8 be allowed to complete the purchase, in part
93.9 or in whole, using this money if permission is
93.10 received in advance of the purchase from the
93.11 Legislative-Citizen Commission on Minnesota
93.12 Resources.

93.13 (i) For any acquisition of land or interest in
93.14 land, a recipient of money appropriated under
93.15 this section must give priority to high-quality
93.16 natural resources or conservation lands that
93.17 provide natural buffers to water resources.

93.18 (j) For new lands acquired with money
93.19 appropriated under this section, a recipient
93.20 must prepare an ecological restoration and
93.21 management plan in compliance with
93.22 paragraph (c), including sufficient funding for
93.23 implementation unless the work plan addresses
93.24 why a portion of the money is not necessary
93.25 to achieve a high-quality restoration.

93.26 (k) To ensure public accountability for using
93.27 public funds, a recipient of money
93.28 appropriated under this section must, within
93.29 60 days of the transaction, provide to the
93.30 Legislative-Citizen Commission on Minnesota
93.31 Resources documentation of the selection
93.32 process used to identify parcels acquired and
93.33 provide documentation of all related
93.34 transaction costs, including but not limited to
93.35 appraisals, legal fees, recording fees,

94.1 commissions, other similar costs, and
94.2 donations. This information must be provided
94.3 for all parties involved in the transaction. The
94.4 recipient must also report to the
94.5 Legislative-Citizen Commission on Minnesota
94.6 Resources any difference between the
94.7 acquisition amount paid to the seller and the
94.8 state-certified or state-reviewed appraisal, if
94.9 a state-certified or state-reviewed appraisal
94.10 was conducted.

94.11 (l) A recipient of an appropriation from the
94.12 trust fund under this section must acknowledge
94.13 financial support from the environment and
94.14 natural resources trust fund in project
94.15 publications, signage, and other public
94.16 communications and outreach related to work
94.17 completed using the appropriation.

94.18 Acknowledgment may occur, as appropriate,
94.19 through use of the trust fund logo or inclusion
94.20 of language attributing support from the trust
94.21 fund. Each direct recipient of money
94.22 appropriated in this section, as well as each
94.23 recipient of a grant awarded pursuant to this
94.24 section, must satisfy all reporting and other
94.25 requirements incumbent upon constitutionally
94.26 dedicated funding recipients as provided in
94.27 Minnesota Statutes, section 3.303, subdivision
94.28 10, and Minnesota Statutes, chapter 116P.

94.29 (m) A recipient of an appropriation from the
94.30 trust fund under this section that is receiving
94.31 funding to conduct children's services, as
94.32 defined in Minnesota Statutes, section
94.33 299C.61, subdivision 7, must certify to the
94.34 Legislative-Citizen Commission on Minnesota
94.35 Resources, as part of the required work plan,

95.1 that criminal background checks for
95.2 background check crimes, as defined in
95.3 Minnesota Statutes, section 299C.61,
95.4 subdivision 2, are performed on all employees,
95.5 contractors, and volunteers that have or may
95.6 have access to a child to whom the recipient
95.7 provides children's services using the
95.8 appropriation.

95.9 **Subd. 14. Payment Conditions and Capital**
95.10 **Equipment Expenditures**

95.11 (a) All agreements, grants, or contracts
95.12 referred to in this section must be administered
95.13 on a reimbursement basis unless otherwise
95.14 provided in this section. Notwithstanding
95.15 Minnesota Statutes, section 16A.41,
95.16 expenditures made on or after July 1, 2023,
95.17 or the date the work plan is approved,
95.18 whichever is later, are eligible for
95.19 reimbursement unless otherwise provided in
95.20 this section. Periodic payments must be made
95.21 upon receiving documentation that the
95.22 deliverable items articulated in the approved
95.23 work plan have been achieved, including
95.24 partial achievements as evidenced by approved
95.25 progress reports. Reasonable amounts may be
95.26 advanced to projects to accommodate
95.27 cash-flow needs or match federal money. The
95.28 advances must be approved as part of the work
95.29 plan. No expenditures for capital equipment
95.30 are allowed unless expressly authorized in the
95.31 project work plan.

95.32 (b) Single-source contracts as specified in the
95.33 approved work plan are allowed.

96.1 **Subd. 15. Purchasing Recycled and Recyclable**
96.2 **Materials**

96.3 A political subdivision, public or private
96.4 corporation, or other entity that receives an
96.5 appropriation under this section must use the
96.6 appropriation in compliance with Minnesota
96.7 Statutes, section 16C.0725, regarding
96.8 purchasing recycled, repairable, and durable
96.9 materials, and Minnesota Statutes, section
96.10 16C.073, regarding purchasing and using
96.11 paper stock and printing.

96.12 **Subd. 16. Energy Conservation and Sustainable**
96.13 **Building Guidelines**

96.14 A recipient to whom an appropriation is made
96.15 under this section for a capital improvement
96.16 project must ensure that the project complies
96.17 with the applicable energy conservation and
96.18 sustainable building guidelines and standards
96.19 contained in law, including Minnesota
96.20 Statutes, sections 16B.325, 216C.19, and
96.21 216C.20, and rules adopted under those
96.22 sections. The recipient may use the energy
96.23 planning, advocacy, and State Energy Office
96.24 units of the Department of Commerce to
96.25 obtain information and technical assistance
96.26 on energy conservation and alternative-energy
96.27 development relating to planning and
96.28 constructing the capital improvement project.

96.29 **Subd. 17. Accessibility**

96.30 Structural and nonstructural facilities must
96.31 meet the design standards in the Americans
96.32 with Disabilities Act (ADA) accessibility
96.33 guidelines.

97.1 **Subd. 18. Carryforward; Extensions**

97.2 The availability of the appropriations for the
97.3 following projects is extended to June 30,
97.4 2024:

97.5 (1) Laws 2018, chapter 214, article 4, section
97.6 2, subdivision 6, paragraph (a), Minnesota
97.7 Invasive Terrestrial Plants and Pests Center -
97.8 Phase 4;

97.9 (2) Laws 2018, chapter 214, article 4, section
97.10 2, subdivision 8, paragraph (e), Restoring
97.11 Forests in Minnesota State Parks;

97.12 (3) Laws 2019, First Special Session chapter
97.13 4, article 2, section 2, subdivision 3, paragraph
97.14 (d), Minnesota Trumpeter Swan Migration
97.15 Ecology and Conservation;

97.16 (4) Laws 2019, First Special Session chapter
97.17 4, article 2, section 2, subdivision 8, paragraph
97.18 (g), Agricultural Weed Control Using
97.19 Autonomous Mowers;

97.20 (5) Laws 2019, First Special Session chapter
97.21 4, article 2, section 2, subdivision 10,
97.22 paragraph (d), Grants Management System;
97.23 and

97.24 (6) Laws 2021, First Special Session chapter
97.25 6, article 5, section 2, subdivision 10,
97.26 Emerging Issues Account; Wastewater
97.27 Renewable Energy Demonstration Grants.

97.28 **Subd. 19. Repurpose**

97.29 The unencumbered amount, estimated to be
97.30 \$176,000, in Laws 2021, First Special Session
97.31 chapter 6, article 6, section 2, subdivision 8,
97.32 paragraph (f), Restoring Upland Forests for
97.33 Birds, is for examining the impacts of

98.1 neonicotinoid exposure on the reproduction
 98.2 and survival of Minnesota's game species,
 98.3 including deer and prairie chicken. This
 98.4 amount is in addition to the appropriation
 98.5 under article 1, section 3, subdivision 6, for
 98.6 these purposes and is available until June 30,
 98.7 2027.

98.8 Sec. 3. Minnesota Statutes 2022, section 116P.05, subdivision 1, is amended to read:

98.9 Subdivision 1. **Membership.** (a) A Legislative-Citizen Commission on Minnesota
 98.10 Resources of ~~17~~ 19 members is created in the legislative branch, consisting of ~~the chairs of~~
 98.11 ~~the house of representatives and senate committees on environment and natural resources~~
 98.12 ~~finance or designees appointed for the terms of the chairs, four members of the senate~~
 98.13 ~~appointed by the Subcommittee on Committees of the Committee on Rules and~~
 98.14 ~~Administration, and four members of the house of representatives appointed by the speaker~~
 98.15 ten legislative members and nine citizen members.

98.16 ~~(b) At least two members from the senate and two members from the house of~~
 98.17 ~~representatives must be from the minority caucus. Members are entitled to reimbursement~~
 98.18 ~~for per diem expenses plus travel expenses incurred in the services of the commission.~~

98.19 (b) The legislative members of the commission consist of:

98.20 (1) three members of the house of representatives appointed by the speaker of the house,
 98.21 including the chair of the environment and natural resources finance committee or the chair's
 98.22 designee;

98.23 (2) three members of the senate appointed by the senate majority leader, including the
 98.24 chair of the environment and natural resources finance committee or the chair's designee;

98.25 (3) two members of the house of representatives appointed by the house minority leader;
 98.26 and

98.27 (4) two members of the senate appointed by the senate minority leader.

98.28 (c) ~~Seven citizens are~~ The citizen members of the commission, ~~five~~ consist of:

98.29 (1) four members appointed by the governor, ~~one~~;

98.30 (2) two members appointed by the ~~Senate Subcommittee on Committees of the Committee~~
 98.31 ~~on Rules and Administration, and one~~ senate majority leader;

98.32 (3) two members appointed by the speaker of the house. ~~The; and~~

99.1 (4) one member appointed by the governor as recommended by the Tribal government
 99.2 representatives of the Indian Affairs Council.

99.3 ~~(d) A citizen members are selected and recommended to the appointing authorities~~
 99.4 ~~according to subdivision 1a and~~ member must:

99.5 (1) have experience or expertise in the science, policy, or practice of the protection,
 99.6 conservation, preservation, and enhancement of the state's air, water, land, fish, wildlife,
 99.7 and other natural resources;

99.8 (2) have strong knowledge in the state's environment and natural resource issues around
 99.9 the state; ~~and~~

99.10 (3) have demonstrated ability to work in a collaborative environment; and

99.11 (4) not be a registered lobbyist.

99.12 ~~(d)~~ (e) Members ~~shall~~ must develop procedures to elect a chair that rotates between
 99.13 legislative and citizen members each meeting. A citizen member, a senate member, and a
 99.14 house of representatives member shall serve as chairs. The citizen members, senate members,
 99.15 and house of representatives members must select their respective chairs. The chair ~~shall~~
 99.16 must preside and convene meetings as often as necessary to conduct duties prescribed by
 99.17 this chapter.

99.18 ~~(e)~~ (f) Appointed legislative members ~~shall~~ serve on the commission for two-year terms,
 99.19 beginning in January of each odd-numbered year and continuing through the end of December
 99.20 of the next even-numbered year. Appointed citizen members ~~shall~~ serve four-year terms,
 99.21 beginning in January of the first year and continuing through the end of December of the
 99.22 final year. Citizen and legislative members continue to serve until their successors are
 99.23 appointed.

99.24 ~~(f)~~ (g) A citizen member may be removed by an appointing authority for cause. Vacancies
 99.25 occurring on the commission ~~shall~~ do not affect the authority of the remaining members of
 99.26 the commission to carry out their duties, and vacancies ~~shall~~ must be filled for the remainder
 99.27 of the term in the same manner under paragraphs (a) to (c).

99.28 ~~(g)~~ (h) Legislative members are entitled to reimbursement for per diem expenses plus
 99.29 travel expenses incurred in the services of the commission. Citizen members are entitled to
 99.30 per diem and reimbursement for expenses incurred in the services of the commission, as
 99.31 provided in section 15.059, subdivision 3, except that a citizen member may be compensated
 99.32 at the rate of up to \$125 a day.

99.33 ~~(h) The governor's appointments are subject to the advice and consent of the senate.~~

100.1 (i) A citizen member may serve no more than eight years, except as necessary to fill a
100.2 vacancy. A citizen member may not serve more than ten years if serving additional time to
100.3 fill a vacancy.

100.4 **EFFECTIVE DATE.** This section is effective January 1, 2026.

100.5 Sec. 4. Minnesota Statutes 2022, section 116P.05, subdivision 1a, is amended to read:

100.6 Subd. 1a. **Citizen selection committee.** (a) The governor ~~shall~~ must appoint a Trust
100.7 Fund Citizen Selection Committee of five members who come from different regions of
100.8 the state and who have knowledge and experience of state environment and natural resource
100.9 issues to provide recommendations for appointments under subdivision 1, paragraph (c),
100.10 clause (1).

100.11 (b) The duties of the Trust Fund Citizen Selection Committee ~~shall be~~ are to:

100.12 (1) identify citizen candidates to be members of the commission as part of the open
100.13 appointments process under section 15.0597;

100.14 (2) request and review citizen candidate applications to be members of the commission;
100.15 and

100.16 (3) interview the citizen candidates and recommend an adequate pool of candidates to
100.17 be selected for commission membership by the governor, ~~the senate, and the house of~~
100.18 ~~representatives.~~

100.19 (c) Members serve three-year terms and are entitled to travel expenses incurred to fulfill
100.20 their duties under this subdivision as provided in section 15.059, subdivision 6 per diem
100.21 and reimbursement for expenses incurred in the services of the committee, as provided in
100.22 section 15.059, subdivision 3, except that a citizen selection committee member may be
100.23 compensated at the rate of up to \$125 a day.

100.24 (d) A member appointed under this subdivision may not be a registered lobbyist.

100.25 **EFFECTIVE DATE.** This section is effective January 1, 2025.

100.26 Sec. 5. Minnesota Statutes 2022, section 116P.05, subdivision 2, is amended to read:

100.27 Subd. 2. **Duties.** (a) The commission ~~shall~~ must recommend an annual or biennial
100.28 legislative bill for appropriations from the environment and natural resources trust fund and
100.29 ~~shall~~ must adopt a strategic plan as provided in section 116P.08. Except as provided under
100.30 section 116P.09, subdivision 6, paragraph (b), approval of the recommended legislative bill
100.31 requires an affirmative vote of at least ~~12~~ 11 members of the commission.

101.1 (b) It is a condition of acceptance of the appropriations made from the Minnesota
101.2 environment and natural resources trust fund, and oil overcharge money under section 4.071,
101.3 subdivision 2, that the agency or entity receiving the appropriation must submit a work plan
101.4 and annual or semiannual progress reports in the form determined by the Legislative-Citizen
101.5 Commission on Minnesota Resources, and comply with applicable reporting requirements
101.6 under section 116P.16. None of the money provided may be spent unless the commission
101.7 has approved the pertinent work plan. Modifications to the approved work plan and budget
101.8 expenditures ~~shall~~ must be made through the amendment process established by the
101.9 commission. The commission ~~shall~~ must ensure that the expenditures and outcomes described
101.10 in the work plan for appropriations funded by the environment and natural resources trust
101.11 fund are met.

101.12 (c) The peer review procedures created under section 116P.08 must also be used to
101.13 review, comment, and report to the commission on research proposals applying for an
101.14 appropriation from the oil overcharge money under section 4.071, subdivision 2.

101.15 (d) The commission may adopt operating procedures to fulfill its duties under this chapter.

101.16 (e) As part of the operating procedures, the commission ~~shall~~ must:

101.17 (1) ensure that members' expectations are to participate in all meetings related to funding
101.18 decision recommendations;

101.19 (2) recommend adequate funding for increased citizen outreach and communications
101.20 for trust fund expenditure planning;

101.21 (3) allow administrative expenses as part of individual project expenditures based on
101.22 need;

101.23 (4) provide for project outcome evaluation;

101.24 (5) keep the grant application, administration, and review process as simple as possible;
101.25 and

101.26 (6) define and emphasize the leveraging of additional sources of money that project
101.27 proposers should consider when making trust fund proposals.

101.28 **EFFECTIVE DATE.** This section is effective January 1, 2026.

101.29 Sec. 6. Minnesota Statutes 2022, section 116P.09, subdivision 6, is amended to read:

101.30 Subd. 6. **Conflict of interest.** (a) A commission member, a technical advisory committee
101.31 member, a peer reviewer, or an employee of the commission may not participate in or vote
101.32 on a decision of the commission, advisory committee, or peer review relating to an

102.1 organization in which the member, peer reviewer, or employee has either a direct or indirect
 102.2 personal financial interest. While serving on the commission or technical advisory committee
 102.3 or as a peer reviewer or while an employee of the commission, a person ~~shall~~ must avoid
 102.4 any potential conflict of interest.

102.5 (b) A commission member may not vote on a motion regarding the final recommendations
 102.6 of the commission required under section 116P.05, subdivision 2, paragraph (a), if the
 102.7 motion relates to an organization in which the member has a direct personal financial interest.
 102.8 If a commission member is prohibited from voting under this paragraph, the number of
 102.9 affirmative votes required under section 116P.05, subdivision 2, paragraph (a), is reduced
 102.10 by the number of members ineligible to vote under this paragraph.

102.11 **EFFECTIVE DATE.** This section is effective January 1, 2026.

102.12 Sec. 7. Minnesota Statutes 2022, section 116P.11, is amended to read:

102.13 **116P.11 AVAILABILITY OF FUNDS FOR DISBURSEMENT.**

102.14 ~~(a)~~ The amount annually available from the trust fund for the legislative bill developed
 102.15 by the commission is as defined in the Minnesota Constitution, article XI, section 14.

102.16 ~~(b) Any appropriated funds not encumbered in the biennium in which they are~~
 102.17 ~~appropriated cancel and must be credited to the principal of the trust fund.~~

102.18 Sec. 8. Minnesota Statutes 2022, section 116P.15, is amended to read:

102.19 **116P.15 CAPITAL CONSTRUCTION AND LAND ACQUISITION;**
 102.20 **RESTRICTIONS.**

102.21 Subdivision 1. **Scope.** A recipient of an appropriation from the trust fund or the Minnesota
 102.22 future resources fund who acquires an interest in real property with the appropriation must
 102.23 comply with ~~this section~~ subdivision 2. ~~For the purposes of this section, "interest in real~~
 102.24 ~~property" includes, but is not limited to, an easement or fee title to property.~~ A recipient of
 102.25 an appropriation from the trust fund who uses any portion of the appropriation for a capital
 102.26 construction project with a total cost of \$10,000 or more must comply with subdivision 3.

102.27 Subd. 2. **Land acquisition restrictions; modification procedure.** (a) An easement, fee
 102.28 title, or other interest in real property acquired with an appropriation from the trust fund or
 102.29 the Minnesota future resources fund must be used in perpetuity or for the specific term of
 102.30 an easement interest for the purpose for which the appropriation was made. The ownership
 102.31 of the interest in real property transfers to the state if: (1) the holder of the interest in real
 102.32 property fails to comply with the terms and conditions of the grant agreement or work plan;

103.1 or (2) restrictions are placed on the land that preclude its use for the intended purpose as
103.2 specified in the appropriation.

103.3 (b) A recipient of funding who acquires an interest in real property subject to this section
103.4 may not alter the intended use of the interest in real property or convey any interest in the
103.5 real property acquired with the appropriation without the prior review and approval of the
103.6 commission or its successor. The commission shall notify the chairs and ranking minority
103.7 members of the legislative committees and divisions with jurisdiction over the trust fund
103.8 or Minnesota future resources fund at least 15 business days before approval under this
103.9 paragraph. The commission shall establish procedures to review requests from recipients
103.10 to alter the use of or convey an interest in real property. These procedures shall allow for
103.11 the replacement of the interest in real property with another interest in real property meeting
103.12 the following criteria:

103.13 (1) the interest must be at least equal in fair market value, as certified by the commissioner
103.14 of natural resources, to the interest being replaced; and

103.15 (2) the interest must be in a reasonably equivalent location, and have a reasonably
103.16 equivalent useful conservation purpose compared to the interest being replaced, taking into
103.17 consideration all effects from fragmentation of the whole habitat.

103.18 (c) A recipient of funding who acquires an interest in real property under paragraph (a)
103.19 must separately record a notice of funding restrictions in the appropriate local government
103.20 office where the conveyance of the interest in real property is filed. The notice of funding
103.21 agreement must contain:

103.22 (1) a legal description of the interest in real property covered by the funding agreement;

103.23 (2) a reference to the underlying funding agreement;

103.24 (3) a reference to this section; and

103.25 (4) the following statement:

103.26 "This interest in real property shall be administered in accordance with the terms,
103.27 conditions, and purposes of the grant agreement controlling the acquisition of the property.
103.28 The interest in real property, or any portion of the interest in real property, shall not be sold,
103.29 transferred, pledged, or otherwise disposed of or further encumbered without obtaining the
103.30 prior written approval of the Legislative-Citizen Commission on Minnesota Resources or
103.31 its successor. The ownership of the interest in real property transfers to the state if: (1) the
103.32 holder of the interest in real property fails to comply with the terms and conditions of the

104.1 grant agreement or work plan; or (2) restrictions are placed on the land that preclude its use
104.2 for the intended purpose as specified in the appropriation."

104.3 Subd. 3. Capital construction restrictions; modification procedure. (a) A recipient
104.4 of an appropriation from the trust fund who uses the appropriation to wholly or partially
104.5 construct a building, trail, campground, or other capital asset may not alter the intended use
104.6 of the capital asset or convey any interest in the capital asset for 25 years from the date the
104.7 project is completed without the prior review and approval of the commission or its successor.
104.8 The commission must notify the chairs and ranking minority members of the legislative
104.9 committees and divisions with jurisdiction over the trust fund at least 15 business days
104.10 before approval under this paragraph. The commission must establish procedures to review
104.11 requests from recipients to alter the use of or convey an interest in a capital asset under this
104.12 paragraph. These procedures must require that:

104.13 (1) the sale price must be at least fair market value; and

104.14 (2) the trust fund must be repaid a portion of the sale price equal to the percentage of
104.15 the total funding provided by the fund for constructing the capital asset.

104.16 (b) The commission or its successor may waive the requirements under paragraph (a),
104.17 clauses (1) and (2), by recommendation to the legislature if the transfer allows for a continued
104.18 use of the asset in a manner consistent with the original appropriation purpose or with the
104.19 purposes of the trust fund.

104.20 (c) If both a capital asset and the real property on which the asset is located were wholly
104.21 or partially purchased with an appropriation from the trust fund and the commission approves
104.22 a request to alter the use of or convey an interest in the real property under subdivision 2,
104.23 a separate approval under this subdivision to alter the use of the capital asset is not required.

104.24 (d) A recipient of an appropriation from the trust fund who uses the appropriation to
104.25 wholly or partially construct a building, trail, campground, or other capital asset must
104.26 separately record a notice of funding restrictions in the appropriate local government office.
104.27 The notice of funding restrictions must contain:

104.28 (1) a legal description of the interest in real property covered by the funding agreement;

104.29 (2) a reference to the underlying funding agreement;

104.30 (3) a reference to this subdivision; and

104.31 (4) the following statement:

105.1 "This interest in real property must be administered in accordance with the terms,
105.2 conditions, and purposes of the grant agreement controlling the improvement of the property.
105.3 The interest in real property, or any portion of the interest in real property, must not be
105.4 altered from its intended use or be sold, transferred, pledged, or otherwise disposed of or
105.5 further encumbered without obtaining the prior written approval of the Legislative-Citizen
105.6 Commission on Minnesota Resources or its successor."

105.7 **EFFECTIVE DATE.** This section is effective July 1, 2025, and applies to money
105.8 appropriated on or after that date.

105.9 Sec. 9. Minnesota Statutes 2022, section 116P.16, is amended to read:

105.10 **116P.16 REAL PROPERTY INTERESTS; REPORT.**

105.11 (a) By December 1 each year, a recipient of an appropriation from the trust fund, that
105.12 is used for the acquisition of an interest in real property, including, but not limited to, an
105.13 easement or fee title, or for the construction of a building, trail, campground, or other capital
105.14 asset with a total cost of \$10,000 or more must submit annual reports on the status of the
105.15 real property to the Legislative-Citizen Commission on Minnesota Resources or its successor
105.16 in a form determined by the commission. The responsibility for reporting under this section
105.17 may be transferred by the recipient of the appropriation to another person who holds the
105.18 interest in the real property. To complete the transfer of reporting responsibility, the recipient
105.19 of the appropriation must:

105.20 (1) inform the person to whom the responsibility is transferred of that person's reporting
105.21 responsibility;

105.22 (2) inform the person to whom the responsibility is transferred of the property restrictions
105.23 under section 116P.15; and

105.24 (3) provide written notice to the commission of the transfer of reporting responsibility,
105.25 including contact information for the person to whom the responsibility is transferred.

105.26 (b) After the transfer, the person who holds the interest in the real property is responsible
105.27 for reporting requirements under this section.

105.28 (c) The annual reporting requirements on the status of a building, trail, campground, or
105.29 other capital asset with a total cost of \$10,000 or more and that was constructed with an
105.30 appropriation from the trust fund expire 25 years after the date the final progress report
105.31 under section 116P.05, subdivision 2, paragraph (b), is approved.

106.1 **EFFECTIVE DATE.** This section is effective July 1, 2025, and applies to money
106.2 appropriated on or after that date.

106.3 Sec. 10. Minnesota Statutes 2022, section 116P.18, is amended to read:

106.4 **116P.18 LANDS IN PUBLIC DOMAIN.**

106.5 Money appropriated from the trust fund must not be used to purchase any land in fee
106.6 title or a permanent conservation easement if the land in question is fully or partially owned
106.7 by the state or a political subdivision of the state or was acquired fully or partially with state
106.8 money, unless:

106.9 (1) the purchase creates additional direct benefit to the protection, conservation,
106.10 preservation, and enhancement of the state's air, water, land, fish, wildlife, and other natural
106.11 resources; and

106.12 (2) the purchase is approved, prior to the acquisition, by an affirmative vote of at least
106.13 ~~12~~ 11 members of the commission.

106.14 **EFFECTIVE DATE.** This section is effective January 1, 2026.

106.15 Sec. 11. **[116P.21] ADDITIONAL CAPITAL CONSTRUCTION PROJECT**
106.16 **REQUIREMENTS.**

106.17 Subdivision 1. **Full funding.** If an appropriation from the trust fund for a capital
106.18 construction project or project phase is not alone sufficient to complete the project or project
106.19 phase and a commitment from sources other than the trust fund is required:

106.20 (1) the commitment must be in an amount that, when added to the appropriation from
106.21 the trust fund, is sufficient to complete the project or project phase; and

106.22 (2) the agency administering the appropriation from the trust fund must not distribute
106.23 the money until the commitment is determined to be sufficient. In determining the sufficiency
106.24 of a commitment under this clause, the agency must apply the standards and principles
106.25 applied by the commissioner of management and budget under section 16A.502.

106.26 Subd. 2. **Match.** A recipient of money appropriated from the trust fund for a capital
106.27 construction project must provide a cash or in-kind match from nontrust fund sources of at
106.28 least 50 percent of the total costs to complete the project or project phase.

106.29 Subd. 3. **Sustainable building guidelines.** The sustainable building guidelines established
106.30 under sections 16B.325 and 216B.241, subdivision 9, apply to new buildings and major
106.31 renovations funded from the trust fund. A recipient of money appropriated from the trust

107.1 fund for a new building or major renovation must ensure that the project complies with the
 107.2 guidelines.

107.3 Subd. 4. **Applicability.** (a) Subdivisions 1, 2, and 3 do not apply to:

107.4 (1) a capital construction project with a total cost of less than \$10,000; or

107.5 (2) a land acquisition project.

107.6 (b) If land is acquired with trust fund money for the purpose of capital construction, the
 107.7 land acquisition is not exempted under paragraph (a), clause (2).

107.8 Subd. 5. **Other capital construction statutes.** The following statutes also apply to

107.9 recipients of appropriations from the trust fund: sections 16B.32; 16B.326; 16B.335,

107.10 subdivisions 3 and 4; 16C.054; 16C.16; 16C.28; 16C.285; 138.40; 138.665; 138.666; 177.41

107.11 to 177.44; and 471.345.

107.12 **EFFECTIVE DATE.** This section is effective July 1, 2025, and applies to money
 107.13 appropriated on or after that date.

107.14 Sec. 12. Laws 2022, chapter 94, section 2, subdivision 5, is amended to read:

107.15 Subd. 5. **Environmental Education** -0- 4,269,000

107.16 **(a) Teacher Field School: Stewardship through**
 107.17 **Nature-Based Education**

107.18 \$500,000 the second year is from the trust
 107.19 fund to the commissioner of natural resources
 107.20 for an agreement with Hamline University to
 107.21 create an immersive, research-backed field
 107.22 school for teachers to use nature-based
 107.23 education to benefit student well-being and
 107.24 academic outcomes while increasing
 107.25 stewardship habits.

107.26 **(b) Increasing K-12 Student Learning to Develop**
 107.27 **Environmental Awareness, Appreciation, and**
 107.28 **Interest**

107.29 \$1,602,000 the second year is from the trust
 107.30 fund to the commissioner of natural resources
 107.31 for an agreement with Osprey Wilds
 107.32 Environmental Learning Center to partner with
 107.33 Minnesota's five other accredited residential

108.1 environmental learning centers to provide
108.2 needs-based scholarships to ~~at least 25,000~~
108.3 K-12 students statewide for immersive
108.4 multiday environmental learning experiences.

108.5 **(c) Expanding Access to Wildlife Learning Bird**
108.6 **by Bird**

108.7 \$276,000 the second year is from the trust
108.8 fund to the commissioner of natural resources
108.9 to engage young people from diverse
108.10 communities in wildlife conservation through
108.11 bird-watching in schools, outdoor leadership
108.12 training, and participating in neighborhood
108.13 bird walks.

108.14 **(d) Engaging a Diverse Public in Environmental**
108.15 **Stewardship**

108.16 \$300,000 the second year is from the trust
108.17 fund to the commissioner of natural resources
108.18 for an agreement with Great River Greening
108.19 to increase participation in natural resources
108.20 restoration efforts through volunteer,
108.21 internship, and youth engagement activities
108.22 that target diverse audiences more accurately
108.23 reflecting local demographic and
108.24 socioeconomic conditions in Minnesota.

108.25 **(e) Bugs Below Zero: Engaging Citizens in**
108.26 **Winter Research**

108.27 \$198,000 the second year is from the trust
108.28 fund to the Board of Regents of the University
108.29 of Minnesota to raise awareness about the
108.30 winter life of bugs, inspire learning about
108.31 stream food webs, and engage citizen scientists
108.32 in research and environmental stewardship.

108.33 **(f) ESTEP: Earth Science Teacher Education**
108.34 **Project**

109.1 \$495,000 the second year is from the trust
109.2 fund to the commissioner of natural resources
109.3 for an agreement with the Minnesota Science
109.4 Teachers Association to provide professional
109.5 development for Minnesota science teachers
109.6 in environmental and earth science to
109.7 strengthen environmental education in schools.

109.8 **(g) YES! Students Take Action to Complete Eco**
109.9 **Projects**

109.10 \$199,000 the second year is from the trust
109.11 fund to the commissioner of natural resources
109.12 for an agreement with Prairie Woods
109.13 Environmental Learning Center, in partnership
109.14 with Ney Nature Center and Laurentian
109.15 Environmental Center, to empower Minnesota
109.16 youth to connect with natural resource experts,
109.17 identify ecological challenges, and take action
109.18 to complete innovative projects in their
109.19 communities.

109.20 **(h) Increasing Diversity in Environmental**
109.21 **Careers**

109.22 \$500,000 the second year is from the trust
109.23 fund to the commissioner of natural resources,
109.24 in cooperation with Conservation Corps
109.25 Minnesota and Iowa, to encourage a diversity
109.26 of students to pursue careers in the
109.27 environment and natural resources through
109.28 internships, mentorships, and fellowships with
109.29 the Department of Natural Resources, the
109.30 Board of Water and Soil Resources, and the
109.31 Pollution Control Agency.

109.32 **(i) Diversity and Access to Wildlife-Related**
109.33 **Opportunities**

109.34 \$199,000 the second year is from the trust
109.35 fund to the Board of Regents of the University

110.1 of Minnesota to broaden the state's
 110.2 conservation constituency by researching
 110.3 diverse communities' values about nature and
 110.4 wildlife experiences and identifying barriers
 110.5 to engagement.

110.6 Sec. 13. Laws 2022, chapter 94, section 2, subdivision 8, is amended to read:

110.7 **Subd. 8. Methods to Protect, Restore, and**
 110.8 **Enhance Land, Water, and Habitat** -0- 11,294,000

110.9 **(a) Minnesota's Volunteer Rare Plant**
 110.10 **Conservation Corps**

110.11 \$859,000 the second year is from the trust
 110.12 fund to the Board of Regents of the University
 110.13 of Minnesota for the Minnesota Landscape
 110.14 Arboretum to partner with the Department of
 110.15 Natural Resources and the Minnesota Native
 110.16 Plant Society to establish and train a volunteer
 110.17 corps to survey, monitor, and bank seed from
 110.18 Minnesota's rare plant populations and
 110.19 enhance the effectiveness and efficiencies of
 110.20 conservation efforts.

110.21 **(b) Conservation Corps Veterans Service Corps**
 110.22 **Program**

110.23 \$1,339,000 the second year is from the trust
 110.24 fund to the commissioner of natural resources
 110.25 for an agreement with Conservation Corps
 110.26 Minnesota to create a Veterans Service Corps
 110.27 program to accelerate natural resource
 110.28 restorations in Minnesota while providing
 110.29 workforce development opportunities for the
 110.30 state's veterans.

110.31 **(c) Creating Seed Sources of Early-Blooming**
 110.32 **Plants for Pollinators**

110.33 \$200,000 the second year is from the trust
 110.34 fund to the commissioner of natural resources
 110.35 to establish new populations of early-season

111.1 flowers by hand-harvesting and propagating
111.2 species that are currently lacking in prairie
111.3 restorations and that are essential to pollinator
111.4 health. This appropriation is available until
111.5 June 30, 2026, by which time the project must
111.6 be completed and final products delivered.

111.7 **(d) Hastings Lake Rebecca Park Area**

111.8 \$1,000,000 the second year is from the trust
111.9 fund to the commissioner of natural resources
111.10 for an agreement with the city of Hastings to
111.11 develop an ecological-based master plan for
111.12 Lake Rebecca Park and to enhance habitat
111.13 quality and construct passive recreational
111.14 facilities consistent with the master plan. No
111.15 funds for implementation may be spent until
111.16 the master plan is complete.

111.17 **(e) Pollinator Plantings and the Redistribution**
111.18 **of Soil Toxins**

111.19 \$610,000 the second year is from the trust
111.20 fund to the Board of Regents of the University
111.21 of Minnesota to map urban and suburban soil
111.22 toxins of concern, such as heavy metals and
111.23 microplastics, and to test whether pollinator
111.24 plantings can redistribute these toxins in the
111.25 soil of yards, parks, and community gardens
111.26 and reduce exposure to humans and wildlife.

111.27 **(f) PFAS Fungal-Wood Chip Filtering System**

111.28 \$189,000 the second year is from the trust
111.29 fund to the Board of Regents of the University
111.30 of Minnesota to identify, develop, and
111.31 field-test various types of waste wood chips
111.32 and fungi to sequester and degrade PFAS
111.33 leachate from contaminated waste sites. This
111.34 appropriation is subject to Minnesota Statutes,
111.35 section 116P.10.

112.1 **(g) Phytoremediation for Extracting Deicing**
112.2 **Salt**

112.3 \$451,000 the second year is from the trust
112.4 fund to the Board of Regents of the University
112.5 of Minnesota to protect lands and waters from
112.6 contamination by collaborating with the
112.7 Department of Transportation to develop
112.8 methods for using native plants to remediate
112.9 roadside deicing salt.

112.10 **(h) Mustinka River Fish and Wildlife Habitat**
112.11 **Corridor Rehabilitation**

112.12 \$2,692,000 the second year is from the trust
112.13 fund to the commissioner of natural resources
112.14 for an agreement with the Bois de Sioux
112.15 Watershed District to permanently rehabilitate
112.16 a straightened reach of the Mustinka River to
112.17 a naturally functioning stream channel and
112.18 floodplain corridor for water, fish, and wildlife
112.19 benefits.

112.20 **(i) Bohemian Flats Savanna Restoration**

112.21 \$286,000 the second year is from the trust
112.22 fund to the commissioner of natural resources
112.23 for an agreement with Minneapolis Park and
112.24 Recreation Board to restore an area of
112.25 compacted urban turf within Bohemian Flats
112.26 Park and adjacent to the Mississippi River to
112.27 an oak savanna ecosystem.

112.28 **(j) Watershed and Forest Restoration: What a**
112.29 **Match!**

112.30 \$3,318,000 the second year is from the trust
112.31 fund to the Board of Water and Soil
112.32 Resources, in cooperation with soil and water
112.33 conservation districts, the Mille Lacs Band of
112.34 Ojibwe, and the Department of Natural
112.35 Resources, to acquire interests in land and to

113.1 accelerate tree planting on ~~privately owned~~,
 113.2 protected lands for water-quality protection
 113.3 and carbon sequestration. Notwithstanding
 113.4 subdivision 14, paragraph (e), this
 113.5 appropriation may be spent to reforest lands
 113.6 protected through long-term contracts as
 113.7 provided in the approved work plan.

113.8 **(k) River Habitat Restoration and Recreation**
 113.9 **in Melrose**

113.10 \$350,000 the second year is from the trust
 113.11 fund to the commissioner of natural resources
 113.12 for an agreement with the city of Melrose to
 113.13 conduct habitat restoration and create fishing,
 113.14 canoeing, and camping opportunities along a
 113.15 segment of the Sauk River within the city of
 113.16 Melrose and to provide public education about
 113.17 stream restoration, fish habitat, and the
 113.18 importance of natural areas.

113.19 Sec. 14. Laws 2022, chapter 94, section 2, subdivision 9, is amended to read:

113.20 Subd. 9. **Habitat and Recreation** -0- 26,179,000

113.21 **(a) Mesabi Trail: Wahlsten Road (CR 26) to**
 113.22 **toward Tower**

113.23 \$1,307,000 the second year is from the trust
 113.24 fund to the commissioner of natural resources
 113.25 for an agreement with the St. Louis and Lake
 113.26 Counties Regional Railroad Authority to
 113.27 acquire easements, engineer, and construct a
 113.28 segment of the Mesabi Trail beginning at the
 113.29 intersection of Wahlsten Road (CR 26) and
 113.30 Benson Road in Embarrass and extending to
 113.31 toward Tower.

113.32 **(b) Environmental Learning Classroom with**
 113.33 **Trails**

114.1 \$82,000 the second year is from the trust fund
114.2 to the commissioner of natural resources for
114.3 an agreement with Mountain Iron-Buhl Public
114.4 Schools to build an outdoor classroom
114.5 pavilion, accessible trails, and a footbridge
114.6 within the Mountain Iron-Buhl School Forest
114.7 to conduct environmental education that
114.8 cultivates a lasting conservation ethic.

114.9 **(c) Local Parks, Trails, and Natural Areas Grant**
114.10 **Programs**

114.11 \$3,560,000 the second year is from the trust
114.12 fund to the commissioner of natural resources
114.13 to solicit, rank, and fund competitive matching
114.14 grants for local parks, trail connections, and
114.15 natural and scenic areas under Minnesota
114.16 Statutes, section 85.019. This appropriation is
114.17 for local nature-based recreation, connections
114.18 to regional and state natural areas, and
114.19 recreation facilities and may not be used for
114.20 athletic facilities such as sport fields, courts,
114.21 and playgrounds.

114.22 **(d) St. Louis River Re-Connect**

114.23 \$500,000 the second year is from the trust
114.24 fund to the commissioner of natural resources
114.25 for an agreement with the city of Duluth to
114.26 expand recreational access along the St. Louis
114.27 River and estuary by implementing the St.
114.28 Louis River National Water Trail outreach
114.29 plan, designing and constructing upgrades and
114.30 extensions to the Waabizheshikana Trail, and
114.31 installing interpretive features that describe
114.32 the cultural and ecological significance of the
114.33 area.

114.34 **(e) Native Prairie Stewardship and Prairie Bank**
114.35 **Easement Acquisition**

115.1 \$1,353,000 the second year is from the trust
115.2 fund to the commissioner of natural resources
115.3 to provide technical stewardship assistance to
115.4 private landowners, restore and enhance native
115.5 prairie protected by easements in the native
115.6 prairie bank, and acquire easements for the
115.7 native prairie bank in accordance with
115.8 Minnesota Statutes, section 84.96, including
115.9 preparing initial baseline property assessments.
115.10 Up to \$60,000 of this appropriation may be
115.11 deposited in the natural resources conservation
115.12 easement stewardship account created under
115.13 Minnesota Statutes, section 84.69, proportional
115.14 to the number of easements acquired.

115.15 **(f) Minnesota State Parks and State Trails**
115.16 **Maintenance and Development**

115.17 \$1,600,000 the second year is from the trust
115.18 fund to the commissioner of natural resources
115.19 for maintenance and development at state
115.20 parks, recreation areas, and trails to protect
115.21 Minnesota's natural heritage, enhance outdoor
115.22 recreation, and improve the efficiency of
115.23 public land management.

115.24 **(g) Minnesota State Trails Development**

115.25 \$7,387,000 the second year is from the trust
115.26 fund to the commissioner of natural resources
115.27 to expand recreational opportunities on
115.28 Minnesota state trails by rehabilitating and
115.29 enhancing existing state trails and replacing
115.30 or repairing existing state trail bridges.

115.31 **(h) SNA Habitat Restoration and Public**
115.32 **Engagement**

115.33 \$5,000,000 the second year is from the trust
115.34 fund to the commissioner of natural resources
115.35 for the scientific and natural areas (SNA)

- 116.1 program to restore and enhance exceptional
116.2 habitat on SNAs and increase public
116.3 involvement and outreach.
- 116.4 **(i) The Missing Link: Gull Lake Trail, Fairview**
116.5 **Township**
- 116.6 \$1,394,000 the second year is from the trust
116.7 fund to the commissioner of natural resources
116.8 for an agreement with Fairview Township to
116.9 complete the Gull Lake Trail by engineering
116.10 and constructing the trail's final segment
116.11 through Fairview Township in the Brainerd
116.12 Lakes area.
- 116.13 **(j) Silver Bay Multimodal Trailhead Project**
- 116.14 \$1,000,000 the second year is from the trust
116.15 fund to the commissioner of natural resources
116.16 for an agreement with the city of Silver Bay
116.17 to develop a multimodal trailhead center to
116.18 provide safe access to the Superior,
116.19 Gitchi-Gami, and C.J. Ramstad/North Shore
116.20 trails; Black Beach Park; and other
116.21 recreational destinations.
- 116.22 **(k) Brookston Campground, Boat Launch, and**
116.23 **Outdoor Recreational Facility**
- 116.24 \$453,000 the second year is from the trust
116.25 fund to the commissioner of natural resources
116.26 for an agreement with the city of Brookston
116.27 to build a campground, boat launch, and
116.28 outdoor recreation area on the banks of the St.
116.29 Louis River in northeastern Minnesota. Before
116.30 any trust fund dollars are spent, the city must
116.31 demonstrate that all funds to complete the
116.32 project are secured and a fiscal agent must be
116.33 approved in the work plan.
- 116.34 **(l) Silver Lake Trail Connection**

117.1 \$727,000 the second year is from the trust
117.2 fund to the commissioner of natural resources
117.3 for an agreement with the city of Virginia to
117.4 design, engineer, and construct a multiuse trail
117.5 that will connect Silver Lake Trail to a new
117.6 Miners Entertainment and Convention Center
117.7 and provide lighting on Bailey Lake Trail.

117.8 **(m) Floodwood Campground Improvement**
117.9 **Project**

117.10 \$816,000 the second year is from the trust
117.11 fund to the commissioner of natural resources
117.12 for an agreement with the city of Floodwood
117.13 to upgrade the Floodwood Campground and
117.14 connecting trails to provide high-quality nature
117.15 and recreation experience for people of all
117.16 ages.

117.17 **(n) Ranier Safe Harbor/Transient Dock - Phase**
117.18 **2**

117.19 \$1,000,000 the second year is from the trust
117.20 fund to the commissioner of natural resources
117.21 for an agreement with the city of Ranier to
117.22 construct a safe harbor and transient dock to
117.23 accommodate watercraft of many sizes to
117.24 improve public access for boat recreation on
117.25 Rainy Lake. Before trust fund dollars are
117.26 spent, a fiscal agent must be approved in the
117.27 work plan. Before any trust fund dollars are
117.28 spent, the city must demonstrate that all funds
117.29 to complete the project are secured. Any
117.30 revenue generated from selling products or
117.31 assets developed or acquired with this
117.32 appropriation must be repaid to the trust fund
117.33 unless a plan is approved for reinvestment of
117.34 income in the project as provided under
117.35 Minnesota Statutes, section 116P.10.

118.1 **Sec. 15. INITIAL CITIZEN APPOINTMENTS AND FIRST MEETING.**

118.2 (a) Initial citizen appointments to the Legislative-Citizen Commission on Minnesota
118.3 Resources as amended in this act must be made by February 1, 2026. The first meeting of
118.4 the revised Legislative-Citizen Commission on Minnesota Resources must be convened by
118.5 the chair or a designee of the Legislative Coordinating Commission by June 15, 2026. The
118.6 Legislative-Citizen Commission on Minnesota Resources must select cochairs from its
118.7 membership at its first meeting.

118.8 (b) Citizen members of the Legislative-Citizen Commission on Minnesota Resources
118.9 must initially be appointed according to the following schedule of terms:

118.10 (1) two citizen members appointed by the governor for a term ending the first Monday
118.11 in January 2028;

118.12 (2) three citizen members appointed by the governor, including the member from a
118.13 federally recognized Tribe, for a term ending the first Monday in January 2030;

118.14 (3) one citizen member appointed by the senate majority leader for a term ending the
118.15 first Monday in January 2028;

118.16 (4) one citizen member appointed by the senate majority leader for a term ending the
118.17 first Monday in January 2030;

118.18 (5) one citizen member appointed by the speaker of the house for a term ending the first
118.19 Monday in January 2028; and

118.20 (6) one citizen member appointed by the speaker of the house for a term ending the first
118.21 Monday in January 2030.

118.22 (c) Notwithstanding the law in effect at the time of their appointment, the terms of all
118.23 incumbent citizen members appointed before the effective date of this act are terminated
118.24 effective January 1, 2026. An incumbent citizen member whose appointment is terminated
118.25 by this paragraph may apply for reappointment as provided in this act.

118.26 **EFFECTIVE DATE.** This section is effective January 1, 2026.

118.27 **Sec. 16. APPROPRIATIONS GIVEN EFFECT ONCE.**

118.28 If an appropriation or transfer in this article is enacted more than once during the 2023
118.29 regular session, the appropriation or transfer must be given effect once.

119.1 Sec. 17. **EFFECTIVE DATE.**

119.2 Unless otherwise provided, this article is effective the day following final enactment.

119.3

ARTICLE 3

119.4

POLLUTION CONTROL

119.5 Section 1. Minnesota Statutes 2022, section 16A.151, subdivision 2, is amended to read:

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

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

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

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

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

119.25 (f) Any money received by the state resulting from a settlement agreement or an assurance
119.26 of discontinuance entered into by the attorney general of the state, or a court order in litigation
119.27 brought by the attorney general of the state, on behalf of the state or a state agency, related
119.28 to alleged violations of consumer fraud laws in the marketing, sale, or distribution of opioids
119.29 in this state or other alleged illegal actions that contributed to the excessive use of opioids,
119.30 must be deposited in the settlement account established in the opiate epidemic response
119.31 fund under section 256.043, subdivision 1. This paragraph does not apply to attorney fees

120.1 and costs awarded to the state or the Attorney General's Office, to contract attorneys hired
120.2 by the state or Attorney General's Office, or to other state agency attorneys.

120.3 (g) Notwithstanding paragraph (f), if money is received from a settlement agreement or
120.4 an assurance of discontinuance entered into by the attorney general of the state or a court
120.5 order in litigation brought by the attorney general of the state on behalf of the state or a state
120.6 agency against a consulting firm working for an opioid manufacturer or opioid wholesale
120.7 drug distributor, the commissioner shall deposit any money received into the settlement
120.8 account established within the opiate epidemic response fund under section 256.042,
120.9 subdivision 1. Notwithstanding section 256.043, subdivision 3a, paragraph (a), any amount
120.10 deposited into the settlement account in accordance with this paragraph shall be appropriated
120.11 to the commissioner of human services to award as grants as specified by the opiate epidemic
120.12 response advisory council in accordance with section 256.043, subdivision 3a, paragraph
120.13 (d).

120.14 (h) If the Minnesota Pollution Control Agency, through litigation or settlement of a
120.15 matter that could have resulted in litigation, recovers \$250,000 or more in a civil penalty
120.16 from violations of a permit issued by the agency, then 40 percent of the money recovered
120.17 must be distributed to the community health board, as defined in section 145A.02, where
120.18 the permitted facility is located. Within 30 days of a final court order in the litigation or the
120.19 effective date of the settlement agreement, the commissioner of the Minnesota Pollution
120.20 Control Agency must notify the applicable community health board that the litigation has
120.21 concluded or a settlement has been reached. The commissioner must collect the money and
120.22 transfer it to the applicable community health board. The community health board must
120.23 meet directly with the residents potentially affected by the pollution that was the subject of
120.24 the litigation or settlement to identify the residents' concerns and incorporate those concerns
120.25 into a project that benefits the residents. The project must be implemented by the community
120.26 health board and funded as directed in this paragraph. The community health board may
120.27 recover the reasonable costs it incurs to administer this paragraph from the funds transferred
120.28 to the board under this paragraph. This paragraph directs the transfer and use of money only
120.29 and does not create a right of intervention in the litigation or settlement of the enforcement
120.30 action for any person or entity. A supplemental environmental project funded as part of a
120.31 settlement agreement is not part of a civil penalty and must not be included in calculating
120.32 the amount of funds required to be distributed to a community health board under this
120.33 paragraph. For the purposes of this paragraph, "supplemental environmental project" means
120.34 a project that benefits the environment or public health that a regulated facility agrees to
120.35 undertake, though not legally required to do so, as part of a settlement with respect to an

121.1 enforcement action taken by the Minnesota Pollution Control Agency to resolve
121.2 noncompliance.

121.3 **EFFECTIVE DATE.** This section is effective the day following final enactment and
121.4 applies to all litigation actions or settlements from which the Minnesota Pollution Control
121.5 Agency recovers \$250,000 or more on or after that date.

121.6 Sec. 2. Minnesota Statutes 2022, section 115.01, is amended by adding a subdivision to
121.7 read:

121.8 Subd. 8a. **Microplastics.** "Microplastics" means particles of plastic less than 500
121.9 micrometers in size.

121.10 Sec. 3. Minnesota Statutes 2022, section 115.01, is amended by adding a subdivision to
121.11 read:

121.12 Subd. 8b. **Nanoplastics.** "Nanoplastics" means plastic particles less than or equal to 100
121.13 nanometers in size.

121.14 Sec. 4. Minnesota Statutes 2022, section 115.01, is amended by adding a subdivision to
121.15 read:

121.16 Subd. 10a. **Plastic.** "Plastic" means a synthetic material made from linking monomers
121.17 through a chemical reaction to create a polymer chain that can be molded or extruded at
121.18 high heat into various solid forms that retain their defined shapes during their life cycle and
121.19 after disposal. Plastic does not mean natural polymers that have not been chemically
121.20 modified.

121.21 Sec. 5. Minnesota Statutes 2022, section 115.03, subdivision 1, is amended to read:

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

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

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

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

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

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

122.12 ~~(1)~~ (i) requiring the discontinuance of the discharge of sewage, industrial waste or other
122.13 wastes into any waters of the state resulting in pollution in excess of the applicable pollution
122.14 standard established under this chapter;

122.15 ~~(2)~~ (ii) prohibiting or directing the abatement of any discharge of sewage, industrial
122.16 waste, or other wastes, into any waters of the state or the deposit thereof or the discharge
122.17 into any municipal disposal system where the same is likely to get into any waters of the
122.18 state in violation of this chapter and, with respect to the pollution of waters of the state,
122.19 chapter 116, or standards or rules promulgated or permits issued pursuant thereto, and
122.20 specifying the schedule of compliance within which such prohibition or abatement must be
122.21 accomplished;

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

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

122.30 ~~(5)~~ (v) establishing, and from time to time revising, standards of performance for new
122.31 sources taking into consideration, among other things, classes, types, sizes, and categories
122.32 of sources, processes, pollution control technology, cost of achieving such effluent reduction,
122.33 and any nonwater quality environmental impact and energy requirements. Said standards
122.34 of performance for new sources shall encompass those standards for the control of the

123.1 discharge of pollutants which reflect the greatest degree of effluent reduction which the
123.2 agency determines to be achievable through application of the best available demonstrated
123.3 control technology, processes, operating methods, or other alternatives, including, where
123.4 practicable, a standard permitting no discharge of pollutants. New sources shall encompass
123.5 buildings, structures, facilities, or installations from which there is or may be the discharge
123.6 of pollutants, the construction of which is commenced after the publication by the agency
123.7 of proposed rules prescribing a standard of performance which will be applicable to such
123.8 source. Notwithstanding any other provision of the law of this state, any point source the
123.9 construction of which is commenced after May 20, 1973, and which is so constructed as to
123.10 meet all applicable standards of performance for new sources shall, consistent with and
123.11 subject to the provisions of section 306(d) of the Amendments of 1972 to the Federal Water
123.12 Pollution Control Act, not be subject to any more stringent standard of performance for new
123.13 sources during a ten-year period beginning on the date of completion of such construction
123.14 or during the period of depreciation or amortization of such facility for the purposes of
123.15 section 167 or 169, or both, of the Federal Internal Revenue Code of 1954, whichever period
123.16 ends first. Construction shall encompass any placement, assembly, or installation of facilities
123.17 or equipment, including contractual obligations to purchase such facilities or equipment, at
123.18 the premises where such equipment will be used, including preparation work at such
123.19 premises;

123.20 ~~(6)~~ (vi) establishing and revising pretreatment standards to prevent or abate the discharge
123.21 of any pollutant into any publicly owned disposal system, which pollutant interferes with,
123.22 passes through, or otherwise is incompatible with such disposal system;

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

123.29 ~~(8)~~ (viii) notwithstanding any other provision of this chapter, and with respect to the
123.30 pollution of waters of the state, chapter 116, requiring the achievement of more stringent
123.31 limitations than otherwise imposed by effluent limitations in order to meet any applicable
123.32 water quality standard by establishing new effluent limitations, based upon section 115.01,
123.33 subdivision 13, clause (b), including alternative effluent control strategies for any point
123.34 source or group of point sources to insure the integrity of water quality classifications,
123.35 whenever the agency determines that discharges of pollutants from such point source or

124.1 sources, with the application of effluent limitations required to comply with any standard
124.2 of best available technology, would interfere with the attainment or maintenance of the
124.3 water quality classification in a specific portion of the waters of the state. Prior to
124.4 establishment of any such effluent limitation, the agency shall hold a public hearing to
124.5 determine the relationship of the economic and social costs of achieving such limitation or
124.6 limitations, including any economic or social dislocation in the affected community or
124.7 communities, to the social and economic benefits to be obtained and to determine whether
124.8 or not such effluent limitation can be implemented with available technology or other
124.9 alternative control strategies. If a person affected by such limitation demonstrates at such
124.10 hearing that, whether or not such technology or other alternative control strategies are
124.11 available, there is no reasonable relationship between the economic and social costs and
124.12 the benefits to be obtained, such limitation shall not become effective and shall be adjusted
124.13 as it applies to such person;

124.14 ~~(9)~~ (ix) modifying, in its discretion, any requirement or limitation based upon best
124.15 available technology with respect to any point source for which a permit application is filed
124.16 after July 1, 1977, upon a showing by the owner or operator of such point source satisfactory
124.17 to the agency that such modified requirements will represent the maximum use of technology
124.18 within the economic capability of the owner or operator and will result in reasonable further
124.19 progress toward the elimination of the discharge of pollutants; and

124.20 ~~(10)~~ (x) requiring that applicants for wastewater discharge permits evaluate in their
124.21 applications the potential reuses of the discharged wastewater;

124.22 ~~(f)~~ (6) to require to be submitted and to approve plans and specifications for disposal
124.23 systems or point sources, or any part thereof and to inspect the construction thereof for
124.24 compliance with the approved plans and specifications thereof;

124.25 ~~(g)~~ (7) to prescribe and alter rules, not inconsistent with law, for the conduct of the
124.26 agency and other matters within the scope of the powers granted to and imposed upon it by
124.27 this chapter and, with respect to pollution of waters of the state, in chapter 116, provided
124.28 that every rule affecting any other department or agency of the state or any person other
124.29 than a member or employee of the agency shall be filed with the secretary of state;

124.30 ~~(h)~~ (8) to conduct such investigations, issue such notices, public and otherwise, and hold
124.31 such hearings as are necessary or which it may deem advisable for the discharge of its duties
124.32 under this chapter and, with respect to the pollution of waters of the state, under chapter
124.33 116, including, but not limited to, the issuance of permits, and to authorize any member,

125.1 employee, or agent appointed by it to conduct such investigations or, issue such notices and
125.2 hold such hearings;

125.3 ~~(9)~~ (9) for the purpose of water pollution control planning by the state and pursuant to
125.4 the Federal Water Pollution Control Act, as amended, to establish and revise planning areas,
125.5 adopt plans and programs and continuing planning processes, including, but not limited to,
125.6 basin plans and areawide waste treatment management plans, and to provide for the
125.7 implementation of any such plans by means of, including, but not limited to, standards, plan
125.8 elements, procedures for revision, intergovernmental cooperation, residual treatment process
125.9 waste controls, and needs inventory and ranking for construction of disposal systems;

125.10 ~~(10)~~ (10) to train water pollution control personnel, and charge ~~such training fees therefor~~
125.11 as are necessary to cover the agency's costs. All such fees received ~~shall~~ must be paid into
125.12 the state treasury and credited to the Pollution Control Agency training account;

125.13 (11) to provide chloride reduction training and charge training fees as necessary to cover
125.14 the agency's costs. All training fees received must be paid into the state treasury and credited
125.15 to the Pollution Control Agency training account;

125.16 ~~(12)~~ (12) to impose as additional conditions in permits to publicly owned disposal systems
125.17 appropriate measures to insure compliance by industrial and other users with any pretreatment
125.18 standard, including, but not limited to, those related to toxic pollutants, and any system of
125.19 user charges ratably as is hereby required under state law or said Federal Water Pollution
125.20 Control Act, as amended, or any regulations or guidelines promulgated thereunder;

125.21 ~~(13)~~ (13) to set a period not to exceed five years for the duration of any national pollutant
125.22 discharge elimination system permit or not to exceed ten years for any permit issued as a
125.23 state disposal system permit only;

125.24 ~~(14)~~ (14) to require each governmental subdivision identified as a permittee for a
125.25 wastewater treatment works to evaluate in every odd-numbered year the condition of its
125.26 existing system and identify future capital improvements that will be needed to attain or
125.27 maintain compliance with a national pollutant discharge elimination system or state disposal
125.28 system permit; and

125.29 ~~(15)~~ (15) to train subsurface sewage treatment system personnel, including persons who
125.30 design, construct, install, inspect, service, and operate subsurface sewage treatment systems,
125.31 and charge fees as necessary to pay the agency's costs. All fees received must be paid into
125.32 the state treasury and credited to the agency's training account. Money in the account is
125.33 appropriated to the agency to pay expenses related to training.

126.1 (b) The information required in paragraph (a), clause ~~(m)~~ (14), must be submitted in
126.2 every odd-numbered year to the commissioner on a form provided by the commissioner.
126.3 The commissioner shall provide technical assistance if requested by the governmental
126.4 subdivision.

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

126.7 Sec. 6. Minnesota Statutes 2022, section 115.03, is amended by adding a subdivision to
126.8 read:

126.9 Subd. 12. **Biofuel plants.** A national pollutant discharge elimination system or state
126.10 disposal system permit issued by the agency to an ethanol plant, as defined in section 41A.09,
126.11 subdivision 2a; a biodiesel plant; or an advanced biofuel plant must, as a condition of the
126.12 permit, require the monitoring of wastewater for the presence of neonicotinoid pesticides
126.13 and perfluoroalkyl or polyfluoroalkyl substances. The permittee's monitoring system must
126.14 be capable of providing a permanent record of monitoring results which the permittee must
126.15 make available upon request of the commissioner or any person. The commissioner must
126.16 periodically inspect a permittee's monitoring system to verify accuracy.

126.17 Sec. 7. Minnesota Statutes 2022, section 115.061, is amended to read:

126.18 **115.061 DUTY TO NOTIFY; AVOIDING WATER POLLUTION.**

126.19 (a) Except as provided in paragraph (b), it is the duty of every person to notify the agency
126.20 immediately of the discharge, accidental or otherwise, of any substance or material under
126.21 its control which, if not recovered, may cause pollution of waters of the state, and the
126.22 responsible person shall recover as rapidly and as thoroughly as possible such substance or
126.23 material and take immediately such other action as may be reasonably possible to minimize
126.24 or abate pollution of waters of the state caused thereby.

126.25 (b) Notification is not required under paragraph (a) for a discharge of five gallons or
126.26 less of petroleum, as defined in section 115C.02, subdivision 10. This paragraph does not
126.27 affect the other requirements of paragraph (a).

126.28 (c) Promptly after notifying the agency of a discharge under paragraph (a), a publicly
126.29 owned treatment works or a publicly or privately owned domestic sewer system owner must
126.30 provide notice to the potentially impacted public and to any downstream drinking water
126.31 facility that may be impacted by the discharge. Notice to the public and to any drinking
126.32 water facility must be made using the most efficient communications system available to

127.1 the facility owner such as in person, telephone call, radio, social media, web page, or another
127.2 expedited form. In addition, signage must be posted at all impacted public use areas within
127.3 the same jurisdiction or notification must be provided to the entity that has jurisdiction over
127.4 any impacted public use areas. A notice under this paragraph must include the date and time
127.5 of the discharge, a description of the material released, a warning of the potential public
127.6 health risk, and the permittee's contact information.

127.7 (d) The agency must provide guidance that includes but is not limited to methods and
127.8 protocols for providing timely notice under this section.

127.9 Sec. 8. Minnesota Statutes 2022, section 115A.03, is amended by adding a subdivision to
127.10 read:

127.11 Subd. 37a. **Waste treated seed.** "Waste treated seed" means seed that is treated, as
127.12 defined in section 21.81, subdivision 28, and that is withdrawn from sale or that the end
127.13 user considers unusable or otherwise a waste.

127.14 Sec. 9. Minnesota Statutes 2022, section 115A.1415, is amended to read:

127.15 **115A.1415 ARCHITECTURAL PAINT; PRODUCT STEWARDSHIP PROGRAM;**
127.16 **STEWARDSHIP PLAN.**

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

127.19 (1) "architectural paint" means interior and exterior architectural coatings sold in
127.20 containers of five gallons or less. Architectural paint does not include industrial coatings,
127.21 original equipment coatings, or specialty coatings;

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

127.25 (3) "discarded paint" means architectural paint that is no longer used for its manufactured
127.26 purpose;

127.27 (4) "producer" means a person that:

127.28 (i) has legal ownership of the brand, brand name, or cobrand of architectural paint sold
127.29 in the state;

127.30 (ii) imports architectural paint branded by a producer that meets item (i) when the
127.31 producer has no physical presence in the United States;

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

128.3 (iv) sells architectural paint at wholesale or retail, does not have legal ownership of the
128.4 brand, and elects to fulfill the responsibilities of the producer for the architectural paint by
128.5 certifying that election in writing to the commissioner;

128.6 (5) "recycling" means the process of collecting and preparing recyclable materials and
128.7 reusing the materials in their original form or using them in manufacturing processes that
128.8 do not cause the destruction of recyclable materials in a manner that precludes further use;

128.9 (6) "retailer" means any person who offers architectural paint for sale at retail in the
128.10 state;

128.11 (7) "reuse" means donating or selling collected architectural paint back into the market
128.12 for its original intended use, when the architectural paint retains its original purpose and
128.13 performance characteristics;

128.14 (8) "sale" or "sell" means transfer of title of architectural paint for consideration, including
128.15 a remote sale conducted through a sales outlet, catalog, website, or similar electronic means.
128.16 Sale or sell includes a lease through which architectural paint is provided to a consumer by
128.17 a producer, wholesaler, or retailer;

128.18 (9) "stewardship assessment" means the amount added to the purchase price of
128.19 architectural paint sold in the state ~~that is necessary to cover the cost of collecting,~~
128.20 ~~transporting, and processing postconsumer architectural paint by the producer or stewardship~~
128.21 ~~organization pursuant to a product stewardship program~~ to implement a product stewardship
128.22 program according to an approved stewardship plan;

128.23 (10) "stewardship organization" means an organization appointed by one or more
128.24 producers to act as an agent on behalf of the producer to design, submit, and administer a
128.25 product stewardship program under this section; and

128.26 (11) "stewardship plan" means a detailed plan describing the manner in which a product
128.27 stewardship program under subdivision 2 will be implemented.

128.28 Subd. 2. **Product stewardship program.** For architectural paint sold in the state,
128.29 producers must, individually or through a stewardship organization, implement and finance
128.30 a statewide product stewardship program that manages the architectural paint by reducing
128.31 the paint's waste generation, promoting its reuse and recycling, and providing for negotiation
128.32 and execution of agreements to collect, transport, and process the architectural paint for
128.33 end-of-life recycling and reuse.

129.1 Subd. 3. **Participation required to sell.** (a) ~~On and after July 1, 2014, or three months~~
129.2 ~~after program plan approval, whichever is sooner,~~ No producer, wholesaler, or retailer may
129.3 sell or offer for sale in the state architectural paint unless the paint's producer participates
129.4 in an approved stewardship plan, either individually or through a stewardship organization.

129.5 (b) Each producer must operate a product stewardship program approved by the ~~agency~~
129.6 commissioner or enter into an agreement with a stewardship organization to operate, on the
129.7 producer's behalf, a product stewardship program approved by the ~~agency~~ commissioner.

129.8 Subd. 4. **Stewardship plan required.** (a) ~~On or before March 1, 2014, and~~ Before
129.9 offering architectural paint for sale in the state, a producer must submit a stewardship plan
129.10 to the ~~agency~~ commissioner and receive approval of the plan or must submit documentation
129.11 to the ~~agency~~ commissioner that demonstrates the producer has entered into an agreement
129.12 with a stewardship organization to be an active participant in an approved product
129.13 stewardship program as described in subdivision 2. A stewardship plan must include all
129.14 elements required under subdivision 5.

129.15 (b) ~~An~~ A proposed amendment to the plan, if determined necessary by the commissioner,
129.16 must be submitted to the commissioner for review and approval or rejection every five
129.17 years.

129.18 (c) ~~It is the responsibility of~~ The entities responsible for each stewardship plan ~~to~~ must
129.19 notify the ~~agency~~ commissioner within 30 days of any significant proposed changes ~~or~~
129.20 ~~modifications~~ to the plan or its implementation. Within 30 days of the notification, a written
129.21 proposed plan revision amendment must be submitted to the ~~agency~~ commissioner for
129.22 review and approval or rejection.

129.23 Subd. 5. **Plan content.** A stewardship plan must contain:

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

129.26 (2) contact information for the individual and the entity submitting the stewardship plan,
129.27 a list of all producers participating in the product stewardship program, and the brands
129.28 covered by the product stewardship program;

129.29 (3) a description of the methods by which the discarded paint will be collected in all
129.30 areas in the state without relying on end-of-life fees, including an explanation of how the
129.31 collection system will be convenient and adequate to serve the needs of small businesses
129.32 and residents in both urban and rural areas on an ongoing basis and a discussion of how the

- 130.1 existing household hazardous waste infrastructure will be considered when selecting
130.2 collection sites;
- 130.3 (4) a description of how the adequacy of the collection program will be monitored and
130.4 maintained;
- 130.5 (5) the names and locations of collectors, transporters, and recyclers that will manage
130.6 discarded paint;
- 130.7 (6) a description of how the discarded paint and the paint's components will be safely
130.8 and securely transported, tracked, and handled from collection through final recycling and
130.9 processing;
- 130.10 (7) a description of the method that will be used to reuse, deconstruct, or recycle the
130.11 discarded paint to ensure that the paint's components, to the extent feasible, are transformed
130.12 or remanufactured into finished products for use;
- 130.13 (8) a description of the promotion and outreach activities that will be used to encourage
130.14 participation in the collection and recycling programs and how the activities' effectiveness
130.15 will be evaluated and the program modified, if necessary;
- 130.16 (9) the proposed stewardship assessment. ~~The producer or stewardship organization~~
130.17 ~~shall propose a uniform stewardship assessment for any architectural paint sold in the state.~~
130.18 ~~The proposed stewardship assessment shall be reviewed by an independent auditor to ensure~~
130.19 ~~that the assessment does not exceed the costs of the product stewardship program and the~~
130.20 ~~independent auditor shall recommend an amount for the stewardship assessment. The agency~~
130.21 ~~must approve the stewardship assessment~~ established according to subdivision 5a;
- 130.22 (10) evidence of adequate insurance and financial assurance that may be required for
130.23 collection, handling, and disposal operations;
- 130.24 (11) five-year performance goals, including an estimate of the percentage of discarded
130.25 paint that will be collected, reused, and recycled during each of the first five years of the
130.26 stewardship plan. The performance goals must include a specific goal for the amount of
130.27 discarded paint that will be collected and recycled and reused during each year of the plan.
130.28 The performance goals must be based on:
- 130.29 (i) the most recent collection data available for the state;
- 130.30 (ii) the estimated amount of architectural paint disposed of annually;
- 130.31 (iii) the weight of the architectural paint that is expected to be available for collection
130.32 annually; and

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

131.2 The stewardship plan must state the methodology used to determine these goals; and

131.3 (12) a discussion of the status of end markets for collected architectural paint and what,
131.4 if any, additional end markets are needed to improve the functioning of the program.

131.5 Subd. 5a. **Stewardship assessment.** The producer or stewardship organization must
131.6 propose a uniform stewardship assessment for any architectural paint sold in the state that
131.7 covers but does not exceed the costs of developing the stewardship plan, operating and
131.8 administering the program in accordance with the stewardship plan and the requirements
131.9 of this section, and maintaining a financial reserve. A stewardship organization or producer
131.10 must not maintain a financial reserve in excess of 75 percent of the organization's annual
131.11 operating expenses. The producer or stewardship organization must retain an independent
131.12 auditor to review the proposed stewardship assessment to ensure that the assessment meets
131.13 the requirements of this section. The independent auditor must recommend an amount for
131.14 the stewardship assessment. If the financial reserve exceeds 75 percent of the producer or
131.15 stewardship organization's annual operating expenses, the producer or stewardship
131.16 organization must submit a proposed plan amendment according to subdivision 4, paragraph
131.17 (c), to comply with this subdivision. The commissioner must review and approve or reject
131.18 the stewardship assessment according to subdivision 7.

131.19 **Subd. 6. Consultation required.** Each stewardship organization or individual producer
131.20 submitting a stewardship plan or plan amendment must consult with stakeholders including
131.21 retailers, contractors, collectors, recyclers, local government, and customers during the
131.22 development of the plan or plan amendment.

131.23 **Subd. 7. ~~Agency~~ Commissioner review and approval.** (a) Within 90 days after receipt
131.24 ~~of~~ receiving a proposed stewardship plan, the ~~agency shall~~ commissioner must determine
131.25 whether the plan complies with ~~subdivision 4~~ this section. If the ~~agency~~ commissioner
131.26 approves a plan, the ~~agency shall~~ commissioner must notify the applicant of the plan approval
131.27 in writing. If the ~~agency~~ commissioner rejects a plan, the ~~agency shall~~ commissioner must
131.28 notify the applicant in writing of the reasons for rejecting the plan.

131.29 (b) An applicant whose plan is rejected by the ~~agency~~ commissioner must submit a
131.30 revised stewardship plan to the ~~agency~~ commissioner within 60 days after receiving notice
131.31 of rejection. A stewardship organization may submit a revised stewardship plan to the
131.32 commissioner on not more than two consecutive occasions. If, after the second consecutive
131.33 submission, the commissioner determines that the revised stewardship plan still does not

132.1 meet the requirements of this section, the commissioner must modify the stewardship plan
132.2 as necessary to meet the requirements of this section and approve the stewardship plan.

132.3 ~~(b)~~ (c) Any proposed ~~changes~~ amendment to a stewardship plan must be reviewed and
132.4 approved or rejected by the ~~agency~~ commissioner in writing according to this subdivision.

132.5 Subd. 8. **Plan availability.** All ~~draft~~ proposed stewardship plans and amendments and
132.6 approved stewardship plans shall and amendments must be placed on the agency's website
132.7 for at least 30 days and made available at the agency's headquarters for public review and
132.8 comment.

132.9 Subd. 9. **Conduct authorized.** A producer or stewardship organization that organizes
132.10 collection, transport, and processing of architectural paint under this section is immune from
132.11 liability for the conduct under state laws relating to antitrust, restraint of trade, unfair trade
132.12 practices, and other regulation of trade or commerce only to the extent that the conduct is
132.13 necessary to plan and implement the producer's or organization's chosen organized collection
132.14 or recycling system.

132.15 Subd. 10. **Producer responsibilities.** (a) On and after the date of implementation of a
132.16 product stewardship program according to this section, a producer of architectural paint
132.17 must add the stewardship assessment, as established under subdivision ~~5, clause (9)~~ 5a, to
132.18 the cost of architectural paint sold to retailers and distributors in the state by the producer.

132.19 (b) Producers of architectural paint or the stewardship organization ~~shall~~ must provide
132.20 consumers with educational materials regarding the stewardship assessment and product
132.21 stewardship program. The materials must include, but are not limited to, information
132.22 regarding available end-of-life management options for architectural paint offered through
132.23 the product stewardship program and information that notifies consumers that a charge for
132.24 the operation of the product stewardship program is included in the purchase price of
132.25 architectural paint sold in the state.

132.26 Subd. 11. **Retailer responsibilities.** (a) ~~On and after July 1, 2014, or three months after~~
132.27 ~~program plan approval, whichever is sooner,~~ No architectural paint may be sold in the state
132.28 unless the paint's producer is participating in an approved stewardship plan.

132.29 (b) On and after the implementation date of a product stewardship program according
132.30 to this section, each retailer or distributor, as applicable, must ensure that the full amount
132.31 of the stewardship assessment added to the cost of architectural paint by producers under
132.32 subdivision 10 is included in the purchase price of all architectural paint sold in the state.

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

133.4 (d) No retailer or distributor shall be found to be in violation of this subdivision if, on
133.5 the date the architectural paint was ordered from the producer or its agent, the producer was
133.6 listed as compliant on the agency's website according to subdivision 14.

133.7 Subd. 12. **Stewardship reports.** ~~Beginning October 1, 2015, By April 1 each year,~~
133.8 producers of architectural paint sold in the state must individually or through a stewardship
133.9 organization submit an annual report to the ~~agency~~ commissioner describing the product
133.10 stewardship program for the preceding calendar year. At a minimum, the report must contain:

133.11 (1) a description of the methods used to collect, transport, and process architectural paint
133.12 in all regions of the state;

133.13 (2) the weight of all architectural paint collected in all regions of the state and a
133.14 comparison to the performance goals and recycling rates established in the stewardship
133.15 plan;

133.16 (3) the amount of unwanted architectural paint collected in the state by method of
133.17 disposition, including reuse, recycling, and other methods of processing;

133.18 (4) samples of educational materials provided to consumers and an evaluation of the
133.19 effectiveness of the materials and the methods used to disseminate the materials; and

133.20 (5) an independent financial audit.

133.21 Subd. 13. **Data classification.** Trade secret and sales information, as defined under
133.22 section 13.37, submitted to the ~~agency~~ commissioner under this section are private or
133.23 nonpublic data under section 13.37.

133.24 Subd. 14. **Agency Commissioner responsibilities.** ~~The agency shall~~ commissioner must
133.25 provide, on ~~its~~ the agency's website, a list of all compliant producers and brands participating
133.26 in stewardship plans that the ~~agency~~ commissioner has approved and a list of all producers
133.27 and brands the ~~agency~~ commissioner has identified as noncompliant with this section.

133.28 Subd. 15. **Local government responsibilities.** (a) A city, county, or other public agency
133.29 may choose to participate voluntarily in a product stewardship program.

133.30 (b) Cities, counties, and other public agencies are encouraged to work with producers
133.31 and stewardship organizations to assist in meeting product stewardship program reuse and
133.32 recycling obligations, by providing education and outreach or using other strategies.

134.1 (c) A city, county, or other public agency that participates in a product stewardship
134.2 program must report for the first year of the program to the ~~agency~~ commissioner using the
134.3 reporting form provided by the ~~agency~~ commissioner on the cost savings as a result of
134.4 participation and must describe how the savings were used.

134.5 Subd. 16. **Administrative fee.** (a) The stewardship organization or individual producer
134.6 submitting a stewardship plan ~~shall~~ must pay an annual administrative fee to the
134.7 commissioner. The ~~agency~~ commissioner may establish a variable fee based on relevant
134.8 factors, including, but not limited to, the portion of architectural paint sold in the state by
134.9 members of the organization compared to the total amount of architectural paint sold in the
134.10 state by all organizations submitting a stewardship plan.

134.11 (b) ~~Prior to July 1, 2014, and Before July 1 annually thereafter~~ each year, the ~~agency~~
134.12 ~~shall~~ commissioner must identify the costs ~~it~~ the agency incurs under this section. The
134.13 ~~agency shall~~ commissioner must set the fee at an amount that, when paid by every
134.14 stewardship organization or individual producer that submits a stewardship plan, is adequate
134.15 to reimburse the agency's full costs of administering this section. The total amount of annual
134.16 fees collected under this subdivision must not exceed the amount necessary to reimburse
134.17 costs incurred by the agency to administer this section.

134.18 (c) A stewardship organization or individual producer subject to this subdivision must
134.19 pay the ~~agency's~~ commissioner's administrative fee under paragraph (a) on or before July
134.20 ~~1, 2014, and annually thereafter~~ each year. Each year after the initial payment, the annual
134.21 administrative fee may not exceed five percent of the aggregate stewardship assessment
134.22 added to the cost of all architectural paint sold by producers in the state for the preceding
134.23 calendar year.

134.24 (d) All fees received under this section ~~shall~~ must be deposited in the state treasury and
134.25 credited to a product stewardship account in the special revenue fund. ~~For fiscal years 2014,~~
134.26 ~~2015, 2016, and 2017,~~ The amount collected under this section is annually appropriated to
134.27 the ~~agency~~ commissioner to implement and enforce this section.

134.28 Subd. 17. **Duty to provide information.** Upon request of the commissioner for purposes
134.29 of determining compliance with this section, a person must furnish to the commissioner
134.30 any information that the person has or may reasonably obtain.

134.31 Sec. 10. Minnesota Statutes 2022, section 115A.565, subdivision 1, is amended to read:

134.32 Subdivision 1. **Grant program established.** The commissioner must make competitive
134.33 grants to political subdivisions or federally recognized Tribes ~~to establish curbside recycling~~

135.1 ~~or composting, increase~~ for waste reduction, reuse, recycling or, and composting, reduce
 135.2 ~~the amount of recyclable materials entering disposal facilities, or reduce the costs associated~~
 135.3 ~~with hauling waste by locating collection sites as close as possible to the site where the~~
 135.4 ~~waste is generated~~ of source-separated compostable materials or yard waste. To be eligible
 135.5 for grants under this section, a political subdivision or federally recognized Tribe must be
 135.6 located outside the seven-county metropolitan area and a city must have a population of
 135.7 less than 45,000.

135.8 Sec. 11. Minnesota Statutes 2022, section 115A.565, subdivision 3, is amended to read:

135.9 Subd. 3. **Priorities; eligible projects.** (a) If applications for grants exceed the available
 135.10 appropriations, grants must be made for projects that, in the commissioner's judgment,
 135.11 provide the highest return in public benefits.

135.12 (b) To be eligible to receive a grant, a project must:

135.13 (1) be locally administered;

135.14 (2) have an educational component and measurable outcomes;

135.15 (3) request \$250,000 or less;

135.16 (4) demonstrate local direct and indirect matching support of at least a quarter amount
 135.17 of the grant request; ~~and~~

135.18 (5) include at least one of the following elements:

135.19 ~~(i) transition to residential recycling through curbside or centrally located collection~~
 135.20 ~~sites;~~

135.21 ~~(ii) development of local recycling systems to support curbside recycling; or~~

135.22 ~~(iii) development or expansion of local recycling systems to support recycling bulk~~
 135.23 ~~materials, including, but not limited to, electronic waste.~~

135.24 (i) waste reduction;

135.25 (ii) reuse;

135.26 (iii) recycling; or

135.27 (iv) composting of source-separated compostable materials or yard waste; and

135.28 (6) demonstrate that the project will reduce waste generation through waste reduction
 135.29 or reuse or that the project will increase the amount of recyclable materials or
 135.30 source-separated compostable materials diverted from a disposal facility.

136.1 Sec. 12. [115A.566] ZERO-WASTE GRANT PROGRAM.

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

136.4 (b) "Compost" means a product that:

136.5 (1) is manufactured through the controlled aerobic, biological decomposition of
136.6 biodegradable materials; and

136.7 (2) has undergone mesophilic and thermophilic temperatures, which significantly reduces
136.8 the viability of pathogens and weed seeds and stabilizes the carbon such that it is beneficial
136.9 to plant growth.

136.10 (c) "Composting" means the controlled microbial degradation of organic waste to yield
136.11 a humus-like product.

136.12 (d) "Electronics" means any product that is powered by electricity but does not include
136.13 industrial machinery or lead-acid batteries.

136.14 (e) "Eligible entity" means:

136.15 (1) a small business, as defined in section 645.445;

136.16 (2) an organization that is exempt from taxes under section 501(c)(3) of the Internal
136.17 Revenue Code; or

136.18 (3) a Minnesota city, county, public school district, town, or Tribal government.

136.19 (f) "Embodied energy" means energy that was used to create a product or material.

136.20 (g) "Environmental justice area" means one or more census tracts in Minnesota:

136.21 (1) in which, based on the most recent data published by the United States Census Bureau:

136.22 (i) 40 percent or more of the area's total population is nonwhite;

136.23 (ii) 35 percent or more of households in the area have an income that is at or below 200
136.24 percent of the federal poverty level; or

136.25 (iii) 40 percent or more of the population over the age of five has limited English
136.26 proficiency; or

136.27 (2) located in Indian Country, as defined in United States Code, title 18, section 1151.

136.28 (h) "Life-cycle impact" means the environmental impacts of products, processes, or
136.29 services from raw materials through production, usage, and disposal.

137.1 (i) "Living wage" means the minimum income necessary to allow a person working 40
137.2 hours per week to afford the cost of housing, food, and other material necessities.

137.3 (j) "Refurbished" means a product that was used, deemed defective, recycled, or returned
137.4 to the manufacturer or a third party, then tested and repaired by the manufacturer or a third
137.5 party before being sold again.

137.6 (k) "Responsible end market" means a materials market in which recycling materials or
137.7 disposing of contaminants is conducted in a way that benefits the environment and minimizes
137.8 risks to public health and worker health and safety.

137.9 (l) "Reuse" means the repair, repurposing, or multiple use of products and materials in
137.10 a way that extends the useful life of products and materials and decreases the demand for
137.11 new production. Reuse is not recycling and does not alter an object's physical form by
137.12 extracting base materials for processing into a new product.

137.13 (m) "Rural area" means an area outside the boundaries of a city whose population is
137.14 50,000 or more and outside an area contiguous to the city that has a population density
137.15 greater than 100 persons per square mile.

137.16 (n) "Zero waste" means conserving all resources by means of responsible production,
137.17 consumption, reuse, and recovery of products, packaging, and materials without burning
137.18 or otherwise destroying embodied energy, with no discharges to land, water, or air that
137.19 threaten the environment or human health.

137.20 Subd. 2. **Grant program.** The commissioner must establish a competitive grant program
137.21 to award grants to eligible entities to promote projects described in subdivisions 5 to 8 that
137.22 are consistent with zero-waste practices.

137.23 Subd. 3. **Grant application process.** (a) The commissioner must develop administrative
137.24 procedures governing the application and grant award process.

137.25 (b) The commissioner must award grants to eligible entities under this section through
137.26 a competitive grant process. In a request for proposals, the commissioner must:

137.27 (1) specify the maximum grant amount; and

137.28 (2) establish the minimum percentage of total project funds that an applicant must
137.29 contribute to the project. Recycling projects described in subdivisions 5, 7, and 8 must
137.30 demonstrate use of responsible end markets.

137.31 (c) The commissioner must develop, in consultation with the agency's Environmental
137.32 Justice Advisory Group, a streamlined and accessible application process.

138.1 (d) To apply for a grant under this section, an eligible entity must submit a written
138.2 application to the commissioner on a form prescribed by the commissioner.

138.3 (e) The application must include specific source reduction, recycling, or composting
138.4 targets or estimate reductions in life-cycle impacts to be achieved by the project.

138.5 (f) A project awarded a grant under this section must be completed within three years
138.6 of the award.

138.7 (g) A recycling project awarded a grant under this section must not include energy
138.8 recovery or energy generation by any means, including but not limited to combustion,
138.9 incineration, pyrolysis, gasification, solvolysis, thermal desorption, or waste to fuel, or
138.10 landfill disposal of discarded material or discarded product component materials, including
138.11 the use of materials as landfill cover.

138.12 Subd. 4. **Grant award process; priorities.** In awarding grants under this section, the
138.13 commissioner must:

138.14 (1) award at least 60 percent of available money to eligible entities whose projects are
138.15 located in environmental justice areas and at least 30 percent of available funds to eligible
138.16 entities whose projects are located in rural areas; and

138.17 (2) give priority to eligible entities whose projects:

138.18 (i) achieve source reduction;

138.19 (ii) develop reuse systems;

138.20 (iii) support existing or create new jobs that pay a living wage, with additional priority
138.21 given to projects that create jobs for individuals with barriers to employment, as determined
138.22 by the commissioner;

138.23 (iv) minimize any negative environmental consequences of the proposed project;

138.24 (v) demonstrate a need for additional investment in infrastructure and projects to achieve
138.25 source reduction, recycling, or composting targets set by the local unit of government
138.26 responsible for waste and recycling programs in the project area;

138.27 (vi) encourage further investment in source reduction, recycling, or composting projects;
138.28 or

138.29 (vii) incorporate multistakeholder involvement, including nonprofit, commercial, and
138.30 public sector partners.

139.1 Subd. 5. **Electronics grants.** (a) The commissioner may award grants under this
139.2 subdivision to source reduction and recycling projects that address electronics. Grants may
139.3 be used to fund recycling technology or infrastructure, research and development projects,
139.4 and electronics repair or refurbishment.

139.5 (b) No grant may be awarded under this subdivision:

139.6 (1) for an electronic waste buy-back program that pays consumers for used electronics
139.7 in the form of credits that may be used to purchase additional electronics; or

139.8 (2) to recyclers who are not certified by an organization accredited by the American
139.9 National Standards Institute National Accreditation Board as having achieved the e-Stewards
139.10 Standard for Responsible Recycling and Reuse of Electronic Equipment.

139.11 Subd. 6. **Source reduction and reuse grants.** The commissioner may award grants
139.12 under this subdivision to projects that promote source reduction or reuse. Grants may be
139.13 used:

139.14 (1) to redesign products in ways that reduce their life-cycle impacts while not increasing
139.15 the toxicity of those impacts, including reducing the amount of packaging; or

139.16 (2) for education and outreach activities that encourage consumers to change their product
139.17 purchasing, use, or disposal behaviors in ways that promote source reduction or reuse.

139.18 Subd. 7. **Market development grants.** (a) The commissioner may award grants under
139.19 this subdivision to projects that promote and strengthen markets for reuse, recycling, and
139.20 composting, including projects that increase demand for sorted recyclable commodities,
139.21 refurbished goods, or compost.

139.22 (b) Projects seeking grants under this subdivision must target materials that are
139.23 disproportionately disposed of in landfills or incinerated and must reduce the volume, weight,
139.24 or toxicity of waste and waste by-products.

139.25 (c) Projects seeking grants under this subdivision to expand recycling markets must
139.26 target easily or commonly recycled materials.

139.27 (d) Projects seeking grants under this subdivision must not conflict with other laws or
139.28 requirements identified by the commissioner.

139.29 Subd. 8. **Recycling and composting infrastructure grants.** (a) Grants awarded under
139.30 this subdivision may be used for facilities, machinery, equipment, and other physical
139.31 infrastructure or supplies required to collect or process materials for recycling and
139.32 composting.

140.1 (b) Grants awarded under this subdivision must result in increased capacity to process
140.2 residential and commercial source-separated organics, yard waste, and recyclable materials.
140.3 Grants awarded to increase the capacity of composting infrastructure must generate a usable
140.4 product that has demonstrable environmental benefits.

140.5 (c) No grant may be awarded under this subdivision to support composting material
140.6 derived from mixed municipal solid waste.

140.7 Subd. 9. **Reporting.** By January 15, 2025, and each January 15 through 2027, the
140.8 commissioner must submit a written report to the chairs and ranking minority members of
140.9 the legislative committees having jurisdiction over economic development and environment
140.10 that describes the use of grant money under this section. The report must include, at a
140.11 minimum:

140.12 (1) a list of grant recipients, grant amounts, and project descriptions; and

140.13 (2) a narrative of progress made toward grant project goals.

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

140.15 **Sec. 13. [115A.993] PROHIBITED DISPOSAL METHODS.**

140.16 A person must not dispose of waste treated seed in a manner inconsistent with the product
140.17 label, where applicable, or by:

140.18 (1) burial near a drinking water source or any creek, stream, river, lake, or other surface
140.19 water;

140.20 (2) composting; or

140.21 (3) incinerating within a home or other dwelling.

140.22 **Sec. 14. Minnesota Statutes 2022, section 115B.17, subdivision 14, is amended to read:**

140.23 **Subd. 14. Requests for review, investigation, and oversight.** (a) The commissioner
140.24 may, upon request, assist a person in determining whether real property has been the site
140.25 of a release or threatened release of a hazardous substance, pollutant, or contaminant. The
140.26 commissioner may also assist in, or supervise, the development and implementation of
140.27 reasonable and necessary response actions. Assistance may include review of agency records
140.28 and files, and review and approval of a requester's investigation plans and reports and
140.29 response action plans and implementation.

140.30 (b) Except as otherwise provided in this paragraph, the person requesting assistance
140.31 under this subdivision shall pay the agency for the agency's cost, as determined by the

141.1 commissioner, of providing assistance. A state agency, political subdivision, or other public
141.2 entity is not required to pay for the agency's cost to review agency records and files. ~~Money~~
141.3 ~~received by the agency for assistance under this section~~ The first \$350,000 received annually
141.4 by the agency for assistance under this subdivision from persons who are not otherwise
141.5 responsible under sections 115B.01 to 115B.18 must be deposited in the remediation fund
141.6 and is exempt from section 16A.1285. Money received after the first \$350,000 must be
141.7 deposited in the state treasury and credited to an account in the special revenue fund. Money
141.8 in the account is annually appropriated to the commissioner for the purposes of administering
141.9 this subdivision.

141.10 (c) When a person investigates a release or threatened release in accordance with an
141.11 investigation plan approved by the commissioner under this subdivision, the investigation
141.12 does not associate that person with the release or threatened release for the purpose of section
141.13 115B.03, subdivision 3, paragraph (a), clause (4).

141.14 Sec. 15. Minnesota Statutes 2022, section 115B.171, subdivision 3, is amended to read:

141.15 Subd. 3. **Test reporting.** (a) By ~~January~~ March 15 each year, the commissioner of the
141.16 Pollution Control Agency must report to each community in the east metropolitan area a
141.17 summary of the results of the testing for private wells in the community. The report must
141.18 include information on the number of wells tested and trends of PFC contamination in
141.19 private wells in the community. Reports to communities under this section must also be
141.20 published on the Pollution Control Agency's website.

141.21 (b) By ~~January~~ March 15 each year, the commissioner of the Pollution Control Agency
141.22 must report to the legislature, as provided in section 3.195, on the testing for private wells
141.23 conducted in the east metropolitan area, including copies of the community reports required
141.24 in paragraph (a), the number of requests for well testing in each community, and the total
141.25 amount spent for testing private wells in each community.

141.26 Sec. 16. Minnesota Statutes 2022, section 115B.52, subdivision 4, is amended to read:

141.27 Subd. 4. **Reporting.** The commissioner of the Pollution Control Agency and the
141.28 commissioner of natural resources must jointly submit:

141.29 (1) by April 1, 2019, an implementation plan detailing how the commissioners will:

141.30 (i) determine how the priorities in the settlement will be met and how the spending will
141.31 move from the first priority to the second priority and the second priority to the third priority
141.32 outlined in the settlement; and

142.1 (ii) evaluate and determine what projects receive funding;

142.2 (2) by ~~February 1 and August 1~~ October 1 each year, a ~~biannual~~ report to the chairs and
142.3 ranking minority members of the legislative policy and finance committees with jurisdiction
142.4 over environment and natural resources on expenditures from the water quality and
142.5 sustainability account during the previous ~~six months~~ fiscal year; and

142.6 (3) by ~~August~~ October 1, 2019 2023, and each year thereafter, a report to the legislature
142.7 on expenditures from the water quality and sustainability account during the previous fiscal
142.8 year and a spending plan for anticipated expenditures from the account during the current
142.9 fiscal year.

142.10 Sec. 17. Minnesota Statutes 2022, section 116.02, is amended to read:

142.11 **116.02 POLLUTION CONTROL AGENCY; CREATION AND POWERS.**

142.12 Subdivision 1. **Creation.** A pollution control agency, designated as the Minnesota
142.13 Pollution Control Agency, ~~is hereby created~~ consists of the commissioner and eight members
142.14 appointed by the governor, by and with the advice and consent of the senate.

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

142.18 Subd. 3a. **Membership.** (a) The membership of the Pollution Control Agency must be
142.19 broadly representative of the skills and experience necessary to effectuate the policy of
142.20 sections 116.01 to 116.075, except that no member other than the commissioner may be an
142.21 officer or employee of the state or federal government.

142.22 (b) The membership of the Pollution Control Agency must reflect the diversity of the
142.23 state of Minnesota in terms of race, gender, and geography.

142.24 (c) Only two members at one time may be officials or employees of a municipality or
142.25 any governmental subdivision, but neither may be a member ex-officio or otherwise on the
142.26 management board of a municipal sanitary sewage disposal system.

142.27 (d) Membership must include:

142.28 (1) at least one enrolled member of one of the 11 federally recognized Tribes in the state;

142.29 (2) at least three members who live in environmental justice communities and identify
142.30 as American Indian or Alaska Natives, Black or African American, Hispanic or Latino,
142.31 Asian, Pacific Islander, members of a community of color, or low-income. An environmental
142.32 justice community means a community with significant representation of communities of

143.1 color, low-income communities, or Tribal and Indigenous communities that experience, or
143.2 are at risk of experiencing, higher instances of or more adverse human health or
143.3 environmental effects;

143.4 (3) at least one farmer of livestock or crops, or both, with fewer than 200 head of livestock
143.5 or 500 acres of cropland, or both; and

143.6 (4) at least one member of a labor union.

143.7 Subd. 4a. **Chair.** The commissioner serves as chair of the agency. The agency elects
143.8 other officers as the agency deems necessary.

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

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

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

143.19 (2) the need for an environmental impact statement following preparation of an
143.20 environmental assessment worksheet under applicable rules, if:

143.21 (i) the agency has received a request for an environmental impact statement;

143.22 (ii) the project proposer or a person commenting on the proposal requests that the
143.23 declaration be made by the agency and the agency requests that it make the decision under
143.24 subdivision 8a; or

143.25 (iii) the commissioner is recommending preparation of an environmental impact
143.26 statement;

143.27 (3) the scope and adequacy of environmental impact statements;

143.28 (4) issuing, reissuing, modifying, or revoking a permit;

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

144.1 (6) approving or denying an application for a variance from an agency rule; and

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

144.3 (b) In reviewing projects, the agency must consider whether there has been free prior
144.4 and informed consent via government-to-government consultation with Tribal Nations and
144.5 the way a project will impact the ability of communities to exercise rights guaranteed by
144.6 treaties.

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

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

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

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

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

144.18 Subd. 9a. **Providing information.** (a) The commissioner must inform interested persons
144.19 as appropriate in public notices, and other public documents, of their right to request that
144.20 the agency make decisions in specific matters according to subdivision 6a and the right of
144.21 agency members to request that decisions be made by the agency according to subdivision
144.22 8a.

144.23 (b) The commissioner must regularly inform the agency of activities that have broad
144.24 policy implications or potential environmental significance and of activities in which the
144.25 public has exhibited substantial interest.

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

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

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

144.31 (b) The requirements in paragraph (a) are minimum requirements and do not limit the
144.32 agency's authority under sections 14.06 and 116.07, subdivision 3, to adopt rules:

145.1 (1) applying the requirement in paragraph (a), clause (1) or (2), to certain decisions of
145.2 the agency; or

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

145.5 Subd. 12. **Conflict of interest.** A public member of the Pollution Control Agency must
145.6 not participate in the discussion or decision on a matter in which the member or an immediate
145.7 family member has a financial interest.

145.8 Sec. 18. Minnesota Statutes 2022, section 116.03, subdivision 1, is amended to read:

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

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

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

145.16 Sec. 19. Minnesota Statutes 2022, section 116.03, subdivision 2a, is amended to read:

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

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

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

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

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

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

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

146.4 (7) recommend to the legislature appropriate changes in law necessary to carry out the
146.5 mission and improve the performance of the agency.

146.6 Sec. 20. Minnesota Statutes 2022, section 116.06, subdivision 1, is amended to read:

146.7 Subdivision 1. **Applicability.** The definitions given in this section shall obtain for the
146.8 purposes of sections 116.01 to ~~116.075~~ 116.076 except as otherwise expressly provided or
146.9 indicated by the context.

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

146.11 Sec. 21. Minnesota Statutes 2022, section 116.06, is amended by adding a subdivision to
146.12 read:

146.13 **Subd. 6a. Commissioner.** "Commissioner" means the commissioner of the Pollution
146.14 Control Agency.

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

146.16 Sec. 22. Minnesota Statutes 2022, section 116.06, is amended by adding a subdivision to
146.17 read:

146.18 **Subd. 10a. Environmental justice.** "Environmental justice" means that:

146.19 (1) communities of color, Indigenous communities, and low-income communities have
146.20 a healthy environment and are treated fairly when environmental statutes, rules, and policies
146.21 are developed, adopted, implemented, and enforced; and

146.22 (2) in all decisions that have the potential to affect the environment of an environmental
146.23 justice area or the public health of its residents, due consideration is given to the history of
146.24 the area's and its residents' cumulative exposure to pollutants and to any current
146.25 socioeconomic conditions that increase the physical sensitivity of those residents to additional
146.26 exposure to pollutants.

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

147.1 Sec. 23. Minnesota Statutes 2022, section 116.06, is amended by adding a subdivision to
147.2 read:

147.3 Subd. 10b. **Environmental justice area.** "Environmental justice area" means one or
147.4 more census tracts in Minnesota:

147.5 (1) in which, based on the most recent data published by the United States Census Bureau:

147.6 (i) 40 percent or more of the population is nonwhite;

147.7 (ii) 35 percent or more of the households have an income at or below 200 percent of the
147.8 federal poverty level; or

147.9 (iii) 40 percent or more of the population over the age of five has limited English
147.10 proficiency; or

147.11 (2) located within Indian Country, as defined in United States Code, title 18, section
147.12 1151.

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

147.14 Sec. 24. **[116.062] AIR TOXICS EMISSIONS REPORTING.**

147.15 (a) The commissioner must require owners and operators of a facility issued an air quality
147.16 permit by the agency, except a facility issued an Option B registration permit under
147.17 Minnesota Rules, part 7007.1120, to annually report the facility's air toxics emissions to
147.18 the agency, including a facility not required as a condition of its air quality permit to keep
147.19 records of air toxics emissions. The commissioner must determine the method to be used
147.20 by a facility to directly measure or estimate air toxics emissions. The commissioner must
147.21 amend permits and complete rulemaking, and may enter into enforceable agreements with
147.22 facility owners and operators, in order to make the reporting requirements under this section
147.23 enforceable.

147.24 (b) For the purposes of this section, "air toxics" means chemical compounds or compound
147.25 classes that are emitted into the air by a permitted facility and that are:

147.26 (1) hazardous air pollutants listed under the federal Clean Air Act, United States Code,
147.27 title 42, section 7412, as amended;

147.28 (2) chemicals reported as released into the atmosphere by a facility located in the state
147.29 for the Toxic Release Inventory under the federal Emergency Planning and Community
147.30 Right-to-Know Act, United States Code, title 42, section 11023, as amended;

148.1 (3) chemicals for which the Department of Health has developed health-based values
148.2 or risk assessment advice;

148.3 (4) chemicals for which the risk to human health has been assessed by either the federal
148.4 Environmental Protection Agency's Integrated Risk Information System or its Provisional
148.5 Peer-Reviewed Toxicity Values; or

148.6 (5) chemicals reported by facilities in the agency's most recent triennial emissions
148.7 inventory.

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

148.9 Sec. 25. **[116.063] ODOR MANAGEMENT.**

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

148.12 (1) "commissioner" means the commissioner of the Pollution Control Agency;

148.13 (2) "objectionable odor" means air pollution consisting of an odor that, considering its
148.14 characteristics, intensity, frequency, and duration:

148.15 (i) is or can reasonably be expected to be injurious to public health or welfare; or

148.16 (ii) unreasonably interferes with the enjoyment of life or the use of property of persons
148.17 exposed to the odor; and

148.18 (3) "odor complaint" means a notification received and recorded by the commissioner
148.19 or by a political subdivision from an identifiable person that describes the nature, duration,
148.20 and location of an odor.

148.21 Subd. 2. **Odor control.** (a) While responding to an odor complaint or during an inspection
148.22 of a facility, the commissioner may determine the facility is emitting an objectionable odor.

148.23 (b) A facility must implement odor control measures if determined by the commissioner
148.24 to be emitting an objectionable odor.

148.25 Subd. 3. **Objectionable odor; management plan.** (a) If the commissioner determines
148.26 that an odor emitted from a facility is an objectionable odor, the commissioner must notify
148.27 the owner or operator of the facility and require the owner or operator to develop an
148.28 odor-management plan designed to mitigate odor emissions. The plan must be approved by
148.29 a licensed engineer before it is submitted to the commissioner for review.

148.30 (b) The owner or operator of the facility must submit the odor-management plan required
148.31 under paragraph (a) to the commissioner for review within 90 days of receiving notification

149.1 from the commissioner. The commissioner may grant an extension for submitting the
149.2 odor-management plan for up to an additional 90 days for good cause.

149.3 (c) The commissioner must provide guidance to the owner or operator in developing an
149.4 odor-management plan.

149.5 (d) An odor-management plan must contain, at a minimum, for each odor source
149.6 contributing to odor emissions:

149.7 (1) a description of plant operations and materials that generate odors;

149.8 (2) proposed changes in equipment, operations, or materials that are designed to mitigate
149.9 odor emissions;

149.10 (3) the estimated effectiveness of the plan in reducing odor emissions;

149.11 (4) the estimated cost of implementing the plan; and

149.12 (5) a schedule of plan implementation activities.

149.13 (e) The commissioner may accept, reject, or modify an odor-management plan submitted
149.14 under this subdivision.

149.15 (f) If the revised odor-management plan is not acceptable to the commissioner or is
149.16 implemented but fails to reduce the facility's odor emissions to a level where the odor is no
149.17 longer an objectionable odor, the commissioner may:

149.18 (1) require the facility owner to submit a revised odor-management plan within 90 days;

149.19 (2) impose penalties under section 115.071; or

149.20 (3) modify the facility's air emission permit under section 116.07, subdivision 4a,
149.21 paragraph (d).

149.22 Subd. 4. **Exemptions.** This section does not apply to:

149.23 (1) on-farm animal and agricultural operations;

149.24 (2) motor vehicles and transportation facilities;

149.25 (3) municipal wastewater treatment plants;

149.26 (4) single-family dwellings not used for commercial purposes;

149.27 (5) materials odorized for safety purposes;

149.28 (6) painting and coating operations that are not required to be permitted;

149.29 (7) restaurants; and

150.1 (8) temporary activities and operations.

150.2 Subd. 5. **Rulemaking required.** (a) The commissioner must adopt rules to implement
150.3 this section, and section 14.125 does not apply.

150.4 (b) The commissioner must comply with chapter 14 and must complete the statement
150.5 of need and reasonableness according to chapter 14 and section 116.07, subdivision 2,
150.6 paragraph (f).

150.7 (c) The rules must include:

150.8 (1) an odor standard or standards for air pollution that may qualify as objectionable odor
150.9 under subdivision 1, clause (2);

150.10 (2) a process for determining if an odor is objectionable;

150.11 (3) a process for investigating and addressing odor complaints;

150.12 (4) guidance for developing odor-management plans; and

150.13 (5) procedures and criteria for determining the success or failure of an odor-management
150.14 plan.

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

150.16 Sec. 26. **[116.065] CUMULATIVE IMPACTS ANALYSIS; PERMIT DECISIONS**
150.17 **IN ENVIRONMENTAL JUSTICE AREAS.**

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

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

150.21 (c) "Compelling public interest" means a factor or condition that is necessary to serve
150.22 an essential environmental, health, or safety need of residents of an environmental justice
150.23 area and that cannot reasonably be met by alternative available means.

150.24 (d) "Cumulative impacts" means the impacts of aggregated levels of past and current
150.25 air, water, and land pollution in a defined geographic area to which current residents are
150.26 exposed.

150.27 (e) "Environmental justice" means:

150.28 (1) communities of color, Indigenous communities, and low-income communities have
150.29 a healthy environment and are treated fairly when environmental statutes, rules, and policies
150.30 are developed, adopted, implemented, and enforced; and

151.1 (2) in all decisions that have the potential to affect the environment of an environmental
151.2 justice area or the public health of its residents, due consideration is given to the history of
151.3 the area's and its residents' cumulative exposure to pollutants and to any current
151.4 socioeconomic conditions that could increase harm to those residents from additional
151.5 exposure to pollutants.

151.6 (f) "Environmental justice area" means one or more census tracts in Minnesota:

151.7 (1) in which, based on the most recent data published by the United States Census Bureau:

151.8 (i) 40 percent or more of the population is nonwhite;

151.9 (ii) 35 percent or more of the households have an income at or below 200 percent of the
151.10 federal poverty level; or

151.11 (iii) 40 percent or more of the population over the age of five has limited English
151.12 proficiency; or

151.13 (2) located within Indian Country, as defined in United States Code, title 18, section
151.14 1151.

151.15 (g) "Environmental stressors" means factors that may make residents of an environmental
151.16 justice area susceptible to harm from exposure to pollutants. Environmental stressors include:

151.17 (1) environmental effects on health from exposure to past and current pollutants in the
151.18 environmental justice area, including any biomonitoring information from residents; and

151.19 (2) social and environmental factors, including but not limited to poverty, substandard
151.20 housing, food insecurity, elevated rates of disease, and poor access to health insurance and
151.21 medical care.

151.22 Subd. 2. **Applicability.** This section applies to applications for the following types of
151.23 new construction permits, permits required for facility expansions, and reissuances of
151.24 existing permits for which the commissioner has determined under subdivision 3 that issuance
151.25 of the permit as proposed is likely to impact the environment or the health of residents in
151.26 an environmental justice area:

151.27 (1) a major source air permit, as defined in Minnesota Rules, part 7007.0200; and

151.28 (2) a state air permit required under Minnesota Rules, part 7007.0250, subparts 2 to 6.

151.29 Subd. 3. **Cumulative impacts analysis; determination of need.** (a) The commissioner
151.30 is responsible for determining whether a proposed permit action will impact the environment
151.31 or health of the residents of an environmental justice area.

152.1 (b) A permit application must indicate whether the permit action sought is likely to
152.2 impact the environment or the health of residents of an environmental justice area and must
152.3 include the data used by the applicant to make the determination.

152.4 (c) In making a determination whether a cumulative analysis is required, the commissioner
152.5 must:

152.6 (1) review the permit application and the applicant's assessment of the need to conduct
152.7 a cumulative analysis;

152.8 (2) assess whether the proposed permit exceeds any of the benchmarks for conducting
152.9 a cumulative impact analysis established in rules adopted under subdivision 6;

152.10 (3) review any comments and material evidence submitted by members of the public
152.11 regarding the necessity for a cumulative impact analysis; and

152.12 (4) review any other information the commissioner deems relevant.

152.13 Subd. 4. **Public meeting requirements.** (a) A permit applicant or permit holder required
152.14 to conduct a cumulative impacts analysis under subdivision 2 must hold at least two public
152.15 meetings in the environmental justice area impacted by the facility before the commissioner
152.16 issues or denies a permit. The first public meeting must be held before conducting a
152.17 cumulative impacts analysis, and the second must be held after conducting the analysis.

152.18 (b) The permit applicant or permit holder must:

152.19 (1) publish notice containing the date, time, and location of the public meetings and a
152.20 brief description of the permit or project in a newspaper of general circulation in the
152.21 environmental justice area at least 30 days before the meetings;

152.22 (2) post physical signage in the environmental justice area impacted, as directed by the
152.23 commissioner; and

152.24 (3) provide the commissioner with notice of the public meeting and a copy of the
152.25 cumulative impacts analysis at least 45 days before the second public meeting.

152.26 (c) The commissioner must post the notice and cumulative impacts analysis on the
152.27 agency website at least 30 days before the second public meeting.

152.28 (d) The permit applicant or permit holder must:

152.29 (1) provide an opportunity for robust public and Tribal engagement at the public meetings;

152.30 (2) accept written and oral comments, as directed by the commissioner, from any
152.31 interested party; and

153.1 (3) provide an electronic copy of all written comments and a transcript of all oral
153.2 comments to the agency within 30 days of the public meetings.

153.3 (e) If the permit applicant or permit holder is applying for more than one permit that
153.4 may affect the same environmental justice area, the permit applicant or permit holder may
153.5 request that the commissioner require that the facility hold two public meetings that address
153.6 all of the permits sought. The commissioner may approve or deny the request.

153.7 (f) The commissioner may incorporate conditions in a permit for a facility located in or
153.8 affecting an environmental justice area to hold multiple in-person meetings with residents
153.9 of the environmental justice area affected by the facility to share information and discuss
153.10 community concerns.

153.11 Subd. 5. Environmental justice area; permit decisions. (a) In determining whether to
153.12 issue or deny a permit, the commissioner must consider the cumulative impacts analysis
153.13 conducted, the testimony presented, and comments submitted in public meetings held under
153.14 subdivision 4. The permit may be issued no earlier than 30 days following the last public
153.15 meeting.

153.16 (b) The commissioner must deny an application for a permit subject to this section for
153.17 a facility in an environmental justice area if the cumulative impacts analysis determines that
153.18 issuing the permit, in combination with the environmental stressors present in the
153.19 environmental justice area, would contribute to adverse cumulative environmental stressors
153.20 in the environmental justice area, unless:

153.21 (1) the commissioner enters into a community benefit agreement with the facility owner
153.22 or operator, in consultation with community-based organizations representing the interests
153.23 of residents of the environmental justice area; and

153.24 (2) there is a compelling public interest to issue the permit, as determined by the
153.25 commissioner, based on criteria established in rules adopted under subdivision 6.

153.26 (c) If the commissioner determines that a compelling public interest exists and the
153.27 applicant enters into a community benefit agreement with the commissioner, the agency
153.28 may grant a permit that imposes conditions on the construction and operation of the facility
153.29 to protect public health and the environment.

153.30 (d) Issuance of a permit under this section must include a requirement that the facility
153.31 provide information to the community describing the health risks that the facility poses.

153.32 (e) A community benefit agreement must be signed on or before the date a new or
153.33 reissued permit is issued in an environmental justice area.

154.1 (f) The commissioner must publish and maintain on the agency website a list of
154.2 environmental justice areas in the state.

154.3 (g) The agency must maintain an updated database of the identified stressors in specific
154.4 census tracts and make this database accessible to the public.

154.5 **Subd. 6. Rulemaking.** (a) The commissioner must adopt rules under chapter 14 to
154.6 implement and govern the cumulative impacts analysis and issuance or denial of permits
154.7 for facilities that impact environmental justice areas as provided in this section.

154.8 Notwithstanding section 14.125, the agency must publish notice of intent to adopt rules
154.9 within 36 months of the effective date of this act, or the authority for the rules expires.

154.10 (b) During the rulemaking process, the Pollution Control Agency must engage in robust
154.11 public engagement, including public meetings, and Tribal consultation.

154.12 (c) Rules adopted under this section must:

154.13 (1) establish benchmarks to assist the commissioner's determination regarding the need
154.14 for a cumulative impacts analysis;

154.15 (2) establish the required content of a cumulative impacts analysis, including sources
154.16 of public information that an applicant can access regarding environmental stressors that
154.17 are present in an environmental justice area;

154.18 (3) define conditions, criteria, or circumstances that qualify as a compelling public
154.19 interest, which:

154.20 (i) must include, with respect to economic considerations, only those that directly and
154.21 substantially benefit residents of the environmental justice area;

154.22 (ii) must include noneconomic considerations that directly benefit the residents of the
154.23 environmental justice area; and

154.24 (iii) must take into account public comments made at public meetings held under
154.25 subdivision 4;

154.26 (4) establish the content of a community benefit agreement and procedures for entering
154.27 into community benefit agreements, which must include:

154.28 (i) meaningful consultation with members of the public and community-based
154.29 organizations or coalitions representing the interests of residents within the environmental
154.30 justice area;

154.31 (ii) at least one public meeting held within the environmental justice area; and

155.1 (iii) a formal petition showing support from 50 community members that is signed after
155.2 a public meeting; and

155.3 (5) establish a petition process and form submitted to the agency by environmental
155.4 justice area residents to support the need for a cumulative impact analysis, including criteria
155.5 defining potential adverse cumulative impacts on the environment or health of the residents.

155.6 (d) The agency must provide translation services and translated materials upon request
155.7 during rulemaking meetings.

155.8 (e) The agency must provide public notice on the agency website at least 30 days before
155.9 public meetings held on the rulemaking. The notice must include the date, time, and location
155.10 of the meeting. The agency must use multiple communication methods to inform residents
155.11 of environmental justice areas in the public meetings held for the rulemaking.

155.12 Sec. 27. Minnesota Statutes 2022, section 116.07, is amended by adding a subdivision to
155.13 read:

155.14 Subd. 4m. **Nonexpiring state individual permits; public informational meeting.** (a)
155.15 For each facility issued a nonexpiring state individual air quality permit by the agency, the
155.16 agency must hold a separate public informational meeting at regular intervals to allow the
155.17 public to make comments or inquiries regarding any aspect of the permit, including but not
155.18 limited to permit conditions, testing results, the facility's operations, and permit compliance.
155.19 The public informational meeting must be held at a location near the permitted facility and
155.20 convenient to the public. Individuals employed at the facility who are responsible for the
155.21 facility meeting the conditions of the permit and agency officials must be present at the
155.22 public informational meeting. For nonexpiring state individual air quality permits issued or
155.23 reissued after December 31, 2018, a public informational meeting must be held under this
155.24 subdivision no later than five years after the permit is issued or reissued and every five years
155.25 thereafter. For nonexpiring state individual air quality permits issued on or before December
155.26 31, 2018, a public informational meeting must be held under this subdivision no later than
155.27 December 31, 2024, and every five years thereafter.

155.28 (b) For the purposes of this section, "state individual air quality permit" means an air
155.29 quality permit that:

155.30 (1) is issued to an individual facility that is required to obtain a permit under Minnesota
155.31 Rules, part 7007.0250, subparts 2 to 6; and

155.32 (2) is not a general permit issued under Minnesota Rules, part 7007.1100.

156.1 (c) As required under subdivision 4d, the agency's direct and indirect reasonable costs
156.2 of conducting the activities under this subdivision must be recovered through air quality
156.3 permit fees.

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

156.5 Sec. 28. Minnesota Statutes 2022, section 116.07, is amended by adding a subdivision to
156.6 read:

156.7 Subd. 4n. **Permit review denial.** If the commissioner determines that a person's request
156.8 for the agency to review an existing permit is not warranted, the commissioner must state
156.9 the reasons for the determination in writing within 15 days of the determination.

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

156.11 Sec. 29. Minnesota Statutes 2022, section 116.07, is amended by adding a subdivision to
156.12 read:

156.13 Subd. 4o. **Aboveground storage tanks; fees.** (a) The commissioner must collect permit
156.14 fees for aboveground storage tank facilities in amounts not greater than necessary to cover
156.15 the reasonable costs of developing, reviewing, and acting upon applications for agency
156.16 permits and implementing and enforcing the conditions of the permits. The fee schedule
156.17 must reflect reasonable and routine direct and indirect costs associated with permitting,
156.18 implementation, enforcement, and other activities necessary to operate the aboveground
156.19 storage tank program.

156.20 (b) Each fiscal year, the commissioner must adjust the fees as necessary to maintain an
156.21 annual income that covers the legislative appropriation needed to administer the aboveground
156.22 storage tank program according to paragraph (a). The commissioner must adjust fees
156.23 according to the criteria established under paragraph (c) and as required under paragraph
156.24 (d). Fees established under this subdivision are exempt from section 16A.1285.

156.25 (c) The commissioner must adopt rules that specify criteria for establishing:

156.26 (1) an annual fee from permitted aboveground storage tank facilities; and

156.27 (2) a permit application fee for aboveground storage tank facility permit applications.

156.28 (d) The commissioner must annually increase the fees under this subdivision by the
156.29 percentage, if any, by which the Consumer Price Index for the most recent calendar year
156.30 ending before the beginning of the year the fee is collected exceeds the Consumer Price
156.31 Index for calendar year 2022. For purposes of this paragraph, the Consumer Price Index for

157.1 any calendar year is the average of the Consumer Price Index for all urban consumers
157.2 published by the United States Department of Labor as of the close of the 12-month period
157.3 ending on August 31 of each calendar year. The revision of the Consumer Price Index that
157.4 is most consistent with the Consumer Price Index for calendar year 2022 must be used.

157.5 (e) Fees collected under this subdivision must be deposited in the state treasury and
157.6 credited to the environmental fund and must be used for the purposes specified in paragraph
157.7 (a).

157.8 (f) This paragraph expires when the commissioner adopts the initial rules required under
157.9 paragraph (c). Until the commissioner adopts the initial rules under paragraph (c):

157.10 (1) the annual fee for major aboveground storage tank facilities is equal to the quotient
157.11 of dividing the legislative appropriation under paragraph (b) by the number of major
157.12 aboveground storage tank facilities; and

157.13 (2) there is no permit application fee for aboveground storage tank facilities.

157.14 Sec. 30. Minnesota Statutes 2022, section 116.07, subdivision 6, is amended to read:

157.15 Subd. 6. **Pollution Control Agency; exercise of powers.** In exercising all its powers
157.16 the Pollution Control Agency ~~shall give due consideration to~~ must:

157.17 (1) consider the establishment, maintenance, operation and expansion of business,
157.18 commerce, trade, industry, traffic, and other economic factors and other material matters
157.19 affecting the feasibility and practicability of any proposed action, including, but not limited
157.20 to, the burden on a municipality of any tax which may result therefrom, and ~~shall~~ must take
157.21 or provide for such action as may be reasonable, feasible, and practical under the
157.22 circumstances; and

157.23 (2) to the extent reasonable, feasible, and practical under the circumstances:

157.24 (i) ensure that actions or programs that have a direct, indirect, or cumulative impact on
157.25 environmental justice areas incorporate community-focused practices and procedures in
157.26 agency processes, including communication, outreach, engagement, and education to enhance
157.27 meaningful, timely, and transparent community access;

157.28 (ii) collaborate with other state agencies to identify, develop, and implement means to
157.29 eliminate and reverse environmental and health inequities and disparities;

157.30 (iii) promote the utility and availability of environmental data and analysis for
157.31 environmental justice areas, other agencies, federally recognized Tribal governments, and
157.32 the public;

158.1 (iv) encourage coordination and collaboration with residents of environmental justice
158.2 areas to address environmental and health inequities and disparities; and

158.3 (v) ensure environmental justice values are represented to the agency from a
158.4 commissioner-appointed environmental justice advisory committee that is composed of
158.5 diverse members and that is developed and operated in a manner open to the public and in
158.6 accordance with the duties described in the bylaws and charter adopted and maintained by
158.7 the commissioner.

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

158.9 Sec. 31. Minnesota Statutes 2022, section 116.07, is amended by adding a subdivision to
158.10 read:

158.11 Subd. 7f. **Financial assurance.** (a) Before the commissioner issues or renews a permit
158.12 for a feedlot with a capacity of 1,000 or more animal units, the permit applicant must submit
158.13 to the commissioner proof of financial assurance that satisfies the requirements under this
158.14 subdivision. Financial assurance must be of an amount sufficient to pay the closure costs
158.15 determined under paragraph (c) for the feedlot and manure storage area, with all terms and
158.16 conditions of the financial assurance instrument approved by the commissioner. The
158.17 commissioner, in evaluating financial assurance, may consult individuals with documented
158.18 experience in the analysis. The applicant must pay all costs incurred by the commissioner
158.19 to obtain the analysis.

158.20 (b) A permittee must maintain sufficient financial assurance for the duration of the permit
158.21 and demonstrate to the commissioner's satisfaction that:

158.22 (1) money will be available and made payable to the commissioner if the commissioner
158.23 determines the permittee is not in full compliance with the closure requirements established
158.24 by the commissioner in rule for feedlots and manure storage areas;

158.25 (2) the financial assurance instrument is fully valid, binding, and enforceable under state
158.26 and federal law;

158.27 (3) the financial assurance instrument is not dischargeable through bankruptcy; and

158.28 (4) the financial assurance provider will give the commissioner at least 120 days' notice
158.29 before canceling the financial assurance instrument.

158.30 (c) The permit applicant must submit to the commissioner a documented estimate of
158.31 costs required to implement the closure requirements established by the commissioner in
158.32 rule for feedlots and manure storage areas. Cost estimates must incorporate current dollar

159.1 values at the time of the estimate and any additional costs required by the commissioner to
159.2 oversee and hire a third party to implement the closure requirements. The applicant must
159.3 not incorporate the estimated salvage or market value of manure, animals, structures,
159.4 equipment, land, or other assets. The commissioner must evaluate and may modify the
159.5 applicant's cost estimates and may consult individuals with documented experience in feedlot
159.6 or manure storage area closure or remediation. The applicant must pay all costs incurred
159.7 by the commissioner to obtain the consultation.

159.8 Sec. 32. Minnesota Statutes 2022, section 116.07, is amended by adding a subdivision to
159.9 read:

159.10 Subd. 7g. **Abandoned manure storage areas.** At least annually, the commissioner must
159.11 compile a list of abandoned manure storage areas in the state. A list compiled under this
159.12 subdivision is not a feedlot inventory for purposes of subdivision 7b. For purposes of this
159.13 subdivision, "abandoned manure storage areas" means solid and liquid manure storage areas
159.14 that have been previously registered with the state as a feedlot with a manure storage area
159.15 and have:

159.16 (1) permanently ceased operation and are subject to, but not in compliance with, the
159.17 closure requirements established by the commissioner in rule for feedlots and manure storage
159.18 areas; or

159.19 (2) been unused for at least three years.

159.20 Sec. 33. **[116.076] ENVIRONMENTAL JUSTICE AREAS; BOUNDARIES; MAPS.**

159.21 (a) No later than December 1, 2023, the commissioner must determine the boundaries
159.22 of all environmental justice areas in Minnesota. The determination of the geographic
159.23 boundaries of an environmental justice area may be appealed by filing a petition that contains
159.24 evidence to support amending the commissioner's determination. The petition must be
159.25 signed by at least 50 residents of census tracts within or adjacent to the environmental justice
159.26 area, as determined by the commissioner. The commissioner may, after reviewing the
159.27 petition, amend the boundaries of an environmental justice area.

159.28 (b) The commissioner must post updated maps of each environmental justice area in the
159.29 state on the agency website.

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

160.1 Sec. 34. [116.196] GREEN INFRASTRUCTURE GRANT PROGRAM.

160.2 Subdivision 1. Establishment of program. The commissioner must establish a green
160.3 infrastructure grant program to provide grants for green infrastructure projects.

160.4 Subd. 2. Definitions. (a) For the purposes of this section, the following terms have the
160.5 meanings given.

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

160.7 (c) "Green infrastructure" has the meaning given in United States Code, title 33, section
160.8 1362, as amended through December 31, 2019, and also includes trails, bridges, roads, and
160.9 recreational amenities designed to mitigate stormwater impacts.

160.10 (d) "Political subdivision" means a county, home rule charter or statutory city, town, or
160.11 other political subdivision of the state.

160.12 (e) "Project" means a green infrastructure project or stormwater infrastructure project
160.13 to be owned and administered by a political subdivision.

160.14 (f) "Stormwater infrastructure" means a project that does one or more of the following:

160.15 (1) increases stormwater capacity or stormwater storage;

160.16 (2) addresses environmental damage caused by weather extremes;

160.17 (3) prevents localized flooding;

160.18 (4) creates stormwater systems that can manage flows from heavy rains;

160.19 (5) addresses public safety concerns caused by undersized stormwater systems; or

160.20 (6) ensures continuation of critical services during severe weather.

160.21 Subd. 3. Eligibility. A political subdivision is eligible to apply for and receive a grant
160.22 under this section.

160.23 Subd. 4. Application. An application by a political subdivision for a grant under this
160.24 section must be made at the time and in the form and manner prescribed by the commissioner.

160.25 Subd. 5. Eligible project. A grant may be used to acquire land or an interest in land,
160.26 predesign, design, renovate, construct, furnish, and equip a project.

160.27 Subd. 6. Grants. To be eligible for a grant under this section, a political subdivision
160.28 must timely submit an application to the commissioner and pass a resolution in support of
160.29 the project. The commissioner may give priority to a political subdivision that provides a
160.30 local match of funds for the project.

161.1 Sec. 35. [116.943] PRODUCTS CONTAINING PFAS.

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

161.4 (b) "Adult mattress" means a mattress other than a crib mattress or toddler mattress.

161.5 (c) "Air care product" means a chemically formulated consumer product labeled to
161.6 indicate that the purpose of the product is to enhance or condition the indoor environment
161.7 by eliminating odors or freshening the air.

161.8 (d) "Automotive maintenance product" means a chemically formulated consumer product
161.9 labeled to indicate that the purpose of the product is to maintain the appearance of a motor
161.10 vehicle, including products for washing, waxing, polishing, cleaning, or treating the exterior
161.11 or interior surfaces of motor vehicles. Automotive maintenance product does not include
161.12 automotive paint or paint repair products.

161.13 (e) "Carpet or rug" means a fabric marketed or intended for use as a floor covering.

161.14 (f) "Cleaning product" means a finished product used primarily for domestic, commercial,
161.15 or institutional cleaning purposes, including but not limited to an air care product, an
161.16 automotive maintenance product, a general cleaning product, or a polish or floor maintenance
161.17 product.

161.18 (g) "Commissioner" means the commissioner of the Pollution Control Agency.

161.19 (h) "Cookware" means durable houseware items used to prepare, dispense, or store food,
161.20 foodstuffs, or beverages. Cookware includes but is not limited to pots, pans, skillets, grills,
161.21 baking sheets, baking molds, trays, bowls, and cooking utensils.

161.22 (i) "Cosmetic" means articles, excluding soap:

161.23 (1) intended to be rubbed, poured, sprinkled, or sprayed on, introduced into, or otherwise
161.24 applied to the human body or any part thereof for the purpose of cleansing, beautifying,
161.25 promoting attractiveness, or altering the appearance; and

161.26 (2) intended for use as a component of any such article.

161.27 (j) "Currently unavoidable use" means a use of PFAS that the commissioner has
161.28 determined by rule under this section to be essential for health, safety, or the functioning
161.29 of society and for which alternatives are not reasonably available.

161.30 (k) "Fabric treatment" means a substance applied to fabric to give the fabric one or more
161.31 characteristics, including but not limited to stain resistance or water resistance.

162.1 (l) "Intentionally added" means PFAS deliberately added during the manufacture of a
162.2 product where the continued presence of PFAS is desired in the final product or one of the
162.3 product's components to perform a specific function.

162.4 (m) "Juvenile product" means a product designed or marketed for use by infants and
162.5 children under 12 years of age:

162.6 (1) including but not limited to a baby or toddler foam pillow; bassinet; bedside sleeper;
162.7 booster seat; changing pad; child restraint system for use in motor vehicles and aircraft;
162.8 co-sleeper; crib mattress; highchair; highchair pad; infant bouncer; infant carrier; infant
162.9 seat; infant sleep positioner; infant swing; infant travel bed; infant walker; nap cot; nursing
162.10 pad; nursing pillow; play mat; playpen; play yard; polyurethane foam mat, pad, or pillow;
162.11 portable foam nap mat; portable infant sleeper; portable hook-on chair; soft-sided portable
162.12 crib; stroller; and toddler mattress; and

162.13 (2) not including a children's electronic product such as a personal computer, audio and
162.14 video equipment, calculator, wireless phone, game console, handheld device incorporating
162.15 a video screen, or any associated peripheral such as a mouse, keyboard, power supply unit,
162.16 or power cord; a medical device; or an adult mattress.

162.17 (n) "Manufacturer" means the person that creates or produces a product or whose brand
162.18 name is affixed to the product. In the case of a product imported into the United States,
162.19 manufacturer includes the importer or first domestic distributor of the product if the person
162.20 that manufactured or assembled the product or whose brand name is affixed to the product
162.21 does not have a presence in the United States.

162.22 (o) "Medical device" has the meaning given "device" under United States Code, title
162.23 21, section 321, subsection (h).

162.24 (p) "Perfluoroalkyl and polyfluoroalkyl substances" or "PFAS" means a class of
162.25 fluorinated organic chemicals containing at least one fully fluorinated carbon atom.

162.26 (q) "Product" means an item manufactured, assembled, packaged, or otherwise prepared
162.27 for sale to consumers, including but not limited to its product components, sold or distributed
162.28 for personal, residential, commercial, or industrial use, including for use in making other
162.29 products.

162.30 (r) "Product component" means an identifiable component of a product, regardless of
162.31 whether the manufacturer of the product is the manufacturer of the component.

163.1 (s) "Ski wax" means a lubricant applied to the bottom of snow runners, including but
163.2 not limited to skis and snowboards, to improve their grip or glide properties. Ski wax includes
163.3 related tuning products.

163.4 (t) "Textile" means an item made in whole or part from a natural or synthetic fiber, yarn,
163.5 or fabric. Textile includes but is not limited to leather, cotton, silk, jute, hemp, wool, viscose,
163.6 nylon, and polyester.

163.7 (u) "Textile furnishings" means textile goods of a type customarily used in households
163.8 and businesses, including but not limited to draperies, floor coverings, furnishings, bedding,
163.9 towels, and tablecloths.

163.10 (v) "Upholstered furniture" means an article of furniture that is designed to be used for
163.11 sitting, resting, or reclining and that is wholly or partly stuffed or filled with any filling
163.12 material.

163.13 Subd. 2. **Information required.** (a) On or before January 1, 2026, a manufacturer of a
163.14 product sold, offered for sale, or distributed in the state that contains intentionally added
163.15 PFAS must submit to the commissioner information that includes:

163.16 (1) a brief description of the product, including a universal product code (UPC), stock
163.17 keeping unit (SKU), or other numeric code assigned to the product;

163.18 (2) the purpose for which PFAS are used in the product, including in any product
163.19 components;

163.20 (3) the amount of each PFAS, identified by its chemical abstracts service registry number,
163.21 in the product, reported as an exact quantity determined using commercially available
163.22 analytical methods or as falling within a range approved for reporting purposes by the
163.23 commissioner;

163.24 (4) the name and address of the manufacturer and the name, address, and phone number
163.25 of a contact person for the manufacturer; and

163.26 (5) any additional information requested by the commissioner as necessary to implement
163.27 the requirements of this section.

163.28 (b) With the approval of the commissioner, a manufacturer may supply the information
163.29 required in paragraph (a) for a category or type of product rather than for each individual
163.30 product.

163.31 (c) A manufacturer must submit the information required under this subdivision whenever
163.32 a new product is sold, offered for sale, or distributed in the state and update and revise the

164.1 information whenever there is significant change in the information or when requested to
164.2 do so by the commissioner.

164.3 (d) A person may not sell, offer for sale, or distribute for sale in the state a product
164.4 containing intentionally added PFAS if the manufacturer has failed to provide the information
164.5 required under this subdivision and the person has received notification under subdivision
164.6 4.

164.7 Subd. 3. **Information requirement waivers; extensions.** (a) The commissioner may
164.8 waive all or part of the information requirement under subdivision 2 if the commissioner
164.9 determines that substantially equivalent information is already publicly available.

164.10 (b) The commissioner may enter into an agreement with one or more other states or
164.11 political subdivisions of a state to collect information and may accept information to a shared
164.12 system as meeting the information requirement under subdivision 2.

164.13 (c) The commissioner may extend the deadline for submission by a manufacturer of the
164.14 information required under subdivision 2 if the commissioner determines that more time is
164.15 needed by the manufacturer to comply with the submission requirement.

164.16 (d) The commissioner may grant a waiver under this subdivision to a manufacturer or
164.17 a group of manufacturers for multiple products or a product category.

164.18 Subd. 4. **Testing required and certificate of compliance.** (a) If the commissioner has
164.19 reason to believe that a product contains intentionally added PFAS and the product is being
164.20 offered for sale in the state, the commissioner may direct the manufacturer of the product
164.21 to, within 30 days, provide the commissioner with testing results that demonstrate the amount
164.22 of each of the PFAS, identified by its chemical abstracts service registry number, in the
164.23 product, reported as an exact quantity determined using commercially available analytical
164.24 methods or as falling within a range approved for reporting purposes by the commissioner.

164.25 (b) If testing demonstrates that the product does not contain intentionally added PFAS,
164.26 the manufacturer must provide the commissioner a certificate attesting that the product does
164.27 not contain intentionally added PFAS, including testing results and any other relevant
164.28 information.

164.29 (c) If testing demonstrates that the product contains intentionally added PFAS, the
164.30 manufacturer must provide the commissioner with the testing results and the information
164.31 required under subdivision 2.

165.1 (d) A manufacturer must notify persons who sell or offer for sale a product prohibited
165.2 under subdivision 2 or 5 that the sale of that product is prohibited in this state and provide
165.3 the commissioner with a list of the names and addresses of those notified.

165.4 (e) The commissioner may notify persons who sell or offer for sale a product prohibited
165.5 under subdivision 2 or 5 that the sale of that product is prohibited in this state.

165.6 Subd. 5. **Prohibitions.** (a) Beginning January 1, 2025, a person may not sell, offer for
165.7 sale, or distribute for sale in this state the following products if the product contains
165.8 intentionally added PFAS:

165.9 (1) carpets or rugs;

165.10 (2) cleaning products;

165.11 (3) cookware;

165.12 (4) cosmetics;

165.13 (5) dental floss;

165.14 (6) fabric treatments;

165.15 (7) juvenile products;

165.16 (8) menstruation products;

165.17 (9) textile furnishings;

165.18 (10) ski wax; or

165.19 (11) upholstered furniture.

165.20 (b) The commissioner may by rule identify products by category or use that may not be
165.21 sold, offered for sale, or distributed for sale in this state if they contain intentionally added
165.22 PFAS and designate effective dates. Effective dates must begin no earlier than January 1,
165.23 2025, and no later than January 2, 2032. The commissioner must prioritize the prohibition
165.24 of the sale of product categories that, in the commissioner's judgment, are most likely to
165.25 contaminate or harm the state's environment and natural resources if they contain intentionally
165.26 added PFAS. The commissioner may exempt products by rule when the use of PFAS is a
165.27 currently unavoidable use as determined by the commissioner.

165.28 (c) Beginning January 1, 2032, a person may not sell, offer for sale, or distribute for sale
165.29 in this state any product that contains intentionally added PFAS, unless the commissioner
165.30 has determined by rule that the use of PFAS in the product is a currently unavoidable use.

166.1 The commissioner may specify specific products or product categories for which the
 166.2 commissioner has determined the use of PFAS is a currently unavoidable use.

166.3 Subd. 6. Fees. The commissioner may establish by rule a fee payable by a manufacturer
 166.4 to the commissioner upon submission of the information required under subdivision 2 to
 166.5 cover the agency's reasonable costs to implement this section. Fees collected under this
 166.6 subdivision must be deposited in an account in the environmental fund.

166.7 Subd. 7. Enforcement. (a) The commissioner may enforce this section under sections
 166.8 115.071 and 116.072. The commissioner may coordinate with the commissioners of
 166.9 commerce and health in enforcing this section.

166.10 (b) When requested by the commissioner, a person must furnish to the commissioner
 166.11 any information that the person may have or may reasonably obtain that is relevant to show
 166.12 compliance with this section.

166.13 Subd. 8. Exemptions. This section does not apply to:

166.14 (1) a product for which federal law governs the presence of PFAS in the product in a
 166.15 manner that preempts state authority;

166.16 (2) a product regulated under section 325F.072 or 325F.075; or

166.17 (3) the sale or resale of a used product.

166.18 Subd. 9. Rules. The commissioner may adopt rules necessary to implement this section.
 166.19 Section 14.125 does not apply to the commissioner's rulemaking authority under this section.

166.20 Sec. 36. Minnesota Statutes 2022, section 116C.03, subdivision 2a, is amended to read:

166.21 Subd. 2a. Public members. The membership terms, compensation, removal, and filling
 166.22 of vacancies of public members of the board shall be as provided in section 15.0575, except
 166.23 that a public member may be compensated at the rate of up to \$125 a day.

166.24 Sec. 37. Minnesota Statutes 2022, section 325E.046, is amended to read:

166.25 **325E.046 STANDARDS FOR LABELING PLASTIC BAGS, FOOD OR**
 166.26 **BEVERAGE PRODUCTS, AND PACKAGING.**

166.27 Subdivision 1. "Biodegradable" label. A manufacturer, distributor, or wholesaler may
 166.28 not sell or offer for sale and any other person may not knowingly sell or offer for sale in
 166.29 this state a ~~plastic bag~~ covered product labeled "biodegradable," "degradable,"
 166.30 "decomposable," or any form of those terms, or in any way imply that the ~~bag~~ covered
 166.31 product will chemically decompose into innocuous elements in a reasonably short period

167.1 ~~of time in a landfill, composting, or other terrestrial environment unless a scientifically~~
167.2 ~~based standard for biodegradability is developed and the bags are certified as meeting the~~
167.3 ~~standard.~~ break down, fragment, degrade, biodegrade, or decompose in a landfill or other
167.4 environment, unless an ASTM standard specification is adopted for the term claimed and
167.5 the product is certified as meeting the specification in compliance with the provisions of
167.6 subdivision 2a.

167.7 Subd. 2. **"Compostable" label.** (a) A manufacturer, distributor, or wholesaler may not
167.8 sell or offer for sale and any other person may not knowingly sell or offer for sale in this
167.9 state a ~~plastic bag~~ covered product labeled "compostable" unless, at the time of sale or offer
167.10 for sale, the ~~bag~~ covered product:

167.11 (1) meets the ASTM Standard Specification for ~~Compostable~~ Labeling of Plastics
167.12 Designed to be Aerobically Composted in Municipal or Industrial Facilities (D6400). ~~Each~~
167.13 ~~bag must be labeled to reflect that it meets the standard. For purposes of this subdivision,~~
167.14 "ASTM" has the meaning given in section 296A.01, subdivision 6, or its successor or the
167.15 ASTM Standard Specification for Labeling of End Items that Incorporate Plastics and
167.16 Polymers as Coatings or Additives with Paper and Other Substrates Designed to be
167.17 Aerobically Composted in Municipal or Industrial Facilities (D6868) or its successor, and
167.18 the covered product is labeled to reflect that it meets the specification;

167.19 (2) is comprised of only wood without any coatings or additives; or

167.20 (3) is comprised of only paper without any coatings or additives.

167.21 (b) A covered product labeled "compostable" and meeting the criteria under paragraph
167.22 (a) must be clearly and prominently labeled on the product, or on the product's smallest unit
167.23 of sale, to reflect that it is intended for an industrial or commercial compost facility. The
167.24 label required under this paragraph must be in a legible text size and font.

167.25 Subd. 2a. **Certification of products.** Beginning January 1, 2026, a manufacturer,
167.26 distributor, or wholesaler may not sell or offer for sale and any other person may not
167.27 knowingly sell or offer for sale in this state a covered product labeled as "biodegradable"
167.28 or "compostable" unless the covered product is certified as meeting the requirements of
167.29 subdivision 1 or 2, as applicable, by an entity that:

167.30 (1) is a nonprofit corporation;

167.31 (2) as its primary focus of operation, promotes the production, use, and appropriate end
167.32 of life for materials and products that are designed to fully biodegrade in specific biologically
167.33 active environments such as industrial composting; and

168.1 (3) is technically capable of and willing to perform analysis necessary to determine a
168.2 product's compliance with subdivision 1 or 2, as applicable.

168.3 **Subd. 3. Enforcement; civil penalty; injunctive relief.** (a) A ~~manufacturer, distributor,~~
168.4 ~~or wholesaler~~ person who violates ~~subdivision 1 or 2~~ this section is subject to a civil or
168.5 administrative penalty of \$100 for each prepackaged saleable unit sold or offered for sale
168.6 up to a maximum of \$5,000 and may be enjoined from those violations.

168.7 (b) The attorney general may bring an action in the name of the state in a court of
168.8 competent jurisdiction for recovery of civil penalties or for injunctive relief as provided in
168.9 this subdivision. The attorney general may accept an assurance of discontinuance of acts
168.10 in violation of ~~subdivision 1 or 2~~ this section in the manner provided in section 8.31,
168.11 subdivision 2b.

168.12 (c) The commissioner of the Pollution Control Agency may enforce this section under
168.13 sections 115.071 and 116.072. The commissioner may coordinate with the commissioners
168.14 of commerce and health in enforcing this section.

168.15 (d) When requested by the commissioner of the Pollution Control Agency, a person
168.16 selling or offering for sale a covered product labeled as "compostable" must furnish to the
168.17 commissioner any information that the person may have or may reasonably obtain that is
168.18 relevant to show compliance with this section.

168.19 **Subd. 4. Definitions.** For purposes of this section, the following terms have the meanings
168.20 given:

168.21 (1) "ASTM" has the meaning given in section 296A.01, subdivision 6;

168.22 (2) "covered product" means a bag, food or beverage product, or packaging;

168.23 (3) "food or beverage product" means a product that is used to wrap, package, contain,
168.24 serve, store, prepare, or consume a food or beverage, such as plates, bowls, cups, lids, trays,
168.25 straws, utensils, and hinged or lidded containers; and

168.26 (4) "packaging" has the meaning given in section 115A.03, subdivision 22b.

168.27 **EFFECTIVE DATE.** This section is effective January 1, 2025.

168.28 **Sec. 38. [325E.3892] LEAD AND CADMIUM IN CONSUMER PRODUCTS;**
168.29 **PROHIBITION.**

168.30 Subdivision 1. Definitions. For purposes of this section, "covered product" means any
168.31 of the following products or product components:

- 169.1 (1) jewelry;
- 169.2 (2) toys;
- 169.3 (3) cosmetics and personal care products;
- 169.4 (4) puzzles, board games, card games, and similar games;
- 169.5 (5) play sets and play structures;
- 169.6 (6) outdoor games;
- 169.7 (7) school supplies;
- 169.8 (8) pots and pans;
- 169.9 (9) cups, bowls, and other food containers;
- 169.10 (10) craft supplies and jewelry-making supplies;
- 169.11 (11) chalk, crayons, paints, and other art supplies;
- 169.12 (12) fidget spinners;
- 169.13 (13) costumes, costume accessories, and children's and seasonal party supplies;
- 169.14 (14) keys, key chains, and key rings; and
- 169.15 (15) clothing, footwear, headwear, and accessories.
- 169.16 Subd. 2. **Prohibition.** (a) A person must not import, manufacture, sell, hold for sale, or
- 169.17 distribute or offer for use in this state any covered product containing:
- 169.18 (1) lead at more than 0.009 percent by total weight (90 parts per million); or
- 169.19 (2) cadmium at more than 0.0075 percent by total weight (75 parts per million).
- 169.20 (b) This section does not apply to covered products containing lead or cadmium, or both,
- 169.21 when regulation is preempted by federal law.
- 169.22 Subd. 3. **Enforcement.** (a) The commissioners of the Pollution Control Agency,
- 169.23 commerce, and health may coordinate to enforce this section. The commissioner of the
- 169.24 Pollution Control Agency or commerce may, with the attorney general, enforce any federal
- 169.25 restrictions on the sale of products containing lead or cadmium, or both, as allowed under
- 169.26 federal law. The commissioner of the Pollution Control Agency may enforce this section
- 169.27 under sections 115.071 and 116.072. The commissioner of commerce may enforce this
- 169.28 section under sections 45.027, subdivisions 1 to 6; 325F.10 to 325F.12; and 325F.14 to
- 169.29 325F.16. The attorney general may enforce this section under section 8.31.

170.1 (b) When requested by the commissioner of the Pollution Control Agency, the
170.2 commissioner of commerce, or the attorney general, a person must furnish to the
170.3 commissioner or attorney general any information that the person may have or may
170.4 reasonably obtain that is relevant to show compliance with this section.

170.5 Sec. 39. Minnesota Statutes 2022, section 325F.072, subdivision 1, is amended to read:

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

170.8 (b) "Class B firefighting foam" means foam designed ~~for flammable liquid fires~~ to
170.9 prevent or extinguish a fire in flammable liquids, combustible liquids, petroleum greases,
170.10 tars, oils, oil-based paints, solvents, lacquers, alcohols, and flammable gases.

170.11 (c) "PFAS chemicals" or "perfluoroalkyl and polyfluoroalkyl substances" means, ~~for~~
170.12 ~~the purposes of firefighting agents,~~ a class of fluorinated organic chemicals containing at
170.13 least one fully fluorinated carbon atom ~~and designed to be fully functional in class B~~
170.14 ~~firefighting foam formulations.~~

170.15 (d) "Political subdivision" means a county, city, town, or a metropolitan airports
170.16 commission organized and existing under sections 473.601 to 473.679.

170.17 (e) "State agency" means an agency as defined in section 16B.01, subdivision 2.

170.18 (f) "Testing" means calibration testing, conformance testing, and fixed system testing.

170.19 Sec. 40. Minnesota Statutes 2022, section 325F.072, subdivision 3, is amended to read:

170.20 Subd. 3. **Prohibition of testing and training.** (a) ~~Beginning July 1, 2020,~~ No person,
170.21 political subdivision, or state agency shall ~~discharge class B firefighting foam that contains~~
170.22 ~~intentionally added~~ manufacture or knowingly sell, offer for sale, distribute for sale, or
170.23 distribute for use in this state, and no person shall use in this state, class B firefighting foam
170.24 containing PFAS chemicals.

170.25 ~~(1) for testing purposes, unless the testing facility has implemented appropriate~~
170.26 ~~containment, treatment, and disposal measures to prevent releases of foam to the environment;~~
170.27 ~~or~~

170.28 ~~(2) for training purposes, unless otherwise required by law, and with the condition that~~
170.29 ~~the training event has implemented appropriate containment, treatment, and disposal measures~~
170.30 ~~to prevent releases of foam to the environment. For training purposes, class B foam that~~
170.31 ~~contains intentionally added PFAS chemicals shall not be used.~~

171.1 ~~(b) This section does not restrict:~~

171.2 ~~(1) the manufacture, sale, or distribution of class B firefighting foam that contains~~
171.3 ~~intentionally added PFAS chemicals; or~~

171.4 ~~(2) the discharge or other use of class B firefighting foams that contain intentionally~~
171.5 ~~added PFAS chemicals in emergency firefighting or fire prevention operations.~~

171.6 (b) This subdivision does not apply to the manufacture, sale, distribution, or use of class
171.7 B firefighting foam for which the inclusion of PFAS chemicals is required by federal law,
171.8 including but not limited to Code of Federal Regulations, title 14, section 139.317. If a
171.9 federal requirement to include PFAS chemicals in class B firefighting foam is revoked after
171.10 January 1, 2024, class B firefighting foam subject to the revoked requirements is no longer
171.11 exempt under this paragraph effective one year after the day of revocation.

171.12 (c) This subdivision does not apply to the manufacture, sale, distribution, or use of class
171.13 B firefighting foam for purposes of use at an airport, as defined under section 360.013,
171.14 subdivision 39, until the state fire marshal makes a determination that:

171.15 (1) the Federal Aviation Administration has provided policy guidance on the transition
171.16 to fluorine-free firefighting foam;

171.17 (2) a fluorine-free firefighting foam product is included in the Federal Aviation
171.18 Administration's Qualified Product Database; and

171.19 (3) a firefighting foam product included in the database under clause (2) is commercially
171.20 available in quantities sufficient to reliably meet the requirements under Code of Federal
171.21 Regulations, title 14, part 139.

171.22 (d) Until the state fire marshal makes a determination under paragraph (c), the operator
171.23 of an airport using class B firefighting foam containing PFAS chemicals must, on or before
171.24 December 31 each calendar year, submit a report to the state fire marshal regarding the
171.25 status of the airport's conversion to class B firefighting foam products without intentionally
171.26 added PFAS, the disposal of class B firefighting foam products with intentionally added
171.27 PFAS, and an assessment of the factors listed in paragraph (c) as applied to the airport.

171.28 **EFFECTIVE DATE.** This section is effective January 1, 2024.

172.1 Sec. 41. Minnesota Statutes 2022, section 325F.072, is amended by adding a subdivision
172.2 to read:

172.3 Subd. 3a. **Discharge for testing and training.** A person, political subdivision, or state
172.4 agency exempted from the prohibitions under subdivision 3 may not discharge class B
172.5 firefighting foam that contains intentionally added PFAS chemicals for:

172.6 (1) testing purposes, unless the testing facility has implemented appropriate containment,
172.7 treatment, and disposal measures to prevent releases of foam to the environment; or

172.8 (2) training purposes, unless otherwise required by law, and with the condition that the
172.9 training event has implemented appropriate containment, treatment, and disposal measures
172.10 to prevent releases of foam to the environment.

172.11 **EFFECTIVE DATE.** This section is effective January 1, 2024.

172.12 Sec. 42. **TREATED SEED WASTE DISPOSAL RULEMAKING.**

172.13 The commissioner of the Pollution Control Agency, in consultation with the commissioner
172.14 of agriculture and the University of Minnesota, must adopt rules under Minnesota Statutes,
172.15 chapter 14, providing for the safe and lawful disposal of waste treated seed. The rules must
172.16 clearly identify the regulatory jurisdiction of state agencies and local governments with
172.17 regard to such seed. Additional Department of Agriculture staff will not be hired until
172.18 rulemaking is completed.

172.19 Sec. 43. **AIR TOXICS EMISSIONS; RULEMAKING.**

172.20 Subdivision 1. **Definitions.** For the purposes of this section:

172.21 (1) "agency" means the Minnesota Pollution Control Agency;

172.22 (2) "air toxics" has the meaning given in Minnesota Statutes, section 116.062;

172.23 (3) "commissioner" means the commissioner of the Minnesota Pollution Control Agency;

172.24 (4) "continuous emission monitoring system" has the meaning given in Minnesota Rules,
172.25 part 7017.1002, subpart 4;

172.26 (5) "environmental justice area" means one or more census tracts in Minnesota:

172.27 (i) in which, based on the most recent data published by the United States Census Bureau:

172.28 (A) 40 percent or more of the population is nonwhite;

172.29 (B) 35 percent or more of the households have an income at or below 200 percent of the
172.30 federal poverty level; or

173.1 (C) 40 percent or more of the population over the age of five has limited English
173.2 proficiency; or

173.3 (ii) located within Indian Country, as defined in United States Code, title 18, section
173.4 1151;

173.5 (6) "performance test" has the meaning given in Minnesota Rules, part 7017.2005,
173.6 subpart 4; and

173.7 (7) "volatile organic compound" has the meaning given in Minnesota Rules, part
173.8 7005.0100, subpart 45.

173.9 Subd. 2. **Rulemaking required.** The commissioner shall adopt rules under Minnesota
173.10 Statutes, chapter 14, to implement and govern regulation of facilities that emit air toxics.
173.11 Notwithstanding Minnesota Statutes, section 14.125, the agency must publish notice of
173.12 intent to adopt rules within 36 months of the effective date of this act, or the authority for
173.13 the rules expires.

173.14 Subd. 3. **Content of rules.** (a) The rules required under subdivision 2 must address, at
173.15 a minimum:

173.16 (1) specific air toxics to be regulated, including, at a minimum, those defined in
173.17 subdivision 1;

173.18 (2) types of facilities to be regulated, including, at a minimum, facilities that have been
173.19 issued an air quality permit by the commissioner, other than an Option B registration permit
173.20 under Minnesota Rules, part 7007.1120, and that:

173.21 (i) emit air toxics, whether the emissions are limited in a permit or not; or

173.22 (ii) purchase or use material containing volatile organic compounds;

173.23 (3) performance tests conducted by facilities to measure the volume of air toxics emissions
173.24 and testing methods, procedures, protocols, and frequency;

173.25 (4) required monitoring of air emissions, including using continuous emission monitoring
173.26 systems for certain facilities, and monitoring of production inputs or other production
173.27 parameters;

173.28 (5) requirements for reporting information to the agency to assist the agency in
173.29 determining the amount of the facility's air toxics emissions and the facility's compliance
173.30 with emission limits in the facility's permit;

173.31 (6) record keeping related to air toxics emissions; and

174.1 (7) frequency of facility inspections and inspection activities that provide information
174.2 about air toxics emissions.

174.3 (b) In developing the rules, the commissioner must establish testing, monitoring,
174.4 reporting, record-keeping, and inspection requirements for facilities that reflect:

174.5 (1) the different risks to human health and the environment posed by the specific air
174.6 toxics and amounts emitted by a facility, such that facilities posing greater risks are required
174.7 to provide more frequent evidence of permit compliance, including but not limited to
174.8 performance tests, agency inspections, and reporting;

174.9 (2) the facility's record of compliance with air toxics emission limits and other permit
174.10 conditions; and

174.11 (3) any exposure of residents of an environmental justice area to the facility's air toxics
174.12 emissions.

174.13 Subd. 4. **Modifying permits.** Within three years after adopting the rules required in
174.14 subdivision 2, the commissioner must amend existing air quality permits, including but not
174.15 limited to federal permits, individual state total facility permits, and capped emission permits,
174.16 as necessary to conform with the rules.

174.17 Subd. 5. **Rulemaking cost.** The commissioner must collect the agency's costs to develop
174.18 the rulemaking required under this section and to conduct regulatory activities, including
174.19 but not limited to monitoring, inspection, and data collection and maintenance, required as
174.20 a result of the rulemaking through the annual fee paid by owners or operators of facilities
174.21 required to obtain air quality permits from the agency, as required under Minnesota Statutes,
174.22 section 116.07, subdivision 4d, paragraph (b).

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

174.24 Sec. 44. **POSITION ESTABLISHED; POLLUTION CONTROL AGENCY.**

174.25 The commissioner of the Pollution Control Agency must establish a new full-time
174.26 equivalent position of community liaison, funded through air quality permit fees, as specified
174.27 in Minnesota Statutes, section 116.07, subdivision 4d, to conduct the administrative tasks
174.28 necessary to successfully implement the nonexpiring permit public meeting requirements
174.29 under Minnesota Statutes, section 116.07, subdivision 4m, and other regulatory activities
174.30 requiring interaction between the agency and residents in communities exposed to air
174.31 pollutants emitted by facilities permitted by the agency.

175.1 Sec. 45. **COMMUNITY AIR-MONITORING SYSTEMS; PILOT GRANT**
175.2 **PROGRAM.**

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

175.5 (b) "Agency" means the Minnesota Pollution Control Agency.

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

175.7 (d) "Community air-monitoring system" means a system of devices monitoring ambient
175.8 air quality at many locations within a small geographic area that is subject to air pollution
175.9 from a variety of stationary and mobile sources in order to obtain frequent measurements
175.10 of pollution levels, to detect differences in exposure to pollution over distances no larger
175.11 than a city block, and to identify areas where pollution levels are inordinately elevated.

175.12 (e) "Environmental justice area" means one or more census tracts in Minnesota:

175.13 (1) in which, based on the most recent data published by the United States Census Bureau:

175.14 (i) 40 percent or more of the population is nonwhite;

175.15 (ii) 35 percent or more of the households have an income at or below 200 percent of the
175.16 federal poverty level; or

175.17 (iii) 40 percent or more of the population over the age of five has limited English
175.18 proficiency; or

175.19 (2) located within Indian Country, as defined in United State Code, title 18, section 1151.

175.20 (f) "Nonprofit organization" means an organization that is exempt from taxation under
175.21 section 501(c)(3) of the Internal Revenue Code.

175.22 **Subd. 2. Establishing program.** A pilot grant program for community air-monitoring
175.23 systems is established in the agency to measure air pollution levels at many locations within
175.24 an environmental justice area in Minneapolis.

175.25 **Subd. 3. Eligible applicants.** Grants under this section may be awarded to applicants
175.26 consisting of a partnership between a nonprofit organization located in or working with
175.27 residents located in an environmental justice area in which the community air-monitoring
175.28 system is to be deployed and an entity that has experience deploying, operating, and
175.29 interpreting data from air-monitoring systems.

175.30 **Subd. 4. Eligible projects.** Grants may be awarded under this section to applicants
175.31 whose proposals:

176.1 (1) use a variety of air-monitoring technologies approved for use by the commissioner,
176.2 including but not limited to stationary monitors, sensor-based handheld devices, and mobile
176.3 devices that can be attached to vehicles or drones to measure air pollution levels;

176.4 (2) obtain data at fixed locations and from handheld monitoring devices that are carried
176.5 by residents of the community on designated walking routes in the targeted community and
176.6 that can provide high-frequency measurements;

176.7 (3) use the monitoring data to generate maps of pollution levels throughout the monitored
176.8 area; and

176.9 (4) provide monitoring data to the agency to help inform:

176.10 (i) agency decisions, including placement of the agency's stationary air monitors and
176.11 the development of programs to reduce air emissions that impact environmental justice
176.12 areas; and

176.13 (ii) decisions by other governmental bodies regarding transportation or land use planning.

176.14 Subd. 5. **Eligible expenditures.** Grants may be used only for:

176.15 (1) planning the configuration and deployment of the community air-monitoring system;

176.16 (2) purchasing and installing air-monitoring devices as part of the community
176.17 air-monitoring system;

176.18 (3) training and paying persons to operate stationary, handheld, and mobile devices to
176.19 measure air pollution;

176.20 (4) developing data and mapping systems to analyze, organize, and present the
176.21 air-monitoring data collected; and

176.22 (5) writing a final report on the project, as required under subdivision 9.

176.23 Subd. 6. **Application and grant award process.** An eligible applicant must submit an
176.24 application to the commissioner on a form prescribed by the commissioner. The
176.25 commissioner must develop administrative procedures governing the application and grant
176.26 award process. The commissioner must act as fiscal agent for the grant program and is
176.27 responsible for receiving and reviewing grant applications and awarding grants under this
176.28 section.

176.29 Subd. 7. **Grant awards; priorities.** In awarding grants under this section, the
176.30 commissioner must give priority to proposed projects that:

177.1 (1) take place in areas with high rates of illness associated with exposure to air pollution,
177.2 including asthma, chronic obstructive pulmonary disease, heart disease, chronic bronchitis,
177.3 and cancer;

177.4 (2) promote public access to and transparency of air-monitoring data developed through
177.5 the project; and

177.6 (3) conduct outreach activities to promote community awareness of and engagement
177.7 with the project.

177.8 Subd. 8. Report to agency. No later than 90 days after a project ends, a grantee must
177.9 submit a written report to the commissioner describing the project's findings and results
177.10 and any recommendations for agency actions, programs, or activities to reduce levels of air
177.11 pollution measured by the community air-monitoring system. The grantee must also submit
177.12 to the commissioner all air-monitoring data developed by the project.

177.13 Subd. 9. Report to legislature. No later than March 15, 2025, the commissioner must
177.14 submit a report to the chairs and ranking minority members of the legislative committees
177.15 with primary jurisdiction over environment policy and finance on the results of the grant
177.16 program, including:

177.17 (1) any changes in the agency's air-monitoring network that will occur as a result of data
177.18 developed under the program;

177.19 (2) any actions the agency has taken or proposes to take to reduce levels of pollution
177.20 that impact the environmental justice areas that received grants under the program; and

177.21 (3) any recommendations for legislation, including whether the program should be
177.22 extended or expanded.

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

177.24 **Sec. 46. PETROLEUM TANK RELEASE CLEANUP; REPORT.**

177.25 The commissioner of the Pollution Control Agency must perform the duties under clauses
177.26 (1) to (5) with respect to the petroleum tank release cleanup program governed by Minnesota
177.27 Statutes, chapter 115C, and must, no later than January 15, 2025, report the results to the
177.28 chairs and ranking minority members of the senate and house of representatives committees
177.29 with primary jurisdiction over environment policy and finance. The report must include any
177.30 recommendations for legislation. The commissioner must:

177.31 (1) explicitly define the conditions that must be present in order for the commissioner
177.32 to classify a site as posing a low potential risk to public health and the environment and

178.1 ensure that all agency staff use the definition in assessing potential risks. In determining
178.2 the conditions that indicate that a site poses a low risk, the commissioner must consider
178.3 relevant site conditions, including but not limited to the nature of groundwater flow, soil
178.4 type, and proximity of features at or near the site that could potentially become contaminated;

178.5 (2) develop guidelines to incorporate consideration of potential future uses of a
178.6 contaminated property into all agency staff decisions regarding site remediation;

178.7 (3) develop scientifically based and measurable technical standards that allow the quality
178.8 of the agency's performance in remediating petroleum-contaminated properties to be
178.9 evaluated and conduct such evaluations periodically;

178.10 (4) in collaboration with the Petroleum Tank Release Compensation Board and the
178.11 commissioner of commerce, examine whether and how to establish technical qualifications
178.12 for consultants hired to remediate petroleum-contaminated properties as a strategy to improve
178.13 the quality of remediation work and how agencies can share information on consultant
178.14 performance; and

178.15 (5) in collaboration with the commissioner of commerce, make consultants who remediate
178.16 petroleum-contaminated sites more accountable for the quality of their work by:

178.17 (i) requiring a thorough evaluation of the past performance of a contractor being
178.18 considered for hire;

178.19 (ii) developing a formal system of measures and procedures by which to evaluate the
178.20 work; and

178.21 (iii) sharing evaluations with the commissioner of commerce and with responsible parties.

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

178.23 Sec. 47. **POLLUTION CONTROL AGENCY PUBLIC MEMBERS; INITIAL**
178.24 **APPOINTMENTS AND TERMS.**

178.25 The governor must appoint public members of the Pollution Control Agency under
178.26 Minnesota Statutes, section 116.02, by August 1, 2023. The governor must designate two
178.27 of the members first appointed to serve a term of one year, two members to serve a term of
178.28 two years, two members to serve a term of three years, and two members to serve a term
178.29 of four years.

179.1 Sec. 48. **FEEDLOT FINANCIAL ASSURANCE REQUIREMENTS COMPLIANCE**
179.2 **SCHEDULE.**

179.3 The commissioner of the Pollution Control Agency may phase in the new financial
179.4 assurance requirements under Minnesota Statutes, section 116.07, subdivision 7f, during
179.5 the next reissuance of the national pollutant discharge elimination system general permit
179.6 for concentrated animal feeding operations, MNG440000. The commissioner must establish
179.7 a schedule for permittees to come into compliance with the requirements. The schedule
179.8 must require 250 permittees per year to comply, beginning with the operations with the
179.9 largest number of animal units.

179.10 Sec. 49. **MANURE STORAGE AREA REPORTS REQUIRED.**

179.11 Subdivision 1. **Reports.** (a) No later than December 15, 2023, the commissioner of the
179.12 Pollution Control Agency must develop a list based on registration data for each county of
179.13 potentially abandoned manure storage areas.

179.14 (b) No later than January 15, 2025, each delegated county must report to the commissioner
179.15 of the Pollution Control Agency a list of abandoned manure storage areas located in the
179.16 county. The report must be submitted by the county feedlot officer.

179.17 (c) No later than January 15, 2025, the Pollution Control Agency regional feedlot staff
179.18 must compile a list of abandoned manure storage areas located in counties under their
179.19 regulatory jurisdiction that do not have delegation agreements with the agency.

179.20 (d) No later than February 15, 2025, the commissioner of the Pollution Control Agency
179.21 must submit a compilation report and list of abandoned manure storage areas to the legislative
179.22 committees with jurisdiction over agriculture and environment. The report must include
179.23 recommendations for remediation. The commissioner must seek advice from the Minnesota
179.24 Association of County Feedlot Officers and livestock associations for recommendations,
179.25 including existing and any proposed options for remediation.

179.26 (e) For purposes of this section, "abandoned manure storage areas" has the meaning
179.27 given in Minnesota Statutes, section 116.07, subdivision 7g.

179.28 (f) Reports and lists required under this section are not feedlot inventories for purposes
179.29 of Minnesota Statutes, section 116.07, subdivision 7b.

179.30 Subd. 2. **Delegated counties.** (a) Except as provided in paragraph (b), during the 2023
179.31 and 2024 delegation years, the commissioner of the Pollution Control Agency must not
179.32 penalize a delegated county for a performance issue or shortcoming attributable to the

180.1 county's reassignment of county feedlot officer resources necessary to comply with the
180.2 additional requirements imposed upon the county under subdivision 1.

180.3 (b) The commissioner may penalize a county during the 2023 or 2024 delegation year
180.4 for a performance issue or shortcoming attributable to the county's reassignment of county
180.5 feedlot officer resources only if the specific penalty is approved by a majority of the board
180.6 of the Minnesota Association of County Feedlot Officers.

180.7 **Sec. 50. PFAS MANUFACTURERS FEE WORK GROUP.**

180.8 The commissioner of the Pollution Control Agency, in cooperation with the
180.9 commissioners of revenue and management and budget, must establish a work group to
180.10 review options for collecting a fee from manufacturers of PFAS in the state. By February
180.11 15, 2024, the commissioner must submit a report to the chairs and ranking minority members
180.12 of the legislative committees and divisions with jurisdiction over environment and natural
180.13 resources with recommendations.

180.14 **Sec. 51. TEMPORARY EXEMPTION FOR TERMINALS AND OIL REFINERIES.**

180.15 Subdivision 1. **Temporary exemption.** Minnesota Statutes, section 325F.072, subdivision
180.16 3, does not apply to the manufacture, sale, distribution, or use of class B firefighting foam
180.17 for the purposes of use at a terminal or oil refinery until January 1, 2026.

180.18 Subd. 2. **Extension; waiver.** (a) A person who operates a terminal or oil refinery may
180.19 apply to the state fire marshal for a waiver to extend the exemption under subdivision 1
180.20 beyond January 1, 2026, as provided in this subdivision.

180.21 (b) The state fire marshal may grant a waiver to extend the exemption under subdivision
180.22 1 for a specific use if the applicant provides all of the following:

180.23 (1) clear and convincing evidence that there is no commercially available replacement
180.24 that does not contain intentionally added PFAS chemicals and that is capable of suppressing
180.25 fire for that specific use;

180.26 (2) information on the amount of firefighting foam containing intentionally added PFAS
180.27 chemicals stored, used, or released on-site on an annual basis;

180.28 (3) a detailed plan, with timelines, for the operator of the terminal or oil refinery to
180.29 transition to firefighting foam that does not contain intentionally added PFAS chemicals
180.30 for that specific use; and

180.31 (4) a plan for meeting the requirements under subdivision 3.

181.1 (c) The state fire marshal must ensure there is an opportunity for public comment during
181.2 the waiver process. The state fire marshal must consider both information provided by the
181.3 applicant and information provided through public comment when making a decision on
181.4 whether to grant a waiver. The term of a waiver must not exceed two years. The state fire
181.5 marshal must not grant a waiver for a specific use if any other terminal or oil refinery is
181.6 known to have transitioned to commercially available class B firefighting foam that does
181.7 not contain intentionally added PFAS chemicals for that specific use. All waivers must
181.8 expire by January 1, 2028. A person that anticipates applying for a waiver for a terminal or
181.9 oil refinery must submit a notice of intent to the state fire marshal by January 1, 2025, in
181.10 order to be considered for a waiver beyond January 1, 2026. The state fire marshal must
181.11 notify the waiver applicant of a decision within six months of the waiver submission date.

181.12 (d) The state fire marshal must provide an applicant for a waiver under this subdivision
181.13 an opportunity to:

181.14 (1) correct deficiencies when applying for a waiver; and

181.15 (2) provide evidence to dispute a determination that another terminal or oil refinery is
181.16 known to have transitioned to commercially available class B firefighting foam that does
181.17 not contain intentionally added PFAS chemicals for that specific use, including evidence
181.18 that the specific use is different.

181.19 Subd. 3. **Use requirements.** (a) A person that uses class B firefighting foam containing
181.20 intentionally added PFAS chemicals under this section must:

181.21 (1) implement tactics that have been demonstrated to prevent release directly to the
181.22 environment, such as to unsealed ground, soakage pits, waterways, or uncontrolled drains;

181.23 (2) attempt to fully contain all firefighting foams with PFAS on-site using demonstrated
181.24 practices designed to contain all PFAS releases;

181.25 (3) implement containment measures such as bunds and ponds that are controlled, are
181.26 impervious to PFAS chemicals, and do not allow fire water, wastewater, runoff, and other
181.27 wastes to be released to the environment, such as to soils, groundwater, waterways, or
181.28 stormwater; and

181.29 (4) dispose of all fire water, wastewater, runoff, impacted soils, and other wastes in a
181.30 way that prevents releases to the environment.

181.31 (b) A terminal or oil refinery that has received a waiver under this section may provide
181.32 and use class B firefighting foam containing intentionally added PFAS chemicals in the

182.1 form of mutual aid to another terminal or oil refinery at the request of authorities only if
182.2 the other terminal or oil refinery also has a waiver.

182.3 **EFFECTIVE DATE.** This section is effective January 1, 2024.

182.4 Sec. 52. **FIREFIGHTER TURNOUT GEAR; REPORT.**

182.5 (a) The commissioner of the Pollution Control Agency, in cooperation with the
182.6 commissioner of health, must submit a report to the chairs and ranking minority members
182.7 of the legislative committees and divisions with jurisdiction over environment and natural
182.8 resources regarding perfluoroalkyl and polyfluoroalkyl substances (PFAS) in turnout gear
182.9 by January 15, 2024. The report must include:

182.10 (1) current turnout gear requirements and options for eliminating or reducing PFAS in
182.11 turnout gear;

182.12 (2) current turnout gear disposal methods and recommendations for future disposal to
182.13 prevent PFAS contamination; and

182.14 (3) recommendations and protocols for PFAS biomonitoring in firefighters, including
182.15 a process for allowing firefighters to voluntarily register for biomonitoring.

182.16 (b) For the purposes of this section, "turnout gear" is the personal protective equipment
182.17 (PPE) used by firefighters.

182.18 Sec. 53. **PFAS WATER QUALITY STANDARDS.**

182.19 (a) The commissioner of the Pollution Control Agency must adopt rules establishing
182.20 water quality standards for:

182.21 (1) perfluorooctanoic acid (PFOA);

182.22 (2) perfluorooctane sulfonic acid (PFOS);

182.23 (3) perfluorononanoic acid (PFNA);

182.24 (4) hexafluoropropylene oxide dimer acid (HFPO-DA, commonly known as GenX
182.25 chemicals);

182.26 (5) perfluorohexane sulfonic acid (PFHxS); and

182.27 (6) perfluorobutane sulfonic acid (PFBS).

182.28 (b) The commissioner must adopt the rules establishing the water quality standards
182.29 required under this section by July 1, 2026, and Minnesota Statutes, section 14.125, does
182.30 not apply.

183.1 Sec. 54. HEALTH RISK LIMIT; PERFLUOROCTANE SULFONATE.

183.2 By July 1, 2025, the commissioner of health must amend the health risk limit for
183.3 perfluorooctane sulfonate (PFOS) in Minnesota Rules, part 4717.7860, subpart 15, so that
183.4 the health risk limit does not exceed 0.015 parts per billion. In amending the health risk
183.5 limit for PFOS, the commissioner must comply with Minnesota Statutes, section 144.0751,
183.6 requiring a reasonable margin of safety to adequately protect the health of infants, children,
183.7 and adults.

183.8 Sec. 55. PATH TO ZERO WASTE; REPORT.

183.9 (a) By July 15, 2025, the commissioner of the Pollution Control Agency must conduct
183.10 a study and prepare a report that includes a pathway to achieve zero waste and submit the
183.11 report to the chairs and ranking minority members of the senate and house of representatives
183.12 committees with jurisdiction over environmental policy and finance and energy policy.

183.13 (b) The commissioner must seek outside technical support from certified zero-waste
183.14 experts to conduct the study and prepare the report. The report must abide by the
183.15 internationally peer-reviewed definition of zero waste and the zero-waste hierarchy as
183.16 codified by the Zero Waste International Alliance, and include:

183.17 (1) an overview of how municipal solid waste is currently managed;

183.18 (2) a summary of infrastructure, programs, and resources needed to reach zero waste
183.19 over a 2021 baseline by 2045 or sooner;

183.20 (3) an analysis that outlines the impact of different strategies to achieve zero waste;

183.21 (4) strategic policy initiatives that will be required to manage waste at the top of the
183.22 zero-waste hierarchy, as the state strives to achieve zero waste;

183.23 (5) a discussion of the feasibility, assumptions, and projected time frame for achieving
183.24 zero waste if proposed policies are implemented and necessary investments are made,
183.25 including the projected need for land disposal capacity based on the estimated growth in
183.26 waste generation and the practicable ability of existing technologies to reduce waste to avoid
183.27 disposal;

183.28 (6) recommendations for reducing the environmental and human health impacts of waste
183.29 disposal during the transition to zero waste, especially across environmental justice areas;

183.30 (7) a life cycle analysis comparing incineration and landfilling ash, direct use of
183.31 landfilling, and zero-waste implementation. This analysis must include, at a minimum, the
183.32 impacts of greenhouse gas emissions; toxic chemical pollutants, including cancer and

184.1 noncancer effects; particulate matter emissions; and smog formation from emissions of
184.2 nitrogen oxides and volatile organic compounds and their impacts on asthma and respiratory
184.3 health. The analysis must present the results so that the global warming and other health
184.4 and environmental impacts can be evaluated side-by-side using the same units, such as a
184.5 monetized social and environmental harm indicator. A separate environmental justice
184.6 analysis must be conducted, analyzing the demographics around any existing and proposed
184.7 waste disposal facilities. Using the best available data, the report must evaluate the costs of
184.8 each option and the impacts on local job support; and

184.9 (8) the role of nonburn alternatives in the destruction of problem materials such as
184.10 invasive species, pharmaceuticals, and perfluoroalkyl and polyfluoroalkyl substances.

184.11 (c) The commissioner must obtain input from counties and cities inside and outside the
184.12 seven-county metropolitan area, recycling and composting facilities, waste haulers,
184.13 environmental organizations, Tribal representatives, and other interested parties in preparing
184.14 the report. The development of the report must include stakeholder input from diverse
184.15 communities located in environmental justice areas that contain a waste facility. The
184.16 commissioner must provide for an open public comment period of at least 60 days on the
184.17 draft report. Written public comments and any commissioner responses must be included
184.18 in the final report.

184.19 **Sec. 56. REPORT REQUIRED; RECYCLING AND REUSING SOLAR**
184.20 **PHOTOVOLTAIC MODULES AND INSTALLATION COMPONENTS.**

184.21 (a) The commissioner of the Pollution Control Agency, in consultation with the
184.22 commissioners of commerce and employment and economic development, must coordinate
184.23 preparation of a report on developing a statewide system to reuse and recycle solar
184.24 photovoltaic modules and installation components in the state.

184.25 (b) The report must include options for a system to collect, reuse, and recycle solar
184.26 photovoltaic modules and installation components at end of life. Any system option included
184.27 in the report must be convenient and accessible throughout the state, recover 100 percent
184.28 of discarded components, and maximize value and materials recovery. Any system option
184.29 developed must include analysis of:

184.30 (1) the reuse and recycling values of solar photovoltaic modules, installation components,
184.31 and recovered materials;

184.32 (2) system infrastructure and technology needs;

184.33 (3) how to maximize in-state employment and economic development;

185.1 (4) net costs for the program; and

185.2 (5) potential benefits and negative impacts of the plan on environmental justice and
185.3 Tribal communities.

185.4 (c) The report must include a survey of solar photovoltaic modules and installation
185.5 components that are currently coming out of service and those projected to come out of
185.6 service in the future in Minnesota. The report must include a description of how solar
185.7 photovoltaic modules and installation components are currently being managed at end of
185.8 life and how they would likely be managed in the future without the proposed reuse and
185.9 recycling system.

185.10 (d) After completing the report, the commissioner must convene a working group to
185.11 advise on developing policy recommendations for a statewide system to manage solar
185.12 photovoltaic modules and installation components. The working group must include, but
185.13 is not limited to:

185.14 (1) the commissioners of commerce and employment and economic development or
185.15 their designees;

185.16 (2) representatives of the solar industry and electric utilities;

185.17 (3) representatives of state, local, and Tribal governments; and

185.18 (4) other relevant stakeholders.

185.19 (e) By January 15, 2025, the commissioner must submit the report and the policy
185.20 recommendations developed under this section to the chairs and ranking minority members
185.21 of the legislative committees and divisions with jurisdiction over environment and natural
185.22 resources policy and finance and energy policy and finance.

185.23 **Sec. 57. REVISOR INSTRUCTION.**

185.24 The revisor of statutes must change the term "master plan" or similar term to "plan"
185.25 wherever the term appears in Minnesota Statutes, sections 473.803 to 473.8441. The revisor
185.26 may make grammatical changes related to the term change.

185.27 **Sec. 58. REPEALER.**

185.28 Minnesota Statutes 2022, sections 115.44, subdivision 9; 116.011; 325E.389; and
185.29 325E.3891, are repealed.

186.1

ARTICLE 4

186.2

NATURAL RESOURCES

186.3 Section 1. Minnesota Statutes 2022, section 16A.152, subdivision 2, is amended to read:

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

186.9 (1) the cash flow account established in subdivision 1 until that account reaches
186.10 \$350,000,000;

186.11 (2) the budget reserve account established in subdivision 1a until that account reaches
186.12 \$2,377,399,000;

186.13 (3) the amount necessary to increase the aid payment schedule for school district aids
186.14 and credits payments in section 127A.45 to not more than 90 percent rounded to the nearest
186.15 tenth of a percent without exceeding the amount available and with any remaining funds
186.16 deposited in the budget reserve;

186.17 (4) the amount necessary to restore all or a portion of the net aid reductions under section
186.18 127A.441 and to reduce the property tax revenue recognition shift under section 123B.75,
186.19 subdivision 5, by the same amount;

186.20 (5) the amount necessary to increase the Minnesota 21st century fund by not more than
186.21 the difference between \$5,000,000 and the sum of the amounts credited and canceled to it
186.22 in the previous 12 months under Laws 2020, chapter 71, article 1, section 11, until the sum
186.23 of all transfers under this section and all amounts credited or canceled under Laws 2020,
186.24 chapter 71, article 1, section 11, equals \$20,000,000; ~~and~~

186.25 (6) the amount necessary to compensate the permanent school fund for lands in the
186.26 Lowland Conifer Carbon Reserve as required under section 88.85, subdivision 9; and

186.27 ~~(6)~~ (7) for a forecast in November only, the amount remaining after the transfer under
186.28 clause (5) must be used to reduce the percentage of accelerated June liability sales tax
186.29 payments required under section 289A.20, subdivision 4, paragraph (b), until the percentage
186.30 equals zero, rounded to the nearest tenth of a percent. By March 15 following the November
186.31 forecast, the commissioner must provide the commissioner of revenue with the percentage
186.32 of accelerated June liability owed based on the reduction required by this clause. By April

187.1 15 each year, the commissioner of revenue must certify the percentage of June liability
187.2 owed by vendors based on the reduction required by this clause.

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

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

187.12 Sec. 2. Minnesota Statutes 2022, section 84.02, is amended by adding a subdivision to
187.13 read:

187.14 Subd. 6c. **Restored prairie.** "Restored prairie" means a restoration that uses at least 25
187.15 representative and biologically diverse native prairie plant species and that occurs on land
187.16 that was previously cropped or used as pasture.

187.17 Sec. 3. Minnesota Statutes 2022, section 84.0274, subdivision 6, is amended to read:

187.18 Subd. 6. **State's responsibilities.** When the state proposes to purchase land for natural
187.19 resources purposes, the commissioner of natural resources and, where applicable, the
187.20 commissioner of administration shall have the following responsibilities:

187.21 (1) the responsibility to deal fairly and openly with the landowner in the purchase of
187.22 property;

187.23 (2) the responsibility to refrain from discussing price with the landowner before an
187.24 appraisal has been made. In addition, the same person shall not both appraise and negotiate
187.25 for purchase of a tract of land. This paragraph does not apply to the state when discussing
187.26 with a landowner the trout stream easement payment determined under section 84.0272,
187.27 subdivision 2, the native prairie bank easement payment determined under section 84.96,
187.28 subdivision 5, or the Camp Ripley's Army compatible use buffer easement payment
187.29 determined under section 84.0277, subdivision 2;

187.30 (3) the responsibility to use private fee appraisers to lower the state's acquisition costs
187.31 to the greatest extent practicable; and

188.1 (4) the responsibility to acquire land in as expeditious a manner as possible. No option
188.2 shall be made for a period of greater than two months if no survey is required or for nine
188.3 months if a survey is required, unless the landowner, in writing, expressly requests a longer
188.4 period of time. ~~Provided that, if county board approval of the transaction is required pursuant~~
188.5 ~~to section 97A.145, no time limits shall apply.~~ If the state elects not to purchase property
188.6 upon which it has an option, it shall pay the landowner \$500 after the expiration of the
188.7 option period. If the state elects to purchase the property, unless the landowner elects
188.8 otherwise, payment to the landowner shall be made no later than 90 days following the
188.9 state's election to purchase the property provided that the title is marketable and the owner
188.10 acts expeditiously to complete the transaction.

188.11 Sec. 4. Minnesota Statutes 2022, section 84.0276, is amended to read:

188.12 **84.0276 LAND TRANSFERS BY A FEDERAL AGENCY.**

188.13 Before the commissioner of natural resources accepts agricultural land or a farm
188.14 homestead transferred in fee by a federal agency, the commissioner must consult with the
188.15 Board of Water and Soil Resources for a determination of marginal land, tillable farmland,
188.16 and farm homestead. ~~The commissioner must comply with the acquisition procedure under~~
188.17 ~~section 97A.145, subdivision 2, if the agricultural land or farm homestead was in an~~
188.18 ~~agricultural preserve as provided in section 40A.10.~~

188.19 Sec. 5. Minnesota Statutes 2022, section 84.415, subdivision 3, is amended to read:

188.20 Subd. 3. **Application, form.** The application for license or permit ~~shall be in~~
188.21 ~~quadruplicate, and shall~~ must include ~~with each copy~~ a legal description of the lands or
188.22 waters affected, a metes and bounds description of the required right-of-way, a map showing
188.23 said features, and a detailed design of any structures necessary, or in lieu thereof shall be
188.24 in such other form, and include such other descriptions, maps or designs, as the commissioner
188.25 may require. The commissioner may at any time order such changes or modifications
188.26 respecting construction or maintenance of structures or other conditions of the license or
188.27 permit as the commissioner deems necessary to protect the public health and safety.

188.28 Sec. 6. Minnesota Statutes 2022, section 84.415, subdivision 6, is amended to read:

188.29 Subd. 6. **Supplemental application fee and monitoring fee.** (a) In addition to the
188.30 application fee and utility crossing fees specified in Minnesota Rules, the commissioner of
188.31 natural resources shall assess the applicant for a utility license the following fees:

189.1 (1) a to cover reasonable costs for reviewing an application and preparing a license,
189.2 supplemental application fee of fees as follows:

189.3 (i) \$1,750 for a public water crossing license and a supplemental application fee of
189.4 \$3,000 for a public lands crossing license, to cover reasonable costs for reviewing the
189.5 application and preparing the license for electric power lines, cables, or conduits of 100
189.6 kilovolts or more and for main pipelines for gas, liquids, or solids in suspension;

189.7 (ii) \$1,000 for a public water crossing license and \$1,000 for a public lands crossing
189.8 license for applications to which item (i) does not apply; and

189.9 (iii) for all applications, an additional \$500 for each water crossing or land crossing in
189.10 excess of two crossings; and

189.11 (2) a monitoring fee to cover the projected reasonable costs for monitoring the
189.12 construction of the utility line and preparing special terms and conditions of the license to
189.13 ensure proper construction. The commissioner must give the applicant an estimate of the
189.14 monitoring fee before the applicant submits the fee.

189.15 (b) The applicant shall pay fees under this subdivision to the commissioner of natural
189.16 resources. The commissioner shall not issue the license until the applicant has paid all fees
189.17 in full.

189.18 (c) Upon completion of construction of the improvement for which the license or permit
189.19 was issued, the commissioner shall refund the unobligated balance from the monitoring fee
189.20 revenue. The commissioner shall not return the application fees, even if the application is
189.21 withdrawn or denied.

189.22 ~~(d) If the fees collected under paragraph (a), clause (1), are not sufficient to cover the~~
189.23 ~~costs of reviewing the applications and preparing the licenses, the commissioner shall~~
189.24 ~~improve efficiencies and otherwise reduce department costs and activities to ensure the~~
189.25 ~~revenues raised under paragraph (a), clause (1), are sufficient, and that no other funds are~~
189.26 ~~necessary to carry out the requirements.~~

189.27 (d) For purposes of this subdivision:

189.28 (1) "water crossing" means each location where the proposed utility will cross a public
189.29 water between banks or shores; and

189.30 (2) "land crossing" means each quarter-quarter section or government lot where the
189.31 proposed utility will cross public land.

190.1 Sec. 7. Minnesota Statutes 2022, section 84.415, subdivision 7, is amended to read:

190.2 Subd. 7. **Application fee exemption.** (a) A utility license for crossing public lands or
190.3 public waters is exempt from all application fees specified ~~in this section and~~ in rules adopted
190.4 under this section.

190.5 (b) This subdivision does not apply to electric power lines, cables, or conduits 100
190.6 kilovolts or greater or to main pipelines for gas, liquids, or solids in suspension.

190.7 Sec. 8. Minnesota Statutes 2022, section 84.415, is amended by adding a subdivision to
190.8 read:

190.9 Subd. 9. Fees for renewing license. At the end of the license period, if both parties wish
190.10 to renew a license, the commissioner must assess the applicant for all fees in this section
190.11 as if the renewal is an application for a new license.

190.12 Sec. 9. Minnesota Statutes 2022, section 84.788, subdivision 5, is amended to read:

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

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

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

190.20 Sec. 10. Minnesota Statutes 2022, section 84.82, subdivision 2, is amended to read:

190.21 Subd. 2. **Application, issuance, issuing fee.** (a) Application for registration or
190.22 reregistration shall be made to the commissioner or an authorized deputy registrar of motor
190.23 vehicles in a format prescribed by the commissioner and shall state the legal name and
190.24 address of every owner of the snowmobile.

190.25 (b) A person who purchases a snowmobile from a retail dealer shall make application
190.26 for registration to the dealer at the point of sale. The dealer shall issue a dealer temporary
190.27 21-day registration permit to each purchaser who applies to the dealer for registration. The
190.28 temporary permit must contain the dealer's identification number and phone number. Each
190.29 retail dealer shall submit completed registration and fees to the deputy registrar at least once
190.30 a week. No fee may be charged by a dealer to a purchaser for providing the temporary
190.31 permit.

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

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

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

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

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

191.24 Sec. 11. Minnesota Statutes 2022, section 84.82, is amended by adding a subdivision to
191.25 read:

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

191.30 (b) The registration decal must be affixed:

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

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

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

192.5 Sec. 12. Minnesota Statutes 2022, section 84.821, subdivision 2, is amended to read:

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

192.12 Sec. 13. Minnesota Statutes 2022, section 84.84, is amended to read:

192.13 **84.84 TRANSFER OR TERMINATION OF SNOWMOBILE OWNERSHIP.**

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

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

192.20 (c) The purchaser is subject to the penalties imposed by section 84.88 if the purchaser
192.21 fails to apply for transfer of ownership as provided under this subdivision. Every owner or
192.22 part owner of a snowmobile shall, upon failure to give notice of destruction or abandonment,
192.23 be subject to the penalties imposed by section 84.88.

192.24 Sec. 14. Minnesota Statutes 2022, section 84.86, subdivision 1, is amended to read:

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

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

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

193.1 (3) use of snowmobiles on public lands and waters, or on grant-in-aid trails;
193.2 (4) uniform signs to be used by the state, counties, and cities, which are necessary or
193.3 desirable to control, direct, or regulate the operation and use of snowmobiles;
193.4 (5) specifications relating to snowmobile mufflers; and
193.5 (6) a comprehensive snowmobile information and safety education and training program;
193.6 ~~including that includes but is not limited to the preparation and dissemination of preparing~~
193.7 and disseminating snowmobile information and safety advice to the public, ~~the training of~~
193.8 snowmobile operators, and ~~the issuance of~~ issuing snowmobile safety certificates to
193.9 snowmobile operators who successfully complete the snowmobile safety education and
193.10 training course.

193.11 (b) For the purpose of administering such the program under paragraph (a), clause (6),
193.12 and to defray expenses of training and certifying snowmobile operators, the commissioner
193.13 shall collect a fee from each person who receives the youth or adult training. The
193.14 commissioner shall collect a fee, to include a \$1 issuing fee for licensing agents, for issuing
193.15 a duplicate snowmobile safety certificate. The commissioner shall establish both fees in a
193.16 manner that neither significantly overrecovers nor underrecovers costs, including overhead
193.17 costs, involved in providing the services. The fees are not subject to the rulemaking provisions
193.18 of chapter 14, and section 14.386 does not apply. The fees may be established by the
193.19 commissioner notwithstanding section 16A.1283. The fees, except for the issuing fee for
193.20 licensing agents under this subdivision, shall be deposited in the snowmobile trails and
193.21 enforcement account in the natural resources fund and the amount thereof, except for the
193.22 electronic licensing system commission established by the commissioner under section
193.23 84.027, subdivision 15, and issuing fees collected by the commissioner, is appropriated
193.24 annually to the Enforcement Division of the Department of Natural Resources for ~~the~~
193.25 ~~administration of such~~ administering the programs. In addition to the fee established by the
193.26 commissioner, instructors may charge each person any fee paid by the instructor for the
193.27 person's online training course and up to the established fee amount for class materials and
193.28 expenses. The commissioner shall cooperate with private organizations and associations,
193.29 private and public corporations, and local governmental units in furtherance of the program
193.30 established under ~~this~~ paragraph (a), clause (6). School districts may cooperate with the
193.31 commissioner and volunteer instructors to provide space for the classroom portion of the
193.32 training. The commissioner shall consult with the commissioner of public safety in regard
193.33 to training program subject matter and performance testing that leads to the certification of
193.34 snowmobile operators.

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

194.7 Sec. 15. Minnesota Statutes 2022, section 84.87, subdivision 1, is amended to read:

194.8 Subdivision 1. **Operation on streets and highways.** (a) No person shall operate a
194.9 snowmobile upon the roadway, shoulder, or inside bank or slope of any trunk, county
194.10 state-aid, or county highway in this state and, in the case of a divided trunk or county
194.11 highway, on the right-of-way between the opposing lanes of traffic, except as provided in
194.12 sections 84.81 to 84.90. No person shall operate a snowmobile within the right-of-way of
194.13 any trunk, county state-aid, or county highway between the hours of one-half hour after
194.14 sunset to one-half hour before sunrise, except on the right-hand side of such right-of-way
194.15 and in the same direction as the highway traffic on the nearest lane of the roadway adjacent
194.16 thereto. No snowmobile shall be operated at any time within the right-of-way of any interstate
194.17 highway or freeway within this state.

194.18 (b) Notwithstanding any provision of paragraph (a) to the contrary:

194.19 (1) under conditions prescribed by the commissioner of transportation, the commissioner
194.20 of transportation may allow two-way operation of snowmobiles on either side of the trunk
194.21 highway right-of-way where the commissioner of transportation determines that two-way
194.22 operation will not endanger users of the trunk highway or riders of the snowmobiles using
194.23 the trail;

194.24 (2) under conditions prescribed by a local road authority as defined in section 160.02,
194.25 subdivision 25, the road authority may allow two-way operation of snowmobiles on either
194.26 side of the right-of-way of a street or highway under the road authority's jurisdiction, where
194.27 the road authority determines that two-way operation will not endanger users of the street
194.28 or highway or riders of the snowmobiles using the trail;

194.29 (3) the commissioner of transportation under clause (1) and the local road authority
194.30 under clause (2) shall notify the commissioner of natural resources and the local law
194.31 enforcement agencies responsible for the streets or highways of the locations of two-way
194.32 snowmobile trails authorized under this paragraph; and

195.1 (4) two-way snowmobile trails authorized under this paragraph shall be posted for
195.2 two-way operation at the authorized locations.

195.3 (c) A snowmobile may make a direct crossing of a street or highway at any hour of the
195.4 day provided:

195.5 (1) the crossing is made at an angle of approximately 90 degrees to the direction of the
195.6 highway and at a place where no obstruction prevents a quick and safe crossing;

195.7 (2) the snowmobile is brought to a complete stop before crossing the shoulder or main
195.8 traveled way of the highway;

195.9 (3) the driver yields the right-of-way to all oncoming traffic which constitutes an
195.10 immediate hazard;

195.11 (4) in crossing a divided highway, the crossing is made only at an intersection of such
195.12 highway with another public street or highway or at a safe location approved by the road
195.13 authority;

195.14 (5) if the crossing is made between the hours of one-half hour after sunset to one-half
195.15 hour before sunrise or in conditions of reduced visibility, only if both front and rear lights
195.16 are on; and

195.17 (6) a snowmobile may be operated upon a bridge, other than a bridge that is part of the
195.18 main traveled lanes of an interstate highway, when required for the purpose of avoiding
195.19 obstructions to travel when no other method of avoidance is possible; provided the
195.20 snowmobile is operated in the extreme right-hand lane, the entrance to the roadway is made
195.21 within 100 feet of the bridge and the crossing is made without undue delay.

195.22 (d) No snowmobile shall be operated upon a public street or highway unless it is equipped
195.23 with at least one headlamp, one tail lamp, each of minimum candlepower as prescribed by
195.24 rules of the commissioner, reflector material of a minimum area of 16 square inches mounted
195.25 on each side forward of the handle bars, and with brakes each of which shall conform to
195.26 standards prescribed by rule of the commissioner pursuant to the authority vested in the
195.27 commissioner by section 84.86, and each of which shall be subject to approval of the
195.28 commissioner of public safety.

195.29 (e) A snowmobile may be operated upon a public street or highway other than as provided
195.30 by paragraph (c) in an emergency during the period of time when and at locations where
195.31 snow upon the roadway renders travel by automobile impractical.

195.32 (f) All provisions of chapters 169 and 169A shall apply to the operation of snowmobiles
195.33 upon streets and highways, except for those relating to required equipment, and except those

196.1 which by their nature have no application. Section 169.09 applies to the operation of
196.2 snowmobiles anywhere in the state or on the ice of any boundary water of the state.

196.3 (g) Any sled, trailer, or other device being towed by a snowmobile must be equipped
196.4 with reflective materials as required by rule of the commissioner.

196.5 Sec. 16. Minnesota Statutes 2022, section 84.90, subdivision 7, is amended to read:

196.6 Subd. 7. **Penalty.** (a) A person violating the provisions of this section is guilty of a
196.7 misdemeanor.

196.8 (b) Notwithstanding section 609.101, subdivision 4, clause (2), the minimum fine for a
196.9 person who operates an off-highway motorcycle, off-road vehicle, all-terrain vehicle, or
196.10 snowmobile in violation of this section must not be less than the amount set forth in section
196.11 84.775.

196.12 Sec. 17. **[84.9735] INSECTICIDES ON STATE LANDS.**

196.13 A person may not use a pesticide containing an insecticide in a wildlife management
196.14 area, state park, state forest, aquatic management area, or scientific and natural area if the
196.15 insecticide is from the neonicotinoid class of insecticides or contains chlorpyrifos.

196.16 Sec. 18. Minnesota Statutes 2022, section 84.992, subdivision 2, is amended to read:

196.17 Subd. 2. **Program.** The commissioner of natural resources shall develop and implement
196.18 a program for the Minnesota Naturalist Corps that supports state parks and trails in providing
196.19 interpretation of the natural and cultural features of state parks and trails in order to enhance
196.20 visitors' awareness, understanding, and appreciation of those features and encourages the
196.21 wise and sustainable use of the environment.

196.22 Sec. 19. Minnesota Statutes 2022, section 84.992, subdivision 5, is amended to read:

196.23 Subd. 5. **Eligibility.** A person is eligible to enroll in the Minnesota Naturalist Corps if
196.24 the person:

196.25 ~~(1) is a permanent resident of the state;~~

196.26 ~~(2) is a participant in an approved college internship program in a field related to natural~~
196.27 ~~resources, cultural history, interpretation, or conservation; and~~

196.28 ~~(3) has completed at least one year of postsecondary education.~~

197.1 Sec. 20. Minnesota Statutes 2022, section 84D.02, subdivision 3, is amended to read:

197.2 Subd. 3. **Management plan.** By December 31, 2023, and every five years thereafter,
197.3 the commissioner shall prepare ~~and maintain~~ a long-term plan, which may include specific
197.4 plans for individual species and actions, for the statewide management of invasive species
197.5 of aquatic plants and wild animals. The plan must address:

197.6 (1) coordinated detection and prevention of accidental introductions;

197.7 (2) coordinated dissemination of information about invasive species of aquatic plants
197.8 and wild animals among resource management agencies and organizations;

197.9 (3) a coordinated public education and awareness campaign;

197.10 (4) coordinated control of selected invasive species of aquatic plants and wild animals
197.11 on lands and public waters;

197.12 (5) participation by lake associations, local citizen groups, and local units of government
197.13 in the development and implementation of local management efforts;

197.14 (6) a reasonable and workable inspection requirement for watercraft and equipment
197.15 including those participating in organized events on the waters of the state;

197.16 (7) the closing of points of access to infested waters, if the commissioner determines it
197.17 is necessary, for a total of not more than seven days during the open water season for control
197.18 or eradication purposes;

197.19 (8) maintaining public accesses on infested waters to be reasonably free of aquatic
197.20 macrophytes; ~~and~~

197.21 (9) notice to travelers of the penalties for violation of laws relating to invasive species
197.22 of aquatic plants and wild animals; and

197.23 (10) the impacts of climate change on invasive species management.

197.24 Sec. 21. Minnesota Statutes 2022, section 84D.10, subdivision 3, is amended to read:

197.25 Subd. 3. **Removal and confinement.** (a) A conservation officer or other licensed peace
197.26 officer may order:

197.27 (1) the removal of aquatic macrophytes or prohibited invasive species from water-related
197.28 equipment, including decontamination using hot water or high pressure equipment ~~when~~
197.29 ~~available on-site~~, before the water-related equipment is transported or before it is placed
197.30 into waters of the state;

198.1 (2) confinement of the water-related equipment at a mooring, dock, or other location
198.2 until the water-related equipment is removed from the water;

198.3 (3) removal of water-related equipment from waters of the state to remove prohibited
198.4 invasive species if the water has not been listed by the commissioner as being infested with
198.5 that species;

198.6 (4) a prohibition on placing water-related equipment into waters of the state when the
198.7 water-related equipment has aquatic macrophytes or prohibited invasive species attached
198.8 in violation of subdivision 1 or when water has not been drained or the drain plug has not
198.9 been removed in violation of subdivision 4; and

198.10 (5) decontamination of water-related equipment ~~when available on site.~~

198.11 (b) An order for removal of prohibited invasive species under paragraph (a), clause (1),
198.12 or decontamination of water-related equipment under paragraph (a), clause (5), may include
198.13 tagging the water-related equipment and issuing a notice that specifies a time frame for
198.14 completing the removal or decontamination and reinspection of the water-related equipment.

198.15 (c) An inspector who is not a licensed peace officer may issue orders under paragraph
198.16 (a), clauses (1), (3), (4), and (5).

198.17 Sec. 22. Minnesota Statutes 2022, section 84D.15, subdivision 2, is amended to read:

198.18 Subd. 2. **Receipts.** Money received from surcharges on watercraft licenses under section
198.19 86B.415, subdivision 7, civil penalties under section 84D.13, and service provider permits
198.20 under section 84D.108, must be deposited in the invasive species account. Each year, the
198.21 commissioner of management and budget must transfer from the game and fish fund to the
198.22 invasive species account, the annual surcharge collected on nonresident fishing licenses
198.23 under section 97A.475, subdivision 7, paragraph (b). ~~Each fiscal year, the commissioner of~~
198.24 ~~management and budget shall transfer \$375,000 from the water recreation account under~~
198.25 ~~section 86B.706 to the invasive species account.~~

198.26 Sec. 23. Minnesota Statutes 2022, section 85.015, subdivision 10, is amended to read:

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

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

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

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

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

199.10 (d) The commissioner shall not acquire any of the right-of-way of the Chicago
199.11 Northwestern Railway Company until the abandonment of the line described in this
199.12 subdivision has been approved by the Surface Transportation Board or the former Interstate
199.13 Commerce Commission. Compensation, in addition to the value of the land, shall include
199.14 improvements made by the railroad, including but not limited to, bridges, trestles, public
199.15 road crossings, or any portion thereof, it being the desire of the railroad that such
199.16 improvements be included in the conveyance. The fair market value of the land and
199.17 improvements shall be recommended by two independent appraisers mutually agreed upon
199.18 by the parties. The fair market value thus recommended shall be reviewed by a review
199.19 appraiser agreed to by the parties, and the fair market value thus determined, and supported
199.20 by appraisals, may be the purchase price. The commissioner may exchange lands with
199.21 landowners abutting the right-of-way described in this section to eliminate diagonally shaped
199.22 separate fields.

199.23 Sec. 24. Minnesota Statutes 2022, section 85.052, subdivision 6, is amended to read:

199.24 Subd. 6. **State park reservation system.** (a) The commissioner may, by written order,
199.25 develop reasonable reservation policies for ~~campsites and other~~ using camping, lodging,
199.26 and day-use facilities and for tours, educational programs, seminars, events, and rentals.

199.27 The policies are exempt from the rulemaking provisions under chapter 14, and section
199.28 14.386 does not apply.

199.29 (b) The revenue collected from the state park reservation fee established under subdivision
199.30 5, including interest earned, ~~shall~~ must be deposited in the state park account in the natural
199.31 resources fund and is annually appropriated to the commissioner for the cost of operating
199.32 the state park reservation and point-of-sale system.

200.1 Sec. 25. Minnesota Statutes 2022, section 85.055, subdivision 1, is amended to read:

200.2 Subdivision 1. **Fees.** (a) The fee for state park permits for:

200.3 (1) an annual use of state parks is ~~\$35~~ \$45;

200.4 (2) a second or subsequent vehicle state park permit is ~~\$26~~ \$35;

200.5 (3) a state park permit valid for one day is ~~\$7~~ \$10;

200.6 (4) a daily vehicle state park permit for groups is ~~\$5~~ \$8;

200.7 (5) an annual permit for motorcycles is ~~\$30~~ \$40;

200.8 (6) an employee's state park permit is without charge; and

200.9 (7) a state park permit for persons with disabilities under section 85.053, subdivision 7,
200.10 paragraph (a), clauses (1) to (3), is ~~\$12~~ \$20.

200.11 (b) The fees specified in this subdivision include any sales tax required by state law.

200.12 Sec. 26. Minnesota Statutes 2022, section 85.536, subdivision 2, is amended to read:

200.13 Subd. 2. **Commission.** The commission shall include 13 members appointed by the
200.14 governor with two members from each of the regional parks and trails districts determined
200.15 under subdivision 5 and one member at large. Membership terms, compensation, and removal
200.16 of members and filling of vacancies are as provided in section 15.0575, except that a
200.17 commission member may be compensated at the rate of up to \$125 a day.

200.18 Sec. 27. Minnesota Statutes 2022, section 86B.005, is amended by adding a subdivision
200.19 to read:

200.20 Subd. 11a. **Other commercial operation.** "Other commercial operation" means use of
200.21 a watercraft for work, rather than recreation, to transport equipment, goods, and materials
200.22 on public waters.

200.23 Sec. 28. **[86B.30] DEFINITIONS.**

200.24 Subdivision 1. **Applicability.** The definitions in this section apply to sections 86B.30
200.25 to 86B.341.

200.26 Subd. 2. **Accompanying operator.** "Accompanying operator" means a person 21 years
200.27 of age or older who:

200.28 (1) is in a personal watercraft or other type of motorboat;

200.29 (2) is within immediate reach of the controls of the motor; and

201.1 (3) possesses a valid operator's permit or is an exempt operator.

201.2 Subd. 3. **Adult operator.** "Adult operator" means a motorboat operator, including a
201.3 personal watercraft operator, who is 12 years of age or older and who was:

201.4 (1) effective July 1, 2025, born on or after July 1, 2004;

201.5 (2) effective July 1, 2026, born on or after July 1, 2000;

201.6 (3) effective July 1, 2027, born on or after July 1, 1996; and

201.7 (4) effective July 1, 2028, born on or after July 1, 1987.

201.8 Subd. 4. **Exempt operator.** "Exempt operator" means a motorboat operator, including
201.9 a personal watercraft operator, who is 12 years of age or older and who:

201.10 (1) possesses a valid license to operate a motorboat issued for maritime personnel by
201.11 the United States Coast Guard under Code of Federal Regulations, title 46, part 10, or a
201.12 marine certificate issued by the Canadian government;

201.13 (2) is not a resident of the state, is temporarily using the waters of the state for a period
201.14 not to exceed 60 days, and:

201.15 (i) meets any applicable requirements of the state or country of residency; or

201.16 (ii) possesses a Canadian pleasure craft operator's card;

201.17 (3) is operating a motorboat under a dealer's license according to section 86B.405; or

201.18 (4) is operating a motorboat during an emergency.

201.19 Subd. 5. **Motorboat rental business.** "Motorboat rental business" means a person
201.20 engaged in the business of renting or leasing motorboats, including personal watercraft, for
201.21 a period not exceeding 30 days. Motorboat rental business includes a person's agents and
201.22 employees but does not include a resort business.

201.23 Subd. 6. **Resort business.** "Resort business" means a person engaged in the business of
201.24 providing lodging and recreational services to transient guests and classified as a resort
201.25 under section 273.13, subdivision 22 or 25. A resort business includes a person's agents and
201.26 employees.

201.27 Subd. 7. **Young operator.** "Young operator" means a motorboat operator, including a
201.28 personal watercraft operator, younger than 12 years of age.

201.29 **EFFECTIVE DATE.** This section is effective July 1, 2025.

202.1 **Sec. 29. [86B.302] WATERCRAFT OPERATOR'S PERMIT.**

202.2 Subdivision 1. **Generally.** The commissioner must issue a watercraft operator's permit
202.3 to a person 12 years of age or older who successfully completes a water safety course and
202.4 written test according to section 86B.304, paragraph (a), or who provides proof of completing
202.5 a program subject to a reciprocity agreement or certified by the commissioner as substantially
202.6 similar.

202.7 Subd. 2. **Issuing permit to certain young operators.** The commissioner may issue a
202.8 permit under this section to a person who is at least 11 years of age, but the permit is not
202.9 valid until the person becomes an adult operator.

202.10 Subd. 3. **Personal possession required.** (a) A person who is required to have a watercraft
202.11 operator's permit must have in personal possession:

202.12 (1) a valid watercraft operator's permit;

202.13 (2) a driver's license that has a valid watercraft operator's permit indicator issued under
202.14 section 171.07, subdivision 20; or

202.15 (3) an identification card that has a valid watercraft operator's permit indicator issued
202.16 under section 171.07, subdivision 20.

202.17 (b) A person who is required to have a watercraft operator's permit must display one of
202.18 the documents described in paragraph (a) to a conservation officer or peace officer upon
202.19 request.

202.20 Subd. 4. **Using electronic device to display proof of permit.** If a person uses an
202.21 electronic device to display a document described in subdivision 3 to a conservation officer
202.22 or peace officer:

202.23 (1) the officer is immune from liability for any damage to the device, unless the officer
202.24 does not exercise due care in handling the device; and

202.25 (2) this does not constitute consent for the officer to access other contents on the device.

202.26 **EFFECTIVE DATE.** This section is effective July 1, 2025.

202.27 **Sec. 30. [86B.303] OPERATING PERSONAL WATERCRAFT AND OTHER**
202.28 **MOTORBOATS.**

202.29 Subdivision 1. **Adult operators.** An adult operator may not operate a motorboat,
202.30 including a personal watercraft, unless:

202.31 (1) the adult operator possesses a valid watercraft operator's permit;

203.1 (2) the adult operator is an exempt operator; or

203.2 (3) an accompanying operator is in the motorboat.

203.3 Subd. 2. **Young operators.** A young operator may not operate a motorboat, including
203.4 a personal watercraft, unless there is an accompanying operator in the boat or in case of an
203.5 emergency.

203.6 Subd. 3. **Accompanying operators.** For purposes of this section and section 169A.20,
203.7 an accompanying operator, as well as the actual operator, is operating and is in physical
203.8 control of a motorboat.

203.9 Subd. 4. **Owners may not allow unlawful use.** An owner or other person in lawful
203.10 control of a motorboat may not allow the motorboat to be operated contrary to this section.

203.11 **EFFECTIVE DATE.** This section is effective July 1, 2025.

203.12 Sec. 31. **[86B.304] WATERCRAFT SAFETY PROGRAM.**

203.13 (a) The commissioner must establish a water safety course and testing program for
203.14 personal watercraft and watercraft operators and must prescribe a written test as part of the
203.15 course. The course must be approved by the National Association of State Boating Law
203.16 Administrators and must be available online. The commissioner may allow designated water
203.17 safety courses administered by third parties to meet the requirements of this paragraph and
203.18 may enter into reciprocity agreements or otherwise certify boat safety education programs
203.19 from other states that are substantially similar to in-state programs. The commissioner must
203.20 establish a working group of interested parties to develop course content and implementation.
203.21 The course must include content on best management practices for mitigating aquatic
203.22 invasive species, reducing conflicts among user groups, and limiting the ecological impacts
203.23 of watercraft.

203.24 (b) The commissioner must create or designate a short boater safety examination to be
203.25 administered by motorboat rental businesses, as required by section 86B.306, subdivision
203.26 3. The examination developed under this paragraph must be one that can be administered
203.27 electronically or on paper, at the option of the motorboat rental business administering the
203.28 examination.

203.29 **EFFECTIVE DATE.** This section is effective July 1, 2025.

204.1 Sec. 32. **[86B.306] MOTORBOAT RENTAL BUSINESSES.**

204.2 **Subdivision 1. Requirements.** A motorboat rental business must not rent or lease a
204.3 motorboat, including a personal watercraft, to any person for operation on waters of this
204.4 state unless the renter or lessee:

204.5 (1) has a valid watercraft operator's permit or is an exempt operator; and

204.6 (2) is 18 years of age or older.

204.7 **Subd. 2. Authorized operators.** A motorboat rental business must list on each motorboat
204.8 rental or lease agreement the name and age of each operator who is authorized to operate
204.9 the motorboat or personal watercraft. The renter or lessee of the motorboat must ensure that
204.10 only listed authorized operators operate the motorboat or personal watercraft.

204.11 **Subd. 3. Summary of boating regulations; examination.** (a) A motorboat rental
204.12 business must provide each authorized operator a summary of the statutes and rules governing
204.13 operation of motorboats and personal watercraft in the state and instructions for safe
204.14 operation.

204.15 (b) Each authorized operator, other than those holding a valid watercraft operator's permit
204.16 or an exempt operator, must review the summary provided under this subdivision and must
204.17 take a short boater safety examination in a form approved by the commissioner before the
204.18 motorboat or personal watercraft leaves the motorboat rental business premises, unless the
204.19 authorized operator has taken the examination during the previous 180 days.

204.20 **Subd. 4. Safety equipment for personal watercraft.** A motorboat rental business must
204.21 provide to all persons who rent a personal watercraft, at no additional cost, a United States
204.22 Coast Guard (USCG) approved wearable personal flotation device with a USCG label
204.23 indicating it either is approved for or does not prohibit use with personal watercraft or
204.24 water-skiing and any other required safety equipment.

204.25 **EFFECTIVE DATE.** This section is effective July 1, 2025.

204.26 Sec. 33. Minnesota Statutes 2022, section 86B.313, subdivision 4, is amended to read:

204.27 **Subd. 4. Dealers and rental operations.** (a) A dealer of personal watercraft shall
204.28 distribute a summary of the laws and rules governing the operation of personal watercraft
204.29 and, upon request, shall provide instruction to a purchaser regarding:

204.30 (1) the laws and rules governing personal watercraft; and

204.31 (2) the safe operation of personal watercraft.

205.1 (b) ~~A person who offers personal watercraft for rent:~~

205.2 ~~(1) shall provide a summary of the laws and rules governing the operation of personal~~
205.3 ~~watercraft and provide instruction regarding the laws and rules and the safe operation of~~
205.4 ~~personal watercraft to each person renting a personal watercraft;~~

205.5 ~~(2) shall provide a United States Coast Guard (USCG) approved wearable personal~~
205.6 ~~flotation device with a USCG label indicating it either is approved for or does not prohibit~~
205.7 ~~use with personal watercraft or water skiing and any other required safety equipment to all~~
205.8 ~~persons who rent a personal watercraft at no additional cost; and~~

205.9 ~~(3) shall require that a watercraft operator's permit from this state or from the operator's~~
205.10 ~~state of residence be shown each time a personal watercraft is rented to any person younger~~
205.11 ~~than age 18 and shall record the permit on the form provided by the commissioner.~~

205.12 ~~(e) Each dealer of personal watercraft or person offering personal watercraft for rent~~
205.13 ~~shall have the person who purchases or rents a personal watercraft sign a form provided by~~
205.14 ~~the commissioner acknowledging that the purchaser or renter has been provided a copy of~~
205.15 ~~the laws and rules regarding personal watercraft operation and has read them. The form~~
205.16 ~~must be retained by the dealer or person offering personal watercraft for rent for a period~~
205.17 ~~of six months following the date of signature and must be made available for inspection by~~
205.18 ~~sheriff's deputies or conservation officers during normal business hours.~~

205.19 **EFFECTIVE DATE.** This section is effective July 1, 2025.

205.20 Sec. 34. Minnesota Statutes 2022, section 86B.415, subdivision 1, is amended to read:

205.21 Subdivision 1. **Watercraft 19 feet or less.** (a) Except as provided in paragraph (b) and
205.22 subdivision 1a, the fee for a watercraft license for watercraft 19 feet or less in length is ~~\$27~~
205.23 \$59.

205.24 (b) The watercraft license fee is:

205.25 (1) for watercraft, other than personal watercraft, 19 feet in length or less that is offered
205.26 for rent or lease, ~~the fee is \$9~~ \$14;

205.27 (2) for a sailboat, 19 feet in length or less, ~~the fee is \$10.50~~ \$23;

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

205.30 (4) for a watercraft owned by a dealer under a dealer's license, ~~the fee is~~ as provided in
205.31 subdivision 5;

206.1 (5) for a personal watercraft, ~~the fee is \$37.50~~ including one offered for rent or lease,
206.2 \$85; and

206.3 (6) for a watercraft less than 17 feet in length, other than a watercraft listed in clauses
206.4 (1) to (5), ~~the fee is \$18~~ \$36.

206.5 Sec. 35. Minnesota Statutes 2022, section 86B.415, subdivision 1a, is amended to read:

206.6 Subd. 1a. **Canoes, kayaks, sailboards, paddleboards, paddleboats, or rowing**
206.7 **shells.** The fee for a watercraft license for a canoe, kayak, sailboard, paddleboard, paddleboat,
206.8 or rowing shell over ten feet in length is ~~\$10.50~~ \$23.

206.9 Sec. 36. Minnesota Statutes 2022, section 86B.415, subdivision 2, is amended to read:

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

206.12 (1) for a watercraft more than 19 feet but less than 26 feet in length is ~~\$45~~ \$113;

206.13 (2) for a watercraft 26 feet but less than 40 feet in length is ~~\$67.50~~ \$164; and

206.14 (3) for a watercraft 40 feet in length or longer is ~~\$90~~ \$209.

206.15 Sec. 37. Minnesota Statutes 2022, section 86B.415, subdivision 3, is amended to read:

206.16 Subd. 3. **Watercraft over 19 feet for hire commercial use.** The license fee for a
206.17 watercraft ~~more than 19 feet in length for hire with an operator~~ used primarily for charter
206.18 fishing, commercial fishing, commercial passenger carrying, or other commercial operation
206.19 is ~~\$75~~ \$164 each.

206.20 Sec. 38. Minnesota Statutes 2022, section 86B.415, subdivision 4, is amended to read:

206.21 Subd. 4. **Watercraft used by nonprofit corporation for teaching.** The watercraft
206.22 license fee for a watercraft used by a nonprofit organization for teaching boat and water
206.23 safety is ~~\$4.50~~ \$8 each.

206.24 Sec. 39. Minnesota Statutes 2022, section 86B.415, subdivision 5, is amended to read:

206.25 Subd. 5. **Dealer's license.** There is no separate fee for watercraft owned by a dealer
206.26 under a dealer's license. The fee for a dealer's license is ~~\$67.50~~ \$142.

207.1 Sec. 40. Minnesota Statutes 2022, section 86B.415, subdivision 7, is amended to read:

207.2 Subd. 7. **Watercraft surcharge.** A ~~\$10.60~~ \$20 surcharge is placed on each watercraft
207.3 licensed under subdivisions 1 to 5 for control, public awareness, law enforcement, monitoring,
207.4 and research of aquatic invasive species such as zebra mussel, purple loosestrife, and Eurasian
207.5 watermilfoil in public waters and public wetlands.

207.6 Sec. 41. **[88.83] EMERALD ASH BORER RESPONSE.**

207.7 Subdivision 1. **Purpose.** The legislature finds that an epidemic of an invasive plant pest,
207.8 the emerald ash borer, is occurring in Minnesota, threatening the natural environment, and
207.9 generating large volumes of wood waste from ash trees. Immediate action is therefore
207.10 necessary to provide funding to assist local units of government with treating, removing,
207.11 and replacing ash trees in response to emerald ash borer infestations and managing the
207.12 resulting wood waste and to preserve existing biomass energy infrastructure that is critical
207.13 to support local and regional emerald ash borer response programs.

207.14 Subd. 2. **Establishment.** The commissioner must establish a program to:

207.15 (1) provide state matching grants to assist communities with treating, removing, and
207.16 replacing ash trees in response to the emerald ash borer epidemic and managing wood waste,
207.17 including the remains of ash trees removed in response to the epidemic; and

207.18 (2) identify and designate existing biomass energy facilities that are critical infrastructure
207.19 for local and regional emerald ash borer response programs.

207.20 Subd. 3. **Eligible applicants.** The commissioner may award grants under this section
207.21 to:

207.22 (1) local units of government, including cities, counties, regional authorities, joint powers
207.23 boards, towns, and parks and recreation boards in cities of the first class that are responding
207.24 or actively preparing to respond to an emerald ash borer infestation; and

207.25 (2) a Minnesota nonprofit corporation that owns a cogeneration facility that serves a St.
207.26 Paul district heating and cooling system.

207.27 Subd. 4. **Eligible expenditures.** Local units of government are eligible for matching
207.28 grants of up to 50 percent of costs incurred to properly manage, transport, process, and
207.29 dispose of wood waste containing ash tree material, including reuse and higher-value
207.30 applications, wood waste storage yards, and costs associated with processing wood waste
207.31 into usable biomass fuel and transporting it to designated biomass energy facilities. A
207.32 Minnesota nonprofit corporation that owns a biomass-fueled combined heat and power plant

208.1 servicing a district heating system is eligible for grants of up to \$20 per ton of processed
208.2 biomass fuel containing wood waste from ash trees processed in response to the emerald
208.3 ash borer epidemic. The commissioner may require the nonprofit corporation to charge a
208.4 fee per ton of ash tree wood waste delivered to the facility.

208.5 Subd. 5. **Reporting.** A nonprofit corporation receiving a grant under this section must
208.6 compile a quarterly report on the volume of wood waste utilized as fuel at the facility using
208.7 the same method used to compile the annual utilization of wood fuel for the Pollution Control
208.8 Agency's annual emission inventory report required under Minnesota Rules, part 7019.3000,
208.9 and must submit the information to the commissioner every three months beginning 120
208.10 days after the nonprofit corporation is eligible to receive grants.

208.11 Sec. 42. **[88.85] LOWLAND CONIFER CARBON RESERVE.**

208.12 Subdivision 1. **Definition.** For the purposes of this section, "lowland conifer stands"
208.13 means treed wetlands that occur on mucky mineral or wet organic soils. Lowland conifer
208.14 stands include black spruce, tamarack, and white cedar cover types, including stagnant
208.15 stands. These cover types include three wetland forest systems:

208.16 (1) wet forest system;

208.17 (2) rich forested peatland system; and

208.18 (3) acid peatland system.

208.19 Subd. 2. **Establishment.** (a) The Lowland Conifer Carbon Reserve is established to
208.20 mitigate climate change and protect ecologically unique areas. It includes all stands in the
208.21 state forest system identified as lowland conifer stands under this section and includes the
208.22 distribution of underlying peatlands associated with or adjoining each stand.

208.23 (b) By January 1, 2024, the commissioner must designate and list the areas included in
208.24 the Lowland Conifer Carbon Reserve and submit a report with the designated list to the
208.25 chairs and ranking minority members of the legislative committees and divisions with
208.26 jurisdiction over environment and natural resources.

208.27 (c) By July 1, 2024, the commissioner must prepare maps locating the areas identified
208.28 under paragraph (b); provide, to the extent possible, legal descriptions of each area; and
208.29 submit the maps and legal descriptions to the chairs and ranking minority members of the
208.30 legislative committees and divisions with jurisdiction over environment and natural resources.

208.31 Subd. 3. **Carbon sequestration; reports.** (a) By January 1, 2025, the commissioner
208.32 must prepare and submit a report to the chairs and ranking minority members of the

209.1 legislative committees and divisions with jurisdiction over environment and natural resources
209.2 with a list of all stands in the Lowland Conifer Carbon Reserve that are 90 years of age or
209.3 older and an estimate of the tons of carbon sequestered in the boles of the trees in these
209.4 stands. The commissioner must update and submit the report to the chairs and ranking
209.5 minority members every five years thereafter.

209.6 (b) By January 1, 2025, the commissioner must prepare and submit a report to the chairs
209.7 and ranking minority members of the legislative committees and divisions with jurisdiction
209.8 over environment and natural resources identifying any bogs and peatlands in the Lowland
209.9 Conifer Carbon Reserve and an estimate of the tons of carbon sequestered in the peat.

209.10 Subd. 4. **Productive stands; report.** By January 1, 2025, the commissioner must prepare
209.11 and submit a report to the chairs and ranking minority members of the legislative committees
209.12 and divisions with jurisdiction over environment and natural resources with a list and map
209.13 showing all productive stands in the Lowland Conifer Carbon Reserve and identify which
209.14 stands were harvested within the five years preceding establishment of the Lowland Conifer
209.15 Carbon Reserve. By January 15 each year thereafter, the commissioner must update the list
209.16 showing the most recent harvest year and species harvested and submit the list in a report
209.17 to the chairs and ranking minority members of the legislative committees and divisions with
209.18 jurisdiction over environment and natural resources finance and policy.

209.19 Subd. 5. **Timber harvesting restrictions.** (a) The commissioner may issue a timber
209.20 permit to harvest a stand in the Lowland Conifer Carbon Reserve only if:

209.21 (1) the stand is less than 90 years of age; and

209.22 (2) the stand is accessible to heavy logging equipment as determined by the commissioner.

209.23 (b) For stands accessible for only part of the year, trees may be harvested only during
209.24 the times the stand is accessible as determined by the commissioner.

209.25 Subd. 6. **Peat harvesting restrictions.** (a) A person may not harvest peat in the Lowland
209.26 Conifer Carbon Reserve.

209.27 (b) This subdivision does not apply to peat harvested under a permit issued before the
209.28 peat was included in the Lowland Conifer Carbon Reserve.

209.29 Subd. 7. **Management.** To the extent possible, the commissioner must passively manage
209.30 stands in the Lowland Conifer Carbon Reserve. Regeneration of harvested stands in the
209.31 Lowland Conifer Carbon Reserve must be done naturally.

209.32 Subd. 8. **Drained lands.** The commissioner must identify lands in the Lowland Conifer
209.33 Carbon Reserve that were drained for agricultural purposes but forfeited to the state for

210.1 nonpayment of taxes. The commissioner must make reasonable efforts to restore the lands
210.2 to their original hydrological condition, such as blocking or filling active drain pipes, tiles,
210.3 or ditches on the lands.

210.4 Subd. 9. **School trust lands.** The commissioner must compensate the permanent school
210.5 fund for school trust lands in the Lowland Conifer Carbon Reserve. To the extent funding
210.6 is available under section 16A.152, subdivision 2, and other sources, the commissioner must
210.7 extinguish the school trust interest of lands as provided under section 92.83. Payments for
210.8 school trust lands without commercial value must be compensated at an amount equal to
210.9 \$500 per acre. Payments for school trust lands with commercial value must be compensated
210.10 at a rate agreed to by the commissioner and the school trust lands director for each parcel,
210.11 with a parcel comprising a single stand or multiple adjoining stands.

210.12 Subd. 10. **Existing contracts and legislation.** Obligations, including permits, leases,
210.13 and legislative directives, that are in effect before designation of the Lowland Conifer Carbon
210.14 Reserve are not impacted by this section and continue until they expire or are removed.

210.15 Subd. 11. **Sunset.** This section expires December 31, 2099.

210.16 Sec. 43. Minnesota Statutes 2022, section 89A.03, subdivision 5, is amended to read:

210.17 Subd. 5. **Membership regulation.** Terms, compensation, nomination, appointment, and
210.18 removal of council members are governed by section 15.059, except that a council member
210.19 may be compensated at the rate of up to \$125 a day.

210.20 Sec. 44. Minnesota Statutes 2022, section 90.181, subdivision 2, is amended to read:

210.21 Subd. 2. **Deferred payments.** (a) If the amount of the statement is not paid or the payment
210.22 is not postmarked within 30 days of the statement date ~~thereof, it shall bear, the amount~~
210.23 bears interest at the rate determined pursuant to section 16A.124, except that the purchaser
210.24 ~~shall not be~~ is not required to pay interest that totals \$1 or less. If the amount is not paid
210.25 within 60 days, the commissioner shall place the account in the hands of the commissioner
210.26 of revenue according to chapter 16D, who shall proceed to collect the ~~same~~ amount due.
210.27 When deemed in the best interests of the state, the commissioner shall take possession of
210.28 the timber for which an amount is due wherever it may be found and sell the ~~same~~ timber
210.29 informally or at public auction after giving reasonable notice.

210.30 (b) The proceeds of the sale ~~shall~~ must be applied, first, to the payment of the expenses
210.31 of seizure and sale; and, second, to the payment of the amount due for the timber, with
210.32 interest; ~~and.~~ The surplus, if any, shall belong belongs to the state; ~~and.~~ In case a sufficient

211.1 amount is not realized to pay these amounts in full, the balance ~~shall~~ must be collected by
 211.2 the attorney general. ~~Neither~~ Payment of the amount, ~~nor~~ the recovery of judgment ~~therefor~~
 211.3 for the amount, nor satisfaction of the judgment, ~~nor~~ the or seizure and sale of timber, ~~shall~~
 211.4 does not:

211.5 (1) release the sureties on any security deposit given pursuant to this chapter, or;

211.6 (2) preclude the state from afterwards claiming that the timber was cut or removed
 211.7 contrary to law and recovering damages for the trespass thereby committed; or

211.8 (3) preclude the state from prosecuting the offender criminally.

211.9 Sec. 45. Minnesota Statutes 2022, section 97A.015, is amended by adding a subdivision
 211.10 to read:

211.11 Subd. 32b. **Native swan.** "Native swan" means a trumpeter swan or a tundra swan but
 211.12 does not include a mute swan.

211.13 Sec. 46. Minnesota Statutes 2022, section 97A.031, is amended to read:

211.14 **97A.031 WANTON WASTE.**

211.15 (a) Unless expressly allowed, a person may not wantonly waste or destroy a usable part
 211.16 of a protected wild animal.

211.17 (b) This section does not apply to common carp.

211.18 Sec. 47. **[97A.096] DESIGNATED SWAN PROTECTION AREAS.**

211.19 Subdivision 1. **Swan protection areas.** The commissioner of natural resources must
 211.20 designate waters within the seven-county metropolitan area that provide critical habitat for
 211.21 swan nesting, migration, and foraging as swan protection areas.

211.22 Subd. 2. **Public notice and meeting.** (a) Before the commissioner designates or removes
 211.23 a designation of a swan protection area, the commissioner must receive public comment
 211.24 and hold a public meeting in the county where the largest portion of the affected water is
 211.25 located.

211.26 (b) At least 90 days before the public meeting, the commissioner must post notice of
 211.27 the proposed designation or removal of a designation at publicly maintained access points
 211.28 on the affected water.

211.29 (c) Before the public meeting, the commissioner must publish notice of the meeting in
 211.30 a news release issued by the commissioner and in a newspaper of general circulation in the

212.1 area where the proposed swan protection area is located. The notice must be published at
212.2 least once 30 to 60 days before the meeting and at least once seven to 30 days before the
212.3 meeting.

212.4 (d) The notices required in this subdivision must summarize the proposed action, invite
212.5 public comment, and specify a deadline for receiving public comments. The commissioner
212.6 must send each required notice to persons who have registered their names with the
212.7 commissioner for this purpose. The commissioner must consider any public comments
212.8 received in making a final decision.

212.9 (e) Designating swan protection areas or removing designations according to this
212.10 subdivision is not subject to the rulemaking requirements of chapter 14, and section 14.386
212.11 does not apply.

212.12 Subd. 3. **Using lead sinkers.** A person may not use lead sinkers on a water designated
212.13 by the commissioner as a swan protection area under subdivision 1. The commissioner must
212.14 maintain a list of swan protection areas and information on the lead sinker restrictions on
212.15 the department's website and in any summary of fishing regulations required under section
212.16 97A.051.

212.17 Subd. 4. **Report.** By January 15, 2026, the commissioner of natural resources must
212.18 submit a report to the chairs and ranking minority members of the legislative committees
212.19 and divisions with jurisdiction over environment and natural resources on the implementation
212.20 of this section and any recommendations.

212.21 Subd. 5. **Sunset.** This section expires January 1, 2027.

212.22 Sec. 48. Minnesota Statutes 2022, section 97A.126, is amended to read:

212.23 **97A.126 WALK-IN ACCESS PROGRAM.**

212.24 Subdivision 1. **Establishment.** A walk-in access program is established to provide public
212.25 access to wildlife habitat on private land for hunting, bird-watching, nature photography,
212.26 and similar compatible uses, excluding trapping, as provided under this section. The
212.27 commissioner may enter into agreements with other units of government and landowners
212.28 to provide private land hunting access.

212.29 Subd. 2. **Use of enrolled lands.** (a) From September 1 to May 31, a person must have
212.30 a walk-in access ~~hunter~~ validation in possession to hunt, photograph, and watch wildlife on
212.31 private lands, including agricultural lands, that are posted as being enrolled in the walk-in
212.32 access program.

213.1 (b) Hunting, bird-watching, nature photography, and similar compatible uses on private
 213.2 lands that are posted as enrolled in the walk-in access program is allowed from one-half
 213.3 hour before sunrise to one-half hour after sunset.

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

213.8 (d) The general provisions for use of wildlife management areas adopted under sections
 213.9 86A.06 and 97A.137, relating to overnight use, alcoholic beverages, use of motorboats,
 213.10 firearms and target shooting, hunting stands, abandonment of trash and property, destruction
 213.11 or removal of property, introduction of plants or animals, and animal trespass, apply to
 213.12 ~~hunters on~~ use of lands enrolled in the walk-in access program.

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

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

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

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

213.19 Subd. 3. **Walk-in-access ~~hunter~~ validation; fee.** The fee for a walk-in-access ~~hunter~~
 213.20 validation is \$3.

213.21 Sec. 49. Minnesota Statutes 2022, section 97A.137, subdivision 3, is amended to read:

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

213.30 ~~(1) the required hunting licenses; and~~

213.31 ~~(2) a permit to shoot from a stationary vehicle under section 97B.055, subdivision 3.~~

214.1 Sec. 50. Minnesota Statutes 2022, section 97A.315, subdivision 1, is amended to read:

214.2 Subdivision 1. **Criminal penalties.** (a) Except as provided in paragraph (b), a person
214.3 that violates a provision of section 97B.001, relating to trespass is guilty of a misdemeanor
214.4 except as provided in paragraph (b).

214.5 (b) A person is guilty of a gross misdemeanor if the person:

214.6 (1) knowingly disregards signs prohibiting trespass;

214.7 (2) trespasses after personally being notified by the landowner or lessee not to trespass;

214.8 or

214.9 (3) is convicted of violating this section more than once in a three-year period.

214.10 (c) Notwithstanding section 609.101, subdivision 4, clause (2), for a misdemeanor
214.11 violation, the minimum fine for a person who operates an off-highway motorcycle, off-road
214.12 vehicle, all-terrain vehicle, or snowmobile in violation of this section must not be less than
214.13 the amount set forth in section 84.775.

214.14 Sec. 51. Minnesota Statutes 2022, section 97A.401, subdivision 1, is amended to read:

214.15 Subdivision 1. **Commissioner's authority.** The commissioner may issue special permits
214.16 for the activities in this section. A special permit may be issued in the form of a general
214.17 permit to a governmental subdivision or to the general public to conduct one or more
214.18 activities under subdivisions 2 to & 9.

214.19 Sec. 52. Minnesota Statutes 2022, section 97A.401, is amended by adding a subdivision
214.20 to read:

214.21 Subd. 9. **Taking wild animals with federal incidental take permit.** The commissioner
214.22 must prescribe conditions for and may issue a permit to a person for taking wild animals
214.23 during activities covered under a federal incidental take permit issued under section
214.24 10(a)(1)(B) of the federal Endangered Species Act, including to a landowner for taking wild
214.25 animals during activities covered by a certificate of inclusion issued by the commissioner
214.26 under Code of Federal Regulations, title 50, section 13.25(e).

214.27 Sec. 53. Minnesota Statutes 2022, section 97A.405, subdivision 5, is amended to read:

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

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

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

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

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

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

215.12 (1) must contain the enrolled Tribal member's Minnesota residence address; and

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

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

215.18 Sec. 54. Minnesota Statutes 2022, section 97A.421, subdivision 3, is amended to read:

215.19 Subd. 3. **Issuance after conviction; big game.** (a) A person may not use a big-game
 215.20 license purchased before conviction, obtain ~~any~~ a big-game license₂, or take big game under
 215.21 a lifetime license, issued under section 97A.473, for three years after the person is convicted
 215.22 of:

215.23 (1) a gross misdemeanor violation under the game and fish laws relating to big game;

215.24 (2) doing an act without a required big-game license; or

215.25 (3) the second violation within three years under the game and fish laws relating to big
 215.26 game.

215.27 (b) A person may not obtain any deer license or take deer under a lifetime license issued
 215.28 under section 97A.473 for one year after the person is convicted of hunting deer with the
 215.29 aid or use of bait under section 97B.328.

216.1 (c) The revocation period under paragraphs (a) and (b) doubles if the conviction is for
216.2 a deer that is a trophy deer scoring higher than 170 using the scoring method established
216.3 for wildlife restitution values adopted under section 97A.345.

216.4 Sec. 55. Minnesota Statutes 2022, section 97A.473, subdivision 2, is amended to read:

216.5 Subd. 2. **Lifetime angling license; fee.** (a) A resident lifetime angling license authorizes
216.6 a person to take fish by angling in the state. The license authorizes those activities authorized
216.7 by the annual resident angling license. The license does not include a trout-and-salmon
216.8 stamp validation, a walleye stamp validation, or other stamps required by law.

216.9 (b) The fees for a resident lifetime angling license are:

216.10 (1) age 3 and under, ~~\$344~~ \$413;

216.11 (2) age 4 to age 15, ~~\$469~~ \$563;

216.12 (3) age 16 to age 50, ~~\$574~~ \$689; and

216.13 (4) age 51 and over, ~~\$379~~ \$455.

216.14 Sec. 56. Minnesota Statutes 2022, section 97A.473, subdivision 2a, is amended to read:

216.15 Subd. 2a. **Lifetime spearing license; fee.** (a) A resident lifetime spearing license
216.16 authorizes a person to take fish by spearing in the state. The license authorizes those activities
216.17 authorized by the annual resident spearing license.

216.18 (b) The fees for a resident lifetime spearing license are:

216.19 (1) age 3 and under, ~~\$90~~ \$108;

216.20 (2) age 4 to age 15, ~~\$124~~ \$149;

216.21 (3) age 16 to age 50, ~~\$117~~ \$141; and

216.22 (4) age 51 and over, ~~\$61~~ \$74.

216.23 Sec. 57. Minnesota Statutes 2022, section 97A.473, subdivision 2b, is amended to read:

216.24 Subd. 2b. **Lifetime angling and spearing license; fee.** (a) A resident lifetime angling
216.25 and spearing license authorizes a person to take fish by angling or spearing in the state. The
216.26 license authorizes those activities authorized by the annual resident angling and spearing
216.27 licenses.

216.28 (b) The fees for a resident lifetime angling and spearing license are:

216.29 (1) age 3 and under, ~~\$432~~ \$519;

217.1 (2) age 4 to age 15, ~~\$579~~ \$695;

217.2 (3) age 16 to age 50, ~~\$678~~ \$814; and

217.3 (4) age 51 and over, ~~\$439~~ \$527.

217.4 Sec. 58. Minnesota Statutes 2022, section 97A.473, subdivision 5, is amended to read:

217.5 Subd. 5. **Lifetime sporting license; fee.** (a) A resident lifetime sporting license authorizes
217.6 a person to take fish by angling and hunt and trap small game, other than wolves, in the
217.7 state. The license authorizes those activities authorized by the annual resident angling and
217.8 resident small-game-hunting licenses and the resident trapping license for fur-bearing
217.9 animals other than wolves. The license does not include a trout-and-salmon stamp validation,
217.10 a turkey stamp validation, a walleye stamp validation, or any other hunting stamps required
217.11 by law.

217.12 (b) The fees for a resident lifetime sporting license are:

217.13 (1) age 3 and under, ~~\$522~~ \$573;

217.14 (2) age 4 to age 15, ~~\$710~~ \$779;

217.15 (3) age 16 to age 50, ~~\$927~~ \$1,017; and

217.16 (4) age 51 and over, ~~\$603~~ \$662.

217.17 Sec. 59. Minnesota Statutes 2022, section 97A.473, subdivision 5a, is amended to read:

217.18 Subd. 5a. **Lifetime sporting with spearing option license; fee.** (a) A resident lifetime
217.19 sporting with spearing option license authorizes a person to take fish by angling or spearing
217.20 and hunt and trap small game, other than wolves, in the state. The license authorizes those
217.21 activities authorized by the annual resident angling, spearing, and resident
217.22 small-game-hunting licenses and the resident trapping license for fur-bearing animals other
217.23 than wolves. The license does not include a trout-and-salmon stamp validation, a turkey
217.24 stamp validation, a walleye stamp validation, or any other hunting stamps required by law.

217.25 (b) The fees for a resident lifetime sporting with spearing option license are:

217.26 (1) age 3 and under, ~~\$612~~ \$676;

217.27 (2) age 4 to age 15, ~~\$833~~ \$921;

217.28 (3) age 16 to age 50, ~~\$1,046~~ \$1,153; and

217.29 (4) age 51 and over, ~~\$666~~ \$733.

218.1 Sec. 60. Minnesota Statutes 2022, section 97A.474, subdivision 2, is amended to read:

218.2 Subd. 2. **Nonresident lifetime angling license; fee.** (a) A nonresident lifetime angling
218.3 license authorizes a person to take fish by angling in the state. The license authorizes those
218.4 activities authorized by the annual nonresident angling license. The license does not include
218.5 a trout-and-salmon stamp validation, a walleye stamp validation, or other stamps required
218.6 by law.

218.7 (b) The fees for a nonresident lifetime angling license are:

218.8 (1) age 3 and under, ~~\$821~~ \$1,068;

218.9 (2) age 4 to age 15, ~~\$1,046~~ \$1,360;

218.10 (3) age 16 to age 50, ~~\$1,191~~ \$1,549; and

218.11 (4) age 51 and over, ~~\$794~~ \$1,033.

218.12 Sec. 61. Minnesota Statutes 2022, section 97A.475, subdivision 6, is amended to read:

218.13 Subd. 6. **Resident fishing.** Fees for the following licenses, to be issued to residents only,
218.14 are:

218.15 (1) for persons age 18 or over to take fish by angling, ~~\$25~~ \$30;

218.16 (2) for persons age 18 or over to take fish by angling, for a combined license for a married
218.17 couple, ~~\$40~~ \$48;

218.18 (3) for persons age 18 or over to take fish by spearing from a dark house, ~~\$6~~ \$8, and the
218.19 person must possess an angling license;

218.20 (4) for persons age 18 or over to take fish by angling for a 24-hour period selected by
218.21 the licensee, ~~\$12~~ \$15;

218.22 (5) for persons age 18 or over to take fish by angling for a consecutive 72-hour period
218.23 selected by the licensee, ~~\$14~~ \$17;

218.24 (6) for persons age 18 or over to take fish by angling for three consecutive years, ~~\$71~~
218.25 \$86; and

218.26 (7) for persons age 16 or over and under age 18 to take fish by angling, ~~\$5~~ \$6.

218.27 Sec. 62. Minnesota Statutes 2022, section 97A.475, subdivision 7, is amended to read:

218.28 Subd. 7. **Nonresident fishing.** (a) Fees for the following licenses, to be issued to
218.29 nonresidents, are:

- 219.1 (1) for persons age 18 or over to take fish by angling, ~~\$46~~ \$62;
- 219.2 (2) for persons age 18 or over to take fish by angling limited to seven consecutive days
219.3 selected by the licensee, ~~\$38~~ \$51;
- 219.4 (3) for persons age 18 or over to take fish by angling for a consecutive 72-hour period
219.5 selected by the licensee, ~~\$31~~ \$42;
- 219.6 (4) for persons age 18 or over to take fish by angling for a combined license for a family
219.7 for one or both parents and dependent children under the age of 16, ~~\$63~~ \$84;
- 219.8 (5) for persons age 18 or over to take fish by angling for a 24-hour period selected by
219.9 the licensee, ~~\$14~~ \$19;
- 219.10 (6) to take fish by angling for a combined license for a married couple, limited to 14
219.11 consecutive days selected by one of the licensees, ~~\$49~~ \$66;
- 219.12 (7) for persons age 18 or over to take fish by spearing from a dark house, ~~\$12~~ \$18, and
219.13 the person must possess an angling license; and
- 219.14 (8) for persons age 16 or over and under age 18 to take fish by angling, ~~\$5~~ \$6.
- 219.15 (b) A \$5 surcharge shall be added to all nonresident fishing licenses, except licenses
219.16 issued under paragraph (a), clauses (5) and (8). An additional commission may not be
219.17 assessed on this surcharge.
- 219.18 Sec. 63. Minnesota Statutes 2022, section 97A.475, subdivision 8, is amended to read:
- 219.19 Subd. 8. **Minnesota sporting; supersports.** (a) The commissioner shall issue Minnesota
219.20 sporting licenses to residents only. The licensee may take fish by angling and small game.
219.21 The fee for the license is:
- 219.22 (1) for an individual, ~~\$34.50~~ \$40.50; and
- 219.23 (2) for a combined license for a married couple to take fish and for one spouse to take
219.24 small game, ~~\$50.50~~ \$61.50.
- 219.25 (b) The commissioner shall issue Minnesota supersports licenses to residents only. The
219.26 licensee may take fish by angling, including trout; small game, including pheasant and
219.27 waterfowl; and deer by firearms or muzzleloader or by archery. The fee for the supersports
219.28 license, including all required stamp validations is:
- 219.29 (1) for an individual age 18 or over, ~~\$93.50~~ \$102.50; and

220.1 (2) for a combined license for a married couple to take fish, including the
220.2 trout-and-salmon stamp validation, and for one spouse to take small game, including pheasant
220.3 and waterfowl, and deer, ~~\$119.50~~ \$137.50.

220.4 (c) Revenue for the stamp endorsements under paragraph (b) shall be deposited according
220.5 to section 97A.075, subdivisions 2, 3, and 4.

220.6 (d) Revenue for the deer license endorsement under paragraph (b) shall be deposited
220.7 according to section 97A.075, subdivision 1.

220.8 Sec. 64. Minnesota Statutes 2022, section 97A.475, subdivision 10, is amended to read:

220.9 Subd. 10. **Trout-and-salmon stamp validation.** The fee for a trout-and-salmon stamp
220.10 validation is ~~\$10~~ \$12.

220.11 Sec. 65. Minnesota Statutes 2022, section 97A.475, subdivision 10a, is amended to read:

220.12 Subd. 10a. **Walleye stamp validation.** A person may agree to purchase a walleye stamp
220.13 validation for ~~\$5~~ \$6.

220.14 Sec. 66. Minnesota Statutes 2022, section 97A.475, subdivision 11, is amended to read:

220.15 Subd. 11. **Fish houses, dark houses, and shelters; residents.** Fees for the following
220.16 licenses are:

220.17 (1) annual for a fish house, dark house, or shelter that is not rented, ~~\$15~~ \$18;

220.18 (2) annual for a fish house, dark house, or shelter that is rented, ~~\$30~~ \$36;

220.19 (3) three-year for a fish house, dark house, or shelter that is not rented, ~~\$42~~ \$51; and

220.20 (4) three-year for a fish house, dark house, or shelter that is rented, ~~\$87~~ \$105.

220.21 Sec. 67. Minnesota Statutes 2022, section 97A.475, subdivision 12, is amended to read:

220.22 Subd. 12. **Fish houses, dark houses, and shelters; nonresident.** Fees for fish house,
220.23 dark house, and shelter licenses for a nonresident are:

220.24 (1) annual, ~~\$37~~ \$49;

220.25 (2) seven consecutive days selected by the licensee, ~~\$21~~ \$28; and

220.26 (3) three-year, ~~\$111~~ \$145.

221.1 Sec. 68. Minnesota Statutes 2022, section 97A.475, subdivision 13, is amended to read:

221.2 Subd. 13. **Netting whitefish and ciscoes for personal consumption.** The fee for a
221.3 license to net whitefish and ciscoes in inland lakes and international waters for personal
221.4 consumption is, for each net, ~~\$10~~ \$12.

221.5 Sec. 69. Minnesota Statutes 2022, section 97A.475, subdivision 41, is amended to read:

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

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

221.10 ~~(c) The fee for a turtle seller's apprentice license is \$100.~~

221.11 **EFFECTIVE DATE.** This section is effective January 1, 2024.

221.12 Sec. 70. Minnesota Statutes 2022, section 97B.071, is amended to read:

221.13 **97B.071 CLOTHING AND GROUND BLIND REQUIREMENTS; BLAZE**
221.14 **ORANGE OR BLAZE PINK.**

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

221.22 (b) Except as provided in rules adopted under paragraph ~~(e)~~ (d), and in addition to the
221.23 requirement in paragraph (a), a person may not take small game other than turkey, migratory
221.24 birds, raccoons, and predators, except while trapping, unless a visible portion of at least one
221.25 article of the person's clothing above the waist is blaze orange or blaze pink. This paragraph
221.26 does not apply to a person when in a stationary location while hunting deer by archery or
221.27 when hunting small game by falconry.

221.28 (c) A person in a fabric or synthetic ground blind on public land must have:

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

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

222.1 ~~(e)~~ (d) The commissioner may, by rule, prescribe an alternative color in cases where
222.2 paragraph (a) or (b) would violate the Religious Freedom Restoration Act of 1993, Public
222.3 Law 103-141.

222.4 ~~(d)~~ (e) A violation of paragraph (b) ~~shall~~ does not result in a penalty, but is punishable
222.5 only by a safety warning.

222.6 Sec. 71. Minnesota Statutes 2022, section 97B.301, subdivision 6, is amended to read:

222.7 Subd. 6. **Residents or nonresidents under age 18; taking either-sex deer.** A resident
222.8 or nonresident under the age of 18 may take a deer of either sex except in those antlerless
222.9 permit areas and seasons where no antlerless permits are offered. In antlerless permit areas
222.10 where no antlerless permits are offered, the commissioner may provide a limited number
222.11 of youth either sex permits to residents or nonresidents under age 18, under the procedures
222.12 provided in section 97B.305, and may give preference to residents or nonresidents under
222.13 the age of 18 that have not previously been selected. This subdivision does not authorize
222.14 the taking of ~~an antlerless~~ a deer by another member of a party under subdivision 3.

222.15 Sec. 72. Minnesota Statutes 2022, section 97B.516, is amended to read:

222.16 **97B.516 PLAN FOR ELK MANAGEMENT.**

222.17 ~~(a)~~ The commissioner of natural resources must adopt an elk management plan that:

222.18 (1) recognizes the value and uniqueness of elk;

222.19 (2) provides for integrated management of an elk population in harmony with the
222.20 environment; and

222.21 (3) affords optimum recreational opportunities.

222.22 ~~(b) Notwithstanding paragraph (a), the commissioner must not manage an elk herd in~~
222.23 ~~Kittson, Roseau, Marshall, or Beltrami Counties in a manner that would increase the size~~
222.24 ~~of the herd, including adoption or implementation of an elk management plan designed to~~
222.25 ~~increase an elk herd, unless the commissioner of agriculture verifies that crop and fence~~
222.26 ~~damages paid under section 3.7371 and attributed to the herd have not increased for at least~~
222.27 ~~two years.~~

222.28 ~~(c) At least 60 days prior to implementing a plan to increase an elk herd, the~~
222.29 ~~commissioners of natural resources and agriculture must hold a joint public meeting in the~~
222.30 ~~county where the elk herd to be increased is located. At the meeting, the commissioners~~

223.1 ~~must present evidence that crop and fence damages have not increased in the prior two years~~
223.2 ~~and must detail the practices that will be used to reduce elk conflicts with area landowners.~~

223.3 Sec. 73. Minnesota Statutes 2022, section 97B.668, is amended to read:

223.4 **97B.668 ~~GAME BIRDS~~ ANIMALS CAUSING DAMAGE.**

223.5 Subdivision 1. Game birds causing damage. Notwithstanding sections 97B.091 and
223.6 97B.805, subdivisions 1 and 2, a person or agent of that person on lands and nonpublic
223.7 waters owned or operated by the person may nonlethally scare, haze, chase, or harass game
223.8 birds that are causing property damage or to protect a disease risk at any time or place that
223.9 a hunting season for the game birds is not open. This section does not apply to public waters
223.10 as defined under section 103G.005, subdivision 15. This section does not apply to migratory
223.11 waterfowl on nests and other federally protected game birds on nests, except ducks and
223.12 geese on nests when a permit is obtained under section 97A.401.

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

223.17 (b) Paragraph (a) applies only:

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

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

223.20 (c) Paragraph (a) does not allow:

223.21 (1) using poisons;

223.22 (2) using dogs;

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

223.24 (4) activities that require a permit under section 97A.401; or

223.25 (5) conduct that causes the death of or that is likely to cause the death of a deer or elk.

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

224.1 Sec. 74. **[97B.673] NONTOXIC SHOT REQUIRED FOR TAKING SMALL GAME**
224.2 **IN CERTAIN AREAS.**

224.3 Subdivision 1. Nontoxic shot on wildlife management areas in farmland zone. A
224.4 person may not take small game, rails, or common snipe on any wildlife management area
224.5 within the farmland zone with shot other than:

224.6 (1) steel shot;

224.7 (2) copper-plated, nickel-plated, or zinc-plated steel shot; or

224.8 (3) shot made of other nontoxic material approved by the director of the United States
224.9 Fish and Wildlife Service.

224.10 Subd. 2. Farmland zone. For the purposes of this section, the farmland zone is the
224.11 portion of the state that falls south and west of Minnesota Highway 70 westward from the
224.12 Wisconsin border to Minnesota Highway 65 to Minnesota Highway 23 to U.S. Highway
224.13 169 at Milaca to Minnesota Highway 18 at Garrison to Minnesota Highway 210 at Brainerd
224.14 to U.S. Highway 10 at Motley to U.S. Highway 59 at Detroit Lakes northward to the
224.15 Canadian border.

224.16 **EFFECTIVE DATE.** This section is effective July 1, 2024.

224.17 Sec. 75. **[97B.735] SWANS.**

224.18 A person who takes, harasses, destroys, buys, sells, possesses, transports, or ships a
224.19 native swan in violation of the game and fish laws is guilty of a gross misdemeanor.

224.20 Sec. 76. Minnesota Statutes 2022, section 97C.087, subdivision 2, is amended to read:

224.21 **Subd. 2. Application for tag.** Application for special fish management tags must be
224.22 accompanied by a ~~\$5~~ \$6, nonrefundable application fee for each tag. A person may not
224.23 make more than one tag application each calendar year. If a person makes more than one
224.24 application, the person is ineligible for a special fish management tag for that calendar year
224.25 after determination by the commissioner, without a hearing.

224.26 Sec. 77. Minnesota Statutes 2022, section 97C.315, subdivision 1, is amended to read:

224.27 **Subdivision 1. Lines.** An angler may not use more than one line, except that:

224.28 (1) two lines may be used to take fish through the ice; and

224.29 (2) the commissioner may, by rule, authorize the use of two lines in areas designated by
224.30 the commissioner in Lake Superior; and

225.1 (3) two lines may be used in the Minnesota River downstream of the Granite Falls Dam
225.2 and in the Mississippi River downstream of St. Anthony Falls.

225.3 Sec. 78. Minnesota Statutes 2022, section 97C.345, subdivision 1, is amended to read:

225.4 Subdivision 1. **When use prohibited.** Except as specifically authorized, a person may
225.5 not take fish with a spear from the third Monday in February to the Friday before the last
225.6 Saturday in April and may not take fish with a fish trap, net, dip net, seine, or other device
225.7 capable of taking fish from the third Monday in February ~~to~~ through April 30.

225.8 Sec. 79. **[97C.348] FELT-SOLED WADERS.**

225.9 A person may not use felt-soled waders in waters of the state. For purposes of this section
225.10 "felt-soled waders" means boots or shoes that have water-absorbing material affixed to the
225.11 soles or bottoms.

225.12 **EFFECTIVE DATE.** This section is effective January 1, 2024.

225.13 Sec. 80. Minnesota Statutes 2022, section 97C.355, is amended by adding a subdivision
225.14 to read:

225.15 **Subd. 9. Placing waste on ice prohibited.** A person using a fish house, dark house, or
225.16 other shelter on the ice of state waters is subject to section 97C.363.

225.17 Sec. 81. **[97C.363] STORING GARBAGE AND OTHER WASTE ON ICE.**

225.18 **Subdivision 1. Prohibition.** A person using a shelter, a motor vehicle, or any other
225.19 conveyance on the ice of state waters may not deposit garbage, rubbish, cigarette filters,
225.20 debris from fireworks, offal, the body of a dead animal, litter, sewage, or any other waste
225.21 outside the shelter, motor vehicle, or conveyance unless the material is:

225.22 (1) placed in a container that is secured to the shelter, motor vehicle, or conveyance;
225.23 and

225.24 (2) not placed directly on the ice or in state waters.

225.25 **Subd. 2. Definition.** For purposes of this section, "sewage" means excrementitious or
225.26 other discharge from the bodies of human beings or animals, together with such other water
225.27 as may be present.

225.28 **Subd. 3. Penalty.** A violation of this section is a petty misdemeanor, and a person who
225.29 violates this section is subject to a civil penalty of \$100 for each violation.

226.1 Sec. 82. Minnesota Statutes 2022, section 97C.371, subdivision 1, is amended to read:

226.2 Subdivision 1. **Species allowed.** Only rough fish, catfish, lake whitefish, cisco (tulibee),
226.3 and northern pike may be taken by spearing.

226.4 Sec. 83. Minnesota Statutes 2022, section 97C.371, subdivision 2, is amended to read:

226.5 Subd. 2. **Dark houses required for certain species.** Catfish, lake whitefish, cisco
226.6 (tulibee), and northern pike may be speared only from dark houses.

226.7 Sec. 84. Minnesota Statutes 2022, section 97C.371, subdivision 4, is amended to read:

226.8 Subd. 4. **Open season.** The open season for spearing through the ice is November 15
226.9 ~~to~~ through the last Sunday in February.

226.10 Sec. 85. Minnesota Statutes 2022, section 97C.395, subdivision 1, is amended to read:

226.11 Subdivision 1. **Dates for certain species.** (a) The open seasons to take fish by angling
226.12 are as follows:

226.13 (1) for walleye, sauger, northern pike, muskellunge, largemouth bass, and smallmouth
226.14 bass, the Saturday two weeks prior to the Saturday of Memorial Day weekend ~~to~~ through
226.15 the last Sunday in February;

226.16 (2) for lake trout, from January 1 ~~to~~ through October 31;

226.17 (3) for the winter season for lake trout, brown trout, brook trout, rainbow trout, and
226.18 splake on all lakes located outside or partially within the Boundary Waters Canoe Area,
226.19 from January 15 ~~to~~ through March 31;

226.20 (4) for the winter season for lake trout, brown trout, brook trout, rainbow trout, and
226.21 splake on all lakes located entirely within the Boundary Waters Canoe Area, from January
226.22 1 ~~to~~ through March 31;

226.23 (5) for brown trout, brook trout, rainbow trout, and splake, between January 1 ~~to~~ through
226.24 October 31 as prescribed by the commissioner by rule except as provided in section 97C.415,
226.25 subdivision 2; and

226.26 (6) for salmon, as prescribed by the commissioner by rule.

226.27 (b) The commissioner shall close the season in areas of the state where fish are spawning
226.28 and closing the season will protect the resource.

227.1 Sec. 86. Minnesota Statutes 2022, section 97C.601, subdivision 1, is amended to read:

227.2 Subdivision 1. **Season.** The open season for frogs is May 16 ~~to~~ through March 31. The
227.3 commissioner may, by rule, establish closed seasons in specified areas.

227.4 Sec. 87. Minnesota Statutes 2022, section 97C.605, subdivision 1, is amended to read:

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

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

227.10 **EFFECTIVE DATE.** This section is effective January 1, 2024.

227.11 Sec. 88. Minnesota Statutes 2022, section 97C.605, subdivision 2c, is amended to read:

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

227.14 ~~(1) when buying turtles for resale at a retail outlet;~~

227.15 (1) when buying turtles from a licensed aquatic farm or licensed private fish hatchery
227.16 for resale at a retail outlet or restaurant;

227.17 (2) when buying a turtle at a retail outlet;

227.18 ~~(3) if the person is a nonresident buying a turtle from a licensed turtle seller for export~~
227.19 ~~out of state. Shipping documents provided by the turtle seller must accompany each shipment~~
227.20 ~~exported out of state by a nonresident. Shipping documents must include: name, address,~~
227.21 ~~city, state, and zip code of the buyer; number of each species of turtle; and name and license~~
227.22 ~~number of the turtle seller; or~~

227.23 ~~(4)~~ (3) to take, possess, and rent ~~or sell~~ up to 25 turtles greater than four inches in length
227.24 for the purpose of providing the turtles to participants at a nonprofit turtle race, if the person
227.25 is a resident under age 18. The person is responsible for the well-being of the turtles; or

227.26 (4) if under 16 years of age when possessing turtles. Notwithstanding any other law to
227.27 the contrary, a person under the age of 16 may possess, without a license, up to three snapping
227.28 or western painted turtles, provided the turtles are possessed for personal use and are within
227.29 the applicable length and width requirements.

228.1 (b) A person with an aquatic farm license with a turtle endorsement or a private fish
 228.2 hatchery license with a turtle endorsement may sell, obtain, possess, transport, and propagate
 228.3 turtles and turtle eggs without the licenses specified under subdivision 1.

228.4 (c) Turtles possessed under this subdivision may not be released back into the wild.

228.5 **EFFECTIVE DATE.** This section is effective January 1, 2024.

228.6 Sec. 89. Minnesota Statutes 2022, section 97C.605, subdivision 3, is amended to read:

228.7 Subd. 3. **Taking; methods prohibited.** ~~(a)~~ A person may not take turtles by using:

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

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

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

228.11 (4) commercial equipment, ~~except as provided in rules adopted under this section;~~

228.12 (5) firearms and ammunition;

228.13 (6) bow and arrow or crossbow; or

228.14 (7) spears, harpoons, or any other implements that impale turtles.

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

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

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

228.20 **EFFECTIVE DATE.** This section is effective January 1, 2024.

228.21 Sec. 90. Minnesota Statutes 2022, section 97C.611, is amended to read:

228.22 **97C.611 TURTLE SPECIES; LIMITS.**

228.23 Subdivision 1. **Snapping turtles.** A person may not possess more than three snapping
 228.24 turtles of the species *Chelydra serpentina* ~~without a turtle seller's license.~~ Until new rules
 228.25 are adopted under section 97C.605, a person may not take snapping turtles of a size less
 228.26 than ten inches wide including curvature, measured from side to side across the shell at
 228.27 midpoint. After new rules are adopted under section 97C.605, a person may only take
 228.28 snapping turtles of a size specified in the adopted rules.

229.1 Subd. 2. **Western painted turtles.** (a) A person may not possess more than three Western
229.2 painted turtles of the species *Chrysemys picta* ~~without a turtle seller's license~~. Western
229.3 painted turtles must be between 4 and 5-1/2 inches in shell length.

229.4 (b) This subdivision does not apply to persons acting under section 97C.605, subdivision
229.5 2c, ~~clause (4)~~ paragraph (a).

229.6 Subd. 3. ~~**Spiny softshell.** A person may not possess spiny softshell turtles of the species~~
229.7 ~~*Apalone spinifera* after December 1, 2021, without an aquatic farm or private fish hatchery~~
229.8 ~~license with a turtle endorsement.~~

229.9 Subd. 4. **Other species.** A person may not possess any other species of turtle ~~without~~
229.10 except with an aquatic farm or private fish hatchery license with a turtle endorsement or as
229.11 specified under section 97C.605, subdivision 2c.

229.12 **EFFECTIVE DATE.** This section is effective January 1, 2024.

229.13 Sec. 91. Minnesota Statutes 2022, section 97C.836, is amended to read:

229.14 **97C.836 LAKE SUPERIOR LAKE TROUT; EXPANDED ASSESSMENT**
229.15 **HARVEST.**

229.16 The commissioner shall provide for taking of lake trout by licensed commercial operators
229.17 in Lake Superior management zones MN-3 and MN-2 for expanded assessment and sale.
229.18 The commissioner shall authorize expanded assessment taking and sale of lake trout in Lake
229.19 Superior management zone MN-3 beginning annually in 2007 and zone MN-2 beginning
229.20 annually in 2010. Total assessment taking and sale may not exceed 3,000 lake trout in zone
229.21 MN-3 and 2,000 lake trout in zone MN-2 and may be reduced when necessary to protect
229.22 the lake trout population or to manage the effects of invasive species or fish disease. Taking
229.23 lake trout for expanded assessment and sale shall be allowed from June 1 ~~to~~ through
229.24 September 30, but may end earlier in the respective zones if the quotas are reached. The
229.25 quotas must be reassessed at the expiration of the current ten-year Fisheries Management
229.26 Plan for the Minnesota Waters of Lake Superior.

229.27 Sec. 92. Minnesota Statutes 2022, section 103G.005, is amended by adding a subdivision
229.28 to read:

229.29 Subd. 9c. **Ecosystem harm.** "Ecosystem harm" means to change the biological
229.30 community and ecology in a manner that results in loss of ecological structure or function.

230.1 Sec. 93. Minnesota Statutes 2022, section 103G.005, is amended by adding a subdivision
230.2 to read:

230.3 Subd. 13b. **Negative impact to surface waters.** "Negative impact to surface waters"
230.4 means a change in hydrology sufficient to cause aquatic ecosystem harm or alter riparian
230.5 uses long term.

230.6 Sec. 94. Minnesota Statutes 2022, section 103G.005, is amended by adding a subdivision
230.7 to read:

230.8 Subd. 15i. **Sustainable diversion limit.** "Sustainable diversion limit" means a maximum
230.9 amount of water that can be removed directly or indirectly from a surface water body in a
230.10 defined geographic area on a monthly or annual basis without causing a negative impact to
230.11 the surface water body.

230.12 Sec. 95. **[103G.134] ORDERS AND INVESTIGATIONS.**

230.13 The commissioner has the following powers and duties when acting pursuant to the
230.14 enforcement provisions of this chapter:

230.15 (1) to adopt, issue, reissue, modify, deny, revoke, enter into, or enforce reasonable orders,
230.16 schedules of compliance, and stipulation agreements;

230.17 (2) to issue notices of violation;

230.18 (3) to require a person holding a permit issued under this chapter or otherwise impacting
230.19 the public waters of the state without a permit issued under this chapter to:

230.20 (i) make reports;

230.21 (ii) install, use, and maintain monitoring equipment or methods;

230.22 (iii) perform tests according to methods, at locations, at intervals, and in a manner as
230.23 the commissioner prescribes; and

230.24 (iv) provide other information as the commissioner may reasonably require; and

230.25 (4) to conduct investigations; issue notices, public and otherwise; and order hearings as
230.26 the commissioner deems necessary or advisable to discharge duties under this chapter,
230.27 including but not limited to issuing permits and authorizing an employee or agent appointed
230.28 by the commissioner to conduct the investigations and other authorities cited in this section.

230.29 Sec. 96. **[103G.146] DUTY OF CANDOR.**

230.30 (a) A person must not knowingly:

231.1 (1) make a false statement of fact or fail to correct a false statement of material fact
231.2 regarding any matter pertaining to this chapter;

231.3 (2) fail to disclose information that the person knows is necessary for the commissioner
231.4 to make an informed decision under this chapter; or

231.5 (3) offer information that the person knows to be false.

231.6 (b) If a person has offered material information to the commissioner and the person
231.7 comes to know the information is false, the person must take reasonable remedial measures
231.8 to provide the accurate information.

231.9 **Sec. 97. [103G.216] REPORTING FISH KILLS IN PUBLIC WATERS.**

231.10 Subdivision 1. **Definition.** For the purposes of this section and section 103G.2165, "fish
231.11 kill" means an incident resulting in the death of 25 or more fish within one linear mile of a
231.12 flowing water or 25 or more fish within a square mile of a nonflowing water, excluding fish
231.13 lawfully taken under the game and fish laws.

231.14 Subd. 2. **Reporting requirement.** A state or county staff person or official who works
231.15 with natural resources or agriculture and who learns of a fish kill in public waters must
231.16 report the location of the fish kill to the Minnesota state duty officer within one hour of
231.17 being notified of a fish kill or within four hours of first observing the fish kill. The Minnesota
231.18 state duty officer must alert the Departments of Natural Resources and Health and the
231.19 Pollution Control Agency of the location of the fish kill within one hour of being notified
231.20 of the fish kill.

231.21 **Sec. 98. [103G.2165] DEVELOPMENT OF FISH KILL RESPONSE PROTOCOL.**

231.22 Subdivision 1. **Development of protocol.** By October 1, 2024, the commissioner of the
231.23 Pollution Control Agency, in consultation with the commissioners of health, natural resources,
231.24 and agriculture, must update the fish kill response guidance by developing a protocol. The
231.25 protocol must consist of steps that state agencies responding to a report of a fish kill under
231.26 section 103G.216 must take to ascertain on the basis of sound scientific evidence the factors
231.27 contributing to the fish kill, as well as a plan to notify the public of potential hazards. The
231.28 protocol must address:

231.29 (1) the number and species of fish and other aquatic creatures to be sampled from the
231.30 body of water in which the fish kill occurred;

231.31 (2) the locations from which samples described in clause (1) should be taken;

232.1 (3) the number and location of water samples to be taken from the body of water in
232.2 which the fish kill occurred as well as tributary streams and private wells with landowner
232.3 consent within a one-half-mile radius;

232.4 (4) the number and location of soil and groundwater samples to be taken to ascertain
232.5 whether contaminants traveled overland or underground to reach the body of water in which
232.6 the fish kill occurred;

232.7 (5) sampling other materials located near the area of the fish kill that should be done,
232.8 including but not limited to vegetation and manure, that may indicate the presence of
232.9 contaminants that may have contributed to the fish kill;

232.10 (6) developing a comprehensive list of contaminants, including degradation products,
232.11 for which the materials sampled in clauses (3) to (5) should be tested;

232.12 (7) the appropriate concentration limits to be used in testing samples for the presence
232.13 of contaminants, allowing for the possibility that the fish kill may have resulted from the
232.14 interaction of two or more contaminants present at concentrations below the level associated
232.15 with toxic effects resulting from exposure to each individual chemical;

232.16 (8) proper handling, storage, and treatment necessary to preserve the integrity of the
232.17 samples described in this subdivision to maximize the information the samples can yield
232.18 regarding the cause of the fish kill;

232.19 (9) the organs and other parts of the fish and other aquatic creatures that should be
232.20 analyzed to maximize the information the samples can yield regarding the cause of the fish
232.21 kill;

232.22 (10) identifying a rapid response team of interagency staff or an independent contractor
232.23 with the necessary data collection equipment that can travel to the site of the fish kill to
232.24 collect samples within 24 to 48 hours of the incident;

232.25 (11) a communications plan with a health-risk assessment to notify potentially impacted
232.26 downstream users of the surface water of the potential hazards and those in the vicinity
232.27 whose public or private water supply from surface water or groundwater may be impacted;
232.28 and

232.29 (12) a process to identify existing rules or regulatory processes that should be reviewed
232.30 and potentially revised in the fish kill investigation and report. Investigation reports for fish
232.31 kills deemed unnatural must identify the probable causes and include state agency
232.32 recommendations for preventing similar incidents in the future.

233.1 Subd. 2. **Implementation.** The commissioner of the Pollution Control Agency must
233.2 submit the protocol to the chairs and ranking minority members of the legislative committees
233.3 and divisions with jurisdiction over environment and natural resources. Once the protocol
233.4 has been submitted, the state agencies must follow the protocol when responding to a fish
233.5 kill.

233.6 Subd. 3. **Updating protocol.** The parties named in subdivision 1 must review and update
233.7 the protocol every five years.

233.8 Sec. 99. Minnesota Statutes 2022, section 103G.271, subdivision 6, is amended to read:

233.9 **Subd. 6. Water-use permit; processing fee.** (a) Except as described in paragraphs (b)
233.10 to (g), a water-use permit processing fee must be prescribed by the commissioner in
233.11 accordance with the schedule of fees in this subdivision for each water-use permit in force
233.12 at any time during the year. Fees collected under this paragraph are credited to the water
233.13 management account in the natural resources fund. The schedule is as follows, with the
233.14 stated fee in each clause applied to the total amount appropriated:

233.15 (1) \$140 for amounts not exceeding 50,000,000 gallons per year;

233.16 (2) \$3.50 per 1,000,000 gallons for amounts greater than 50,000,000 gallons but less
233.17 than 100,000,000 gallons per year;

233.18 (3) \$4 per 1,000,000 gallons for amounts greater than 100,000,000 gallons but less than
233.19 150,000,000 gallons per year;

233.20 (4) \$4.50 per 1,000,000 gallons for amounts greater than 150,000,000 gallons but less
233.21 than 200,000,000 gallons per year;

233.22 (5) \$5 per 1,000,000 gallons for amounts greater than 200,000,000 gallons but less than
233.23 250,000,000 gallons per year;

233.24 (6) \$5.50 per 1,000,000 gallons for amounts greater than 250,000,000 gallons but less
233.25 than 300,000,000 gallons per year;

233.26 (7) \$6 per 1,000,000 gallons for amounts greater than 300,000,000 gallons but less than
233.27 350,000,000 gallons per year;

233.28 (8) \$6.50 per 1,000,000 gallons for amounts greater than 350,000,000 gallons but less
233.29 than 400,000,000 gallons per year;

233.30 (9) \$7 per 1,000,000 gallons for amounts greater than 400,000,000 gallons but less than
233.31 450,000,000 gallons per year;

234.1 (10) \$7.50 per 1,000,000 gallons for amounts greater than 450,000,000 gallons but less
234.2 than 500,000,000 gallons per year; and

234.3 (11) \$8 per 1,000,000 gallons for amounts greater than 500,000,000 gallons per year.

234.4 (b) For once-through cooling systems, a water-use processing fee must be prescribed
234.5 by the commissioner in accordance with the following schedule of fees for each water-use
234.6 permit in force at any time during the year:

234.7 (1) for nonprofit corporations and school districts, \$200 per 1,000,000 gallons; and

234.8 (2) for all other users, \$420 per 1,000,000 gallons.

234.9 (c) The fee is payable based on the amount of water appropriated during the year and,
234.10 except as provided in paragraph (f), the minimum fee is \$100.

234.11 (d) For water-use processing fees other than once-through cooling systems:

234.12 (1) the fee for a city of the first class may not exceed \$250,000 per year;

234.13 (2) the fee for other entities for any permitted use may not exceed:

234.14 (i) \$60,000 per year for an entity holding three or fewer permits;

234.15 (ii) \$90,000 per year for an entity holding four or five permits; or

234.16 (iii) \$300,000 per year for an entity holding more than five permits;

234.17 (3) the fee for agricultural irrigation may not exceed \$750 per year;

234.18 (4) the fee for a municipality that furnishes electric service and cogenerates steam for
234.19 home heating may not exceed \$10,000 for its permit for water use related to the cogeneration
234.20 of electricity and steam;

234.21 (5) the fee for a facility that temporarily diverts a water of the state from its natural
234.22 channel to produce hydroelectric or hydromechanical power may not exceed \$5,000 per
234.23 year. A permit for such a facility does not count toward the number of permits held by an
234.24 entity as described in this paragraph; and

234.25 (6) no fee is required for a project involving the appropriation of surface water to prevent
234.26 flood damage or to remove flood waters during a period of flooding, as determined by the
234.27 commissioner.

234.28 (e) Failure to pay the fee is sufficient cause for revoking a permit. A penalty of ten
234.29 percent per month calculated from the original due date must be imposed on the unpaid
234.30 balance of fees remaining 30 days after the sending of a second notice of fees due. A fee

235.1 may not be imposed on an agency, as defined in section 16B.01, subdivision 2, or federal
235.2 governmental agency holding a water appropriation permit.

235.3 (f) The minimum water-use processing fee for a permit issued for irrigation of agricultural
235.4 land is \$20 for years in which:

235.5 (1) there is no appropriation of water under the permit; or

235.6 (2) the permit is suspended for more than seven consecutive days between May 1 and
235.7 October 1.

235.8 (g) The commissioner shall waive the water-use permit fee for installations and projects
235.9 that use stormwater runoff or where public entities are diverting water to treat a water quality
235.10 issue and returning the water to its source without using the water for any other purpose,
235.11 unless the commissioner determines that the proposed use adversely affects surface water
235.12 or groundwater.

235.13 (h) A surcharge of ~~\$30~~ \$50 per million gallons in addition to the fee prescribed in
235.14 paragraph (a) shall be applied to the volume of water used in each of the months of May,
235.15 June, July, and August, and September that exceeds the volume of water used in January
235.16 for municipal water use, irrigation of golf courses, and landscape irrigation. The surcharge
235.17 for municipalities with more than one permit shall be determined based on the total
235.18 appropriations from all permits that supply a common distribution system.

235.19 Sec. 100. Minnesota Statutes 2022, section 103G.287, subdivision 2, is amended to read:

235.20 Subd. 2. **Relationship to surface water resources.** Groundwater appropriations ~~that~~
235.21 ~~will have negative impacts to surface waters are subject to applicable provisions in section~~
235.22 ~~103G.285~~ may be authorized only if they avoid known negative impacts to surface waters.
235.23 If the commissioner determines that groundwater appropriations are having a negative
235.24 impact to surface waters, the commissioner may use a sustainable diversion limit or other
235.25 relevant method, tools, or information to implement measures so that groundwater
235.26 appropriations do not negatively impact the surface waters.

235.27 Sec. 101. Minnesota Statutes 2022, section 103G.287, subdivision 3, is amended to read:

235.28 Subd. 3. **Protecting groundwater supplies.** The commissioner may establish water
235.29 appropriation limits to protect groundwater resources. When establishing water appropriation
235.30 limits to protect groundwater resources, the commissioner must consider the sustainability
235.31 of the groundwater resource, including the current and projected water levels, cumulative
235.32 withdrawal rates from the resource on a monthly or annual basis, water quality, whether

236.1 the use protects ecosystems, and the ability of future generations to meet their own needs.
236.2 The commissioner may consult with the commissioners of health, agriculture, and the
236.3 Pollution Control Agency and other state entities when determining the impacts on water
236.4 quality and quantity.

236.5 Sec. 102. Minnesota Statutes 2022, section 103G.299, subdivision 1, is amended to read:

236.6 Subdivision 1. **Authority to issue administrative penalty orders.** (a) As provided in
236.7 paragraph (b), the commissioner may issue an order requiring violations to be corrected
236.8 and administratively assessing monetary penalties for violations of sections 103G.271 and
236.9 103G.275, and any rules adopted under those sections.

236.10 (b) An order under this section may be issued to a person for water appropriation activities
236.11 without a required permit or for violating the terms of a required permit.

236.12 (c) The order must be issued as provided in this section and in accordance with the plan
236.13 prepared under subdivision 12.

236.14 Sec. 103. Minnesota Statutes 2022, section 103G.299, subdivision 2, is amended to read:

236.15 Subd. 2. **Amount of penalty; considerations.** (a) The commissioner may issue orders
236.16 assessing administrative penalties ~~based on potential for harm and deviation from compliance.~~
236.17 ~~For a violation that presents:~~ up to \$40,000.

236.18 ~~(1) a minor potential for harm and deviation from compliance, the penalty will be no~~
236.19 ~~more than \$1,000;~~

236.20 ~~(2) a moderate potential for harm and deviation from compliance, the penalty will be~~
236.21 ~~no more than \$10,000; and~~

236.22 ~~(3) a severe potential for harm and deviation from compliance, the penalty will be no~~
236.23 ~~more than \$20,000.~~

236.24 (b) In determining the amount of a penalty the commissioner may consider:

236.25 (1) the gravity of the violation, including potential for, or real, damage to the public
236.26 interest or natural resources of the state;

236.27 (2) the history of past violations;

236.28 (3) the number of violations;

236.29 (4) the economic benefit gained by the person by allowing or committing the violation
236.30 based on data from local or state bureaus or educational institutions; and

237.1 (5) other factors as justice may require, if the commissioner specifically identifies the
237.2 additional factors in the commissioner's order.

237.3 (c) For a violation after an initial violation, including a continuation of the initial violation,
237.4 the commissioner must, in determining the amount of a penalty, consider the factors in
237.5 paragraph (b) and the:

237.6 (1) similarity of the most recent previous violation and the violation to be penalized;

237.7 (2) time elapsed since the last violation;

237.8 (3) number of previous violations; and

237.9 (4) response of the person to the most recent previous violation identified.

237.10 Sec. 104. Minnesota Statutes 2022, section 103G.299, subdivision 5, is amended to read:

237.11 Subd. 5. **Penalty.** (a) Except as provided in paragraph (b), if the commissioner determines
237.12 that the violation has been corrected or appropriate steps have been taken to correct the
237.13 action, the penalty must be forgiven. Unless the person requests review of the order under
237.14 subdivision 6 or 7 before the penalty is due, the penalty in the order is due and payable:

237.15 (1) on the 31st day after the order was received, if the person subject to the order fails
237.16 to provide information to the commissioner showing that the violation has been corrected
237.17 or that appropriate steps have been taken toward correcting the violation; or

237.18 (2) on the 20th day after the person receives the commissioner's determination under
237.19 subdivision 4, paragraph (c), if the person subject to the order has provided information to
237.20 the commissioner that the commissioner determines is not sufficient to show that the violation
237.21 has been corrected or that appropriate steps have been taken toward correcting the violation.

237.22 (b) For repeated or serious violations, the commissioner may issue an order with a penalty
237.23 that is not forgiven after the corrective action is taken. The penalty is due ~~by~~ 31 days after
237.24 the order ~~was~~ is received, unless review of the order under subdivision 6 or 7 ~~has been~~ is
237.25 sought.

237.26 (c) Interest at the rate established in section 549.09 begins to accrue on penalties under
237.27 this subdivision on the 31st day after the order with the penalty ~~was~~ is received.

237.28 Sec. 105. Minnesota Statutes 2022, section 103G.299, subdivision 10, is amended to read:

237.29 Subd. 10. **Cumulative remedy.** The authority of the commissioner to issue a corrective
237.30 order assessing penalties is in addition to other remedies available under statutory or common
237.31 law, ~~except that the state may not seek civil penalties under any other provision of law for~~

238.1 ~~the violations covered by the administrative penalty order.~~ The payment of a penalty does
238.2 not preclude the use of other enforcement provisions, ~~under which penalties are not assessed,~~
238.3 in connection with the violation for which the penalty was assessed.

238.4 Sec. 106. [103G.2991] PENALTIES; ENFORCEMENT.

238.5 Subdivision 1. Civil penalties. (a) The commissioner, according to section 103G.134,
238.6 may issue a notice to a person who violates:

238.7 (1) this chapter;

238.8 (2) a permit issued under this chapter or a term or condition of a permit issued under
238.9 this chapter;

238.10 (3) a duty under this chapter to permit an inspection, entry, or monitoring activity or a
238.11 duty under this chapter to carry out an inspection or monitoring activity;

238.12 (4) a rule adopted under this chapter;

238.13 (5) a stipulation agreement, variance, or schedule of compliance entered into under this
238.14 chapter; or

238.15 (6) an order issued by the commissioner under this chapter.

238.16 (b) A person issued a notice forfeits and must pay to the state a penalty, in an amount
238.17 to be determined by the district court, of not more than \$10,000 per day of violation.

238.18 (c) In the discretion of the district court, a defendant under this section may be required
238.19 to:

238.20 (1) forfeit and pay to the state a sum that adequately compensates the state for the
238.21 reasonable value of restoration, monitoring, and other expenses directly resulting from the
238.22 unauthorized use of or damage to natural resources of the state; and

238.23 (2) forfeit and pay to the state an additional sum to constitute just compensation for any
238.24 damage, loss, or destruction of the state's natural resources and for other actual damages to
238.25 the state caused by an unauthorized use of natural resources of the state.

238.26 (d) As a defense to damages assessed under paragraph (c), a defendant may prove that
238.27 the violation was caused solely by:

238.28 (1) an act of God;

238.29 (2) an act of war;

238.30 (3) negligence on the part of the state;

239.1 (4) an act or failure to act that constitutes sabotage or vandalism; or

239.2 (5) any combination of clauses (1) to (4).

239.3 (e) The civil penalties and damages provided for in this subdivision may be recovered
239.4 by a civil action brought by the attorney general in the name of the state in Ramsey County
239.5 District Court. Civil penalties and damages provided for in this subdivision may be resolved
239.6 by the commissioner through a negotiated stipulation agreement according to the authority
239.7 granted to the commissioner in section 103G.134.

239.8 Subd. 2. **Enforcement.** This chapter and rules, standards, orders, stipulation agreements,
239.9 schedules of compliance, and permits adopted or issued by the commissioner under this
239.10 chapter or any other law for preventing, controlling, or abating damage to natural resources
239.11 may be enforced by one or more of the following:

239.12 (1) criminal prosecution;

239.13 (2) action to recover civil penalties;

239.14 (3) injunction;

239.15 (4) action to compel performance; or

239.16 (5) other appropriate action according to this chapter.

239.17 Subd. 3. **Injunctions.** A violation of this chapter or rules, standards, orders, stipulation
239.18 agreements, variances, schedules of compliance, and permits adopted or issued under this
239.19 chapter constitutes a public nuisance and may be enjoined as provided by law in an action,
239.20 in the name of the state, brought by the attorney general.

239.21 Subd. 4. **Actions to compel performance.** (a) In an action to compel performance of
239.22 an order issued by the commissioner for any purpose related to preventing, controlling, or
239.23 abating damage to natural resources under this chapter, the court may require a defendant
239.24 adjudged responsible to do and perform any and all acts set forth in the commissioner's
239.25 order and all things within the defendant's power that are reasonably necessary to accomplish
239.26 the purposes of the order.

239.27 (b) If a municipality or its governing or managing body or any of its officers is a
239.28 defendant, the court may require the municipality to exercise its powers, without regard to
239.29 any limitation of a requirement for an election or referendum imposed thereon by law and
239.30 without restricting the powers of the commissioner, to do any or all of the following, without
239.31 limiting the generality hereof:

239.32 (1) levy taxes or special assessments;

- 240.1 (2) prescribe service or use charges;
- 240.2 (3) borrow money;
- 240.3 (4) issue bonds;
- 240.4 (5) employ assistance;
- 240.5 (6) acquire real or personal property;
- 240.6 (7) let contracts;
- 240.7 (8) otherwise provide for doing work or constructing, installing, maintaining, or operating
- 240.8 facilities; and
- 240.9 (9) do all acts and things reasonably necessary to accomplish the purposes of the
- 240.10 commissioner's order.
- 240.11 (c) The court must grant a municipality under paragraph (b) the opportunity to determine
- 240.12 the appropriate financial alternatives to be used to comply with the court-imposed
- 240.13 requirements.
- 240.14 (d) An action brought under this subdivision must be venued in Ramsey County District
- 240.15 Court.

240.16 Sec. 107. Minnesota Statutes 2022, section 103G.301, subdivision 2, is amended to read:

240.17 **Subd. 2. Permit application and notification fees.** (a) A fee to defray the costs of

240.18 receiving, recording, and processing must be paid for a permit application authorized under

240.19 this chapter, except for a general permit application, for each request to amend or transfer

240.20 an existing permit, and for a notification to request authorization to conduct a project under

240.21 a general permit. Fees established under this subdivision, unless specified in paragraph (c),

240.22 must comply with section 16A.1285.

240.23 (b) Proposed projects that require water in excess of 100 million gallons per year must

240.24 be assessed fees to recover the costs incurred to evaluate the project and the costs incurred

240.25 for environmental review. Fees collected under this paragraph must be credited to an account

240.26 in the natural resources fund and are appropriated to the commissioner.

240.27 (c) The fee to apply for a permit to appropriate water, in addition to any fee under

240.28 paragraph (b), is \$150. The application fee for a permit to construct or repair a dam that is

240.29 subject to a dam safety inspection, to work in public waters, or to divert waters for mining

240.30 must be at least ~~\$300~~ \$1,200, but not more than ~~\$3,000~~ \$12,000. The fee for a notification

240.31 to request authorization to conduct a project under a general permit is ~~\$100~~ \$400.

241.1 Sec. 108. Minnesota Statutes 2022, section 103G.301, subdivision 6, is amended to read:

241.2 Subd. 6. **Filing application.** An application for a permit must be filed with the
241.3 commissioner ~~and~~. If the proposed activity for which the permit is requested is within a
241.4 municipality, ~~or~~ is within or affects a watershed district or a soil and water conservation
241.5 district, or is within the boundaries of a reservation or Tribal community of a federally
241.6 recognized Indian Tribe in Minnesota, a copy of the application with maps, plans, and
241.7 specifications must be served on the mayor of the municipality, the secretary of the board
241.8 of managers of the watershed district, ~~and~~ the secretary of the board of supervisors of the
241.9 soil and water conservation district, or the Tribal chair of the federally recognized Indian
241.10 Tribe, as applicable. For purposes of this section, "federally recognized Indian Tribe" means
241.11 the Minnesota Tribal governments listed in section 10.65, subdivision 2.

241.12 Sec. 109. Minnesota Statutes 2022, section 103G.301, subdivision 7, is amended to read:

241.13 Subd. 7. **Recommendation of local units of government and federally recognized**
241.14 **Indian Tribes.** (a) If the proposed activity for which the permit is requested is within a
241.15 municipality, or is within or affects a watershed district or a soil and water conservation
241.16 district, the commissioner may obtain a written recommendation of the managers of the
241.17 district and the board of supervisors of the soil and water conservation district or the mayor
241.18 of the municipality before issuing or denying the permit.

241.19 (b) The managers, supervisors, or mayor must file a recommendation within 30 days
241.20 after receiving of a copy of the application for permit.

241.21 (c) If the proposed activity for which the permit is requested is within the boundaries of
241.22 a reservation or Tribal community of a federally recognized Indian Tribe in Minnesota, the
241.23 federally recognized Indian Tribe may:

241.24 (1) submit recommendations to the commissioner within 30 days of receiving the
241.25 application; or

241.26 (2) request Tribal consultation according to section 10.65 within 30 days of receiving
241.27 the application.

241.28 (d) If Tribal consultation is requested under paragraph (c), clause (2), a permit application
241.29 is not complete until after the consultation occurs or 90 days after the request for consultation
241.30 is made, whichever is sooner.

242.1 Sec. 110. Minnesota Statutes 2022, section 168.1295, subdivision 1, is amended to read:

242.2 Subdivision 1. **General requirements and procedures.** (a) The commissioner shall
242.3 issue state parks and trails plates to an applicant who:

242.4 (1) is a registered owner of a passenger automobile, recreational vehicle, one-ton pickup
242.5 truck, or motorcycle;

242.6 (2) pays a fee in the amount specified for special plates under section 168.12, subdivision
242.7 5;

242.8 (3) pays the registration tax required under section 168.013;

242.9 (4) pays the fees required under this chapter;

242.10 (5) contributes a minimum of ~~\$60~~ \$70 annually to the state parks and trails donation
242.11 account established in section 85.056; and

242.12 (6) complies with this chapter and rules governing registration of motor vehicles and
242.13 licensing of drivers.

242.14 (b) The state parks and trails plate application must indicate that the contribution specified
242.15 under paragraph (a), clause (5), is a minimum contribution to receive the plate and that the
242.16 applicant may make an additional contribution to the account.

242.17 (c) State parks and trails plates may be personalized according to section 168.12,
242.18 subdivision 2a.

242.19 Sec. 111. Minnesota Statutes 2022, section 171.07, is amended by adding a subdivision
242.20 to read:

242.21 Subd. 20. **Watercraft operator's permit.** (a) The department must maintain in its
242.22 records information transmitted electronically from the commissioner of natural resources
242.23 identifying each person to whom the commissioner has issued a watercraft operator's permit.
242.24 The records transmitted from the Department of Natural Resources must contain the full
242.25 name and date of birth as required for the driver's license or identification card. Records
242.26 that are not matched to a driver's license or identification card record may be deleted after
242.27 seven years.

242.28 (b) After receiving information under paragraph (a) that a person has received a watercraft
242.29 operator's permit, the department must include on all drivers' licenses or Minnesota
242.30 identification cards subsequently issued to the person a graphic or written indication that
242.31 the person has received the permit.

243.1 (c) If a person who has received a watercraft operator's permit applies for a driver's
243.2 license or Minnesota identification card before that information has been transmitted to the
243.3 department, the department may accept a copy of the certificate as proof of its issuance and
243.4 must then follow the procedures in paragraph (b).

243.5 **EFFECTIVE DATE.** This section is effective July 1, 2025.

243.6 Sec. 112. Minnesota Statutes 2022, section 297A.94, is amended to read:

243.7 **297A.94 DEPOSIT OF REVENUES.**

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

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

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

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

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

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

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

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

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

244.1 (e) The commissioner shall deposit the revenues, including interest and penalties,
244.2 collected under section 297A.64, subdivision 5, in the state treasury and credit them to the
244.3 general fund. By July 15 of each year the commissioner shall transfer to the highway user
244.4 tax distribution fund an amount equal to the excess fees collected under section 297A.64,
244.5 subdivision 5, for the previous calendar year.

244.6 (f) Beginning with sales taxes remitted after July 1, 2017, in conjunction with the deposit
244.7 of revenues under paragraph (d), the commissioner shall deposit into the state treasury and
244.8 credit to the highway user tax distribution fund an amount equal to the estimated revenues
244.9 derived from the tax rate imposed under section 297A.62, subdivision 1, on the lease or
244.10 rental for not more than 28 days of rental motor vehicles subject to section 297A.64. The
244.11 commissioner shall estimate the amount of sales tax revenue deposited under this paragraph
244.12 based on the amount of revenue deposited under paragraph (d).

244.13 (g) The commissioner shall deposit an amount of the remittances monthly into the state
244.14 treasury and credit them to the highway user tax distribution fund as a portion of the estimated
244.15 amount of taxes collected from the sale and purchase of motor vehicle repair and replacement
244.16 parts in that month. The monthly deposit amount is \$12,137,000. For purposes of this
244.17 paragraph, "motor vehicle" has the meaning given in section 297B.01, subdivision 11, and
244.18 "motor vehicle repair and replacement parts" includes (i) all parts, tires, accessories, and
244.19 equipment incorporated into or affixed to the motor vehicle as part of the motor vehicle
244.20 maintenance and repair, and (ii) paint, oil, and other fluids that remain on or in the motor
244.21 vehicle as part of the motor vehicle maintenance or repair. For purposes of this paragraph,
244.22 "tire" means any tire of the type used on highway vehicles, if wholly or partially made of
244.23 rubber and if marked according to federal regulations for highway use.

244.24 (h) ~~72.43~~ 78.06 percent of the revenues, including interest and penalties, transmitted to
244.25 the commissioner under section 297A.65, must be deposited by the commissioner in the
244.26 state treasury as follows:

244.27 (1) 50 percent of the receipts must be deposited in the heritage enhancement account in
244.28 the game and fish fund, and may be spent only on activities that improve, enhance, or protect
244.29 fish and wildlife resources, including conservation, restoration, and enhancement of land,
244.30 water, and other natural resources of the state;

244.31 (2) 22.5 percent of the receipts must be deposited in the natural resources fund, and may
244.32 be spent only for state parks and trails;

244.33 (3) 22.5 percent of the receipts must be deposited in the natural resources fund, and may
244.34 be spent only on metropolitan park and trail grants;

245.1 (4) three percent of the receipts must be deposited in the natural resources fund, and
245.2 may be spent only on local trail grants; and

245.3 (5) two percent of the receipts must be deposited in the natural resources fund, and may
245.4 be spent only for the Minnesota Zoological Garden, the Como Park Zoo and Conservatory,
245.5 and the Duluth Zoo.

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

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

245.19 (1) 25 percent to the volunteer fire assistance grant account established under section
245.20 88.068;

245.21 (2) 25 percent to the fire safety account established under section 297I.06, subdivision
245.22 3; and

245.23 (3) the remainder to the general fund.

245.24 For purposes of this paragraph, the percentage of total sales and use tax revenue derived
245.25 from the sale of items regulated under section 624.20, subdivision 1, that are allowed to be
245.26 sold to persons 18 years old or older and are not prohibited from use by the general public
245.27 under section 624.21, is a set percentage of the total sales and use tax revenues collected in
245.28 the state, with the percentage determined under Laws 2017, First Special Session chapter
245.29 1, article 3, section 39.

245.30 (k) The revenues deposited under paragraphs (a) to (j) do not include the revenues,
245.31 including interest and penalties, generated by the sales tax imposed under section 297A.62,
245.32 subdivision 1a, which must be deposited as provided under the Minnesota Constitution,
245.33 article XI, section 15.

246.1 Sec. 113. **HOUSTON OHV TRAIL; REPORT.**

246.2 By January 15, 2024, the commissioner of natural resources must submit a report to the
246.3 chairs and ranking minority members of the legislative committees and divisions with
246.4 jurisdiction over environment and natural resources providing a brief history of the efforts
246.5 to establish an off-highway vehicle trail in Houston County, the current status, and next
246.6 steps.

246.7 Sec. 114. **STATE PARK LICENSE PLATE DESIGN CONTEST.**

246.8 The commissioner of natural resources must hold a license plate design contest to design
246.9 a new state park license plate available under Minnesota Statutes, section 168.1295,
246.10 subdivision 1.

246.11 Sec. 115. **UPPER SIOUX AGENCY STATE PARK; LAND TRANSFER.**

246.12 (a) The commissioner of natural resources must convey for no consideration all
246.13 state-owned land within the boundaries of Upper Sioux Agency State Park to the Upper
246.14 Sioux Community.

246.15 (b) Upon approval by the Minnesota Historical Society's Executive Council, the
246.16 Minnesota Historical Society may convey for no consideration state-owned land and real
246.17 property in the Upper Sioux Agency Historic Site, as defined in Minnesota Statutes, section
246.18 138.662, subdivision 33, to the Upper Sioux Community. In cooperation with the
246.19 commissioner of natural resources, the Minnesota Historical Society must identify any
246.20 funding restrictions or other legal barriers to conveying the land.

246.21 (c) By January 15, 2024, the commissioner, in cooperation with the Minnesota Historical
246.22 Society, must submit a report to the chairs and ranking minority members of the legislative
246.23 committees with jurisdiction over environment and natural resources that identifies all
246.24 barriers to conveying land within Upper Sioux Agency State Park and recommendations
246.25 for addressing those barriers, including any legislation needed to eliminate those barriers.

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

246.27 Sec. 116. **REQUIRED RULEMAKING.**

246.28 Subdivision 1. **Snowmobile registration.** (a) The commissioner of natural resources
246.29 must amend Minnesota Rules as follows:

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

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

247.2 (b) The commissioner may use the good-cause exemption under Minnesota Statutes,
247.3 section 14.388, subdivision 1, clause (3), to adopt rules under this section, and Minnesota
247.4 Statutes, section 14.386, does not apply except as provided under Minnesota Statutes, section
247.5 14.388.

247.6 Subd. 2. **Walk-in access program.** The commissioner of natural resources must amend
247.7 Minnesota Rules, part 6230.0250, subpart 10, item A, subitem (2), to replace the word
247.8 "hunter" with "person." The commissioner may use the good cause exempt rulemaking
247.9 procedure under Minnesota Statutes, section 14.388, subdivision 1, clause (3), and Minnesota
247.10 Statutes, section 14.386, does not apply.

247.11 Sec. 117. **REGISTRATION DECAL FORMAT TRANSITION.**

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

247.18 Sec. 118. **REPORT ON OPTIONS FOR FUNDING ADDITIONAL LAW**
247.19 **ENFORCEMENT ON ICE OF STATE WATERS.**

247.20 By January 1, 2024, the commissioner of natural resources must report to the chairs and
247.21 ranking minority members of the legislative committees and divisions with jurisdiction over
247.22 environment and natural resources on options for funding additional enforcement of state
247.23 laws on the ice of state waters. The commissioner must work with the Minnesota Sheriffs'
247.24 Association and other stakeholders in generating the report, which must include options
247.25 and recommendations related to potential funding sources, funding levels, and allocation
247.26 of funding between the various enforcement agencies.

247.27 Sec. 119. **ENFORCEMENT OFFICER BARGAINING UNITS; REPORT.**

247.28 By September 1, 2023, the commissioner of natural resources must submit a report to
247.29 the chairs and ranking minority members of the legislative committees and divisions with
247.30 jurisdiction over environment and natural resources that provides a status update on the
247.31 collective bargaining agreement for law enforcement supervisors in response to Laws 2022,
247.32 chapter 80, section 3.

248.1 **Sec. 120. REPORT ON FERAL PIGS AND MINK.**

248.2 By February 15, 2024, the commissioner of natural resources, in cooperation with the
248.3 Board of Animal Health and the commissioners of agriculture and health, must submit a
248.4 report to the chairs and ranking minority members of the legislative committees with
248.5 jurisdiction over agriculture and environment and natural resources that:

248.6 (1) identifies the responsibilities of the Board of Animal Health and the commissioners
248.7 of natural resources, health, and agriculture for managing feral pigs and mink;

248.8 (2) identifies any need to clarify or modify responsibilities for feral pig and mink
248.9 management; and

248.10 (3) includes policy recommendations for managing feral pigs and mink to further prevent
248.11 negative impacts on the environment and human health.

248.12 **Sec. 121. TURTLE SELLER'S LICENSES; TRANSFER AND RENEWAL.**

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

248.15 **EFFECTIVE DATE.** This section is effective January 1, 2024.

248.16 **Sec. 122. SWAN RESTITUTION VALUES; RULE AMENDMENTS.**

248.17 (a) The commissioner of natural resources must amend Minnesota Rules, part 6133.0030,
248.18 to increase the restitution value of a tundra swan from \$200 to \$1,000 and the restitution
248.19 value of a trumpeter swan from \$1,000 to \$2,500.

248.20 (b) The commissioner may use the good cause exemption under Minnesota Statutes,
248.21 section 14.388, subdivision 1, clause (3), to adopt rules under this section, and Minnesota
248.22 Statutes, section 14.386, does not apply except as provided under Minnesota Statutes, section
248.23 14.388.

248.24 **Sec. 123. NATIVE FISH CONSERVATION; REPORTS.**

248.25 (a) By August 1, 2023, the commissioner of natural resources must submit a written
248.26 update on the progress of identifying necessary protection and conservation measures for
248.27 native fish currently defined as rough fish under Minnesota Statutes, section 97A.015,
248.28 subdivision 43, including buffalo, sucker, sheepshead, bowfin, gar, goldeye, and bullhead
248.29 to the chairs and ranking minority members of the house of representatives and senate
248.30 committees and divisions with jurisdiction over environment and natural resources.

249.1 (b) By December 15, 2023, the commissioner of natural resources must submit a written
 249.2 report with recommendations for statutory and rule changes to provide necessary protection
 249.3 and conservation measures and research needs for native fish currently designated as rough
 249.4 fish to the chairs and ranking minority members of the house of representatives and senate
 249.5 committees and divisions with jurisdiction over environment and natural resources. The
 249.6 report must include recommendations for amending Minnesota Statutes to separately classify
 249.7 fish that are native to Minnesota and that are currently designated as rough fish and invasive
 249.8 fish that are currently designated as rough fish. For the purposes of this paragraph, native
 249.9 fish include but are not limited to bowfin (*Amia calva*), bigmouth buffalo (*Ictiobus*
 249.10 *cyprinellus*), smallmouth buffalo (*Ictiobus bubalus*), burbot (*Lota lota*), longnose gar
 249.11 (*Lepisosteus osseus*), shortnose gar (*Lepisosteus platostomus*), goldeye (*Hiodon alosoides*),
 249.12 mooneye (*Hiodon tergisus*), and white sucker (*Catostomus commersonii*), and invasive fish
 249.13 include but are not limited to bighead carp (*Hypophthalmichthys nobilis*), grass carp
 249.14 (*Ctenopharyngodon idella*), and silver carp (*Hypophthalmichthys molitrix*).

249.15 Sec. 124. **STATE TRAILS; REPORT.**

249.16 By January 15, 2024, the commissioner of natural resources must submit a report the
 249.17 chairs and ranking minority members of the house of representatives and senate committees
 249.18 and divisions with jurisdiction over environment and natural resources on state-authorized
 249.19 trails that:

249.20 (1) identifies state trails authorized under Minnesota Statutes;

249.21 (2) identifies state trails that have been built and what is left to build;

249.22 (3) includes recommendations for removing any authorized trails that cannot be built;

249.23 and

249.24 (4) estimates the miles left to complete the authorized trail system.

249.25 Sec. 125. **REVISOR INSTRUCTION.**

249.26 The revisor of statutes must renumber the subdivisions of Minnesota Statutes, section
 249.27 103G.005, listed in column A to the references listed in column B. The revisor must make
 249.28 necessary cross-reference changes in Minnesota Statutes and Minnesota Rules consistent
 249.29 with the renumbering:

249.30 Column A

Column B

249.31 subdivision 9b

subdivision 9d

250.1 subdivision 13a subdivision 13c
250.2 subdivision 15h subdivision 15j

250.3 Sec. 126. **REPEALER.**

250.4 (a) Minnesota Statutes 2022, sections 84.033, subdivision 3; 84.944, subdivision 3; and
250.5 97A.145, subdivision 2, are repealed.

250.6 (b) Minnesota Rules, parts 6100.5000, subparts 3, 4, and 5; 6100.5700, subpart 4; and
250.7 6115.1220, subpart 8, are repealed.

250.8 (c) Minnesota Statutes 2022, sections 86B.101; 86B.305; and 86B.313, subdivisions 2
250.9 and 3, are repealed.

250.10 (d) Minnesota Rules, part 6256.0500, subparts 2, 2a, 2b, 4, 5, 6, 7, and 8, are repealed.

250.11 (e) Minnesota Statutes 2022, section 97C.605, subdivisions 2, 2a, 2b, and 5, are repealed.

250.12 **EFFECTIVE DATE.** Paragraph (c) is effective July 1, 2025, and paragraphs (d) and
250.13 (e) are effective January 1, 2024.

250.14 **ARTICLE 5**

250.15 **WATER AND SOIL RESOURCES**

250.16 Section 1. Minnesota Statutes 2022, section 103B.101, subdivision 2, is amended to read:

250.17 Subd. 2. **Voting members.** (a) The members are:

250.18 (1) three county commissioners;

250.19 (2) three soil and water conservation district supervisors;

250.20 (3) three watershed district or watershed management organization representatives;

250.21 (4) three citizens who are not employed by, or the appointed or elected officials of, a
250.22 state governmental office, board, or agency;

250.23 (5) one township officer;

250.24 (6) two elected city officials, one of whom must be from a city located in the metropolitan
250.25 area, as defined under section 473.121, subdivision 2;

250.26 (7) the commissioner of agriculture;

250.27 (8) the commissioner of health;

250.28 (9) the commissioner of natural resources;

251.1 (10) the commissioner of the Pollution Control Agency; and

251.2 (11) the director of the University of Minnesota Extension Service.

251.3 (b) Members in paragraph (a), clauses (1) to (6), must be distributed across the state
251.4 with at least four members but not more than six members from the metropolitan area, as
251.5 defined by section 473.121, subdivision 2.

251.6 (c) Members in paragraph (a), clauses (1) to (6), are appointed by the governor. In making
251.7 the appointments, the governor may consider persons recommended by the Association of
251.8 Minnesota Counties, the Minnesota Association of Townships, the League of Minnesota
251.9 Cities, the Minnesota Association of Soil and Water Conservation Districts, and the
251.10 Minnesota Association of Watershed Districts. The list submitted by an association must
251.11 contain at least three nominees for each position to be filled.

251.12 (d) The membership terms, compensation, removal of members and filling of vacancies
251.13 on the board for members in paragraph (a), clauses (1) to (6), are as provided in section
251.14 15.0575, except that a member may be compensated at the rate of up to \$125 a day.

251.15 Sec. 2. Minnesota Statutes 2022, section 103B.101, subdivision 9, is amended to read:

251.16 Subd. 9. **Powers and duties.** (a) In addition to the powers and duties prescribed
251.17 elsewhere, the board shall:

251.18 (1) coordinate the water and soil resources planning and implementation activities of
251.19 counties, soil and water conservation districts, watershed districts, watershed management
251.20 organizations, and any other local units of government through its various authorities for
251.21 approval of local plans, administration of state grants, contracts and easements, and by other
251.22 means as may be appropriate;

251.23 (2) facilitate communication and coordination among state agencies in cooperation with
251.24 the Environmental Quality Board, and between state and local units of government, in order
251.25 to make the expertise and resources of state agencies involved in water and soil resources
251.26 management available to the local units of government to the greatest extent possible;

251.27 (3) coordinate state and local interests with respect to the study in southwestern Minnesota
251.28 under United States Code, title 16, section 1009;

251.29 (4) develop information and education programs designed to increase awareness of local
251.30 water and soil resources problems and awareness of opportunities for local government
251.31 involvement in preventing or solving them;

252.1 (5) provide a forum for the discussion of local issues and opportunities relating to water
252.2 and soil resources management;

252.3 (6) adopt an annual budget and work program that integrate the various functions and
252.4 responsibilities assigned to it by law; and

252.5 (7) report to the governor and the legislature by October 15 of each even-numbered year
252.6 with an assessment of board programs and recommendations for any program changes and
252.7 board membership changes necessary to improve state and local efforts in water and soil
252.8 resources management.

252.9 (b) The board may accept grants, gifts, donations, or contributions in money, services,
252.10 materials, or otherwise from the United States, a state agency, or other source to achieve
252.11 an authorized or delegated purpose. The board may enter into a contract or agreement
252.12 necessary or appropriate to accomplish the transfer. The board may conduct or participate
252.13 in local, state, or federal programs or projects that have as one purpose or effect the
252.14 preservation or enhancement of water and soil resources and may enter into and administer
252.15 agreements with local governments or landowners or their designated agents as part of those
252.16 programs or projects. The board may receive and expend money to acquire conservation
252.17 easements, as defined in chapter 84C, on behalf of the state and federal government consistent
252.18 with ~~the~~ Camp Ripley's Army Compatible Use Buffer Project, Sentinel Landscape program,
252.19 or related conservation programs. The board may enter into agreements, including grant
252.20 agreements, with Tribal nations, federal agencies, higher education institutions, local
252.21 governments, and private sector organizations to carry out programs and other responsibilities
252.22 prescribed or allowed by statute.

252.23 (c) Any money received is hereby deposited in an account in a fund other than the general
252.24 fund and appropriated and dedicated for the purpose for which it is granted.

252.25 Sec. 3. Minnesota Statutes 2022, section 103B.101, subdivision 16, is amended to read:

252.26 Subd. 16. ~~Water quality Conservation practices; standardized specifications.~~ (a)
252.27 The board of ~~Water and Soil Resources shall~~ must work with state and federal agencies,
252.28 Tribal Nations, academic institutions, local governments, practitioners, and stakeholders to
252.29 foster mutual understanding and provide recommendations for standardized specifications
252.30 for ~~water quality and soil conservation protection and improvement practices and~~ projects,
252.31 and systems for:

252.32 (1) erosion or sedimentation control;

252.33 (2) improvements to water quality or water quantity;

253.1 (3) habitat restoration and enhancement;

253.2 (4) energy conservation; and

253.3 (5) climate adaptation, resiliency, or mitigation.

253.4 (b) The board may convene working groups or work teams to develop information,
253.5 education, and recommendations.

253.6 Sec. 4. Minnesota Statutes 2022, section 103B.101, is amended by adding a subdivision
253.7 to read:

253.8 Subd. 18. **Guidelines for establishing and enhancing native vegetation.** (a) The board
253.9 must work with state and federal agencies, Tribal Nations, academic institutions, local
253.10 governments, practitioners, and stakeholders to foster mutual understanding and to provide
253.11 recommendations for standardized specifications to establish and enhance native vegetation
253.12 to provide benefits for:

253.13 (1) water quality;

253.14 (2) soil conservation;

253.15 (3) habitat enhancement;

253.16 (4) energy conservation; and

253.17 (5) climate adaptation, resiliency, or mitigation.

253.18 (b) The board may convene working groups or work teams to develop information,
253.19 education, and recommendations.

253.20 Sec. 5. Minnesota Statutes 2022, section 103B.103, is amended to read:

253.21 **103B.103 EASEMENT STEWARDSHIP ACCOUNTS.**

253.22 Subdivision 1. **Accounts established; sources.** (a) The water and soil conservation
253.23 easement stewardship account and the mitigation easement stewardship account are created
253.24 in the special revenue fund. The accounts consist of money credited to the accounts and
253.25 interest and other earnings on money in the accounts. The State Board of Investment must
253.26 manage the accounts to maximize long-term gain.

253.27 (b) Revenue from contributions and money appropriated for any purposes of the account
253.28 as described in subdivision 2 must be deposited in the water and soil conservation easement
253.29 stewardship account. Revenue from contributions, ~~wetland banking~~ wetland banking mitigation fees designated
253.30 for stewardship purposes by the board, easement stewardship payments authorized under

254.1 subdivision 3, and money appropriated for any purposes of the account as described in
254.2 subdivision 2 must be deposited in the mitigation easement stewardship account.

254.3 Subd. 2. **Appropriation; purposes of accounts.** Five percent of the balance on July 1
254.4 each year in the water and soil conservation easement stewardship account and five percent
254.5 of the balance on July 1 each year in the mitigation easement stewardship account are
254.6 annually appropriated to the board and may be spent ~~only~~ to cover the costs of managing
254.7 easements held by the board, including costs associated with:

254.8 (1) repairing or replacing structures;

254.9 (2) monitoring;

254.10 (3) landowner contacts;

254.11 (4) records storage and management;

254.12 (5) processing landowner notices;

254.13 (6) requests for approval or amendments;

254.14 (7) enforcement; and

254.15 (8) legal services associated with easement management activities.

254.16 Subd. 3. **Financial contributions.** The board shall seek a financial contribution to the
254.17 water and soil conservation easement stewardship account for each conservation easement
254.18 acquired by the board. The board shall seek a financial contribution or assess an easement
254.19 stewardship payment to the mitigation easement stewardship account for each wetland
254.20 ~~banking mitigation~~ easement acquired by the board. Unless otherwise provided by law, the
254.21 board shall determine the amount of the contribution or payment, which must be an amount
254.22 calculated to earn sufficient money to meet the costs of managing the easement at a level
254.23 that neither significantly overrecovers nor underrecovers the costs. In determining the
254.24 amount of the financial contribution, the board shall consider:

254.25 (1) the estimated annual staff hours needed to manage the conservation easement, taking
254.26 into consideration factors such as easement type, size, location, and complexity;

254.27 (2) the average hourly wages for the class or classes of state and local employees expected
254.28 to manage the easement;

254.29 (3) the estimated annual travel expenses to manage the easement;

254.30 (4) the estimated annual miscellaneous costs to manage the easement, including supplies
254.31 and equipment, information technology support, and aerial flyovers;

255.1 (5) the estimated annualized costs of legal services, including the cost to enforce the
255.2 easement in the event of a violation;

255.3 (6) the estimated annualized costs for repairing or replacing water control structures;
255.4 and

255.5 ~~(6)~~ (7) the expected rate of return on investments in the account.

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

255.7 Sec. 6. **[103B.104] LAWNS TO LEGUMES PROGRAM.**

255.8 (a) The Board of Water and Soil Resources may provide financial and technical assistance
255.9 to plant residential landscapes and community spaces with native vegetation and
255.10 pollinator-friendly forbs and legumes to protect a diversity of pollinators with declining
255.11 populations, providing additional benefits for water management, carbon sequestration, and
255.12 landscape resiliency.

255.13 (b) The board must establish criteria for grants or payments awarded under this section.
255.14 Grants or payments awarded under this section may give priority consideration for proposals
255.15 in areas identified by the United States Fish and Wildlife Service as areas where there is a
255.16 high potential for rusty patched bumble bees and other priority species to be present.

255.17 (c) The board may collaborate with and enter into agreements with federal, state, and
255.18 local agencies; Tribal Nations; and other nonprofit organizations and contractors to implement
255.19 and promote the program.

255.20 Sec. 7. **[103B.105] HABITAT-FRIENDLY UTILITIES PROGRAM.**

255.21 (a) The Board of Water and Soil Resources may provide financial and technical assistance
255.22 to promote the successful establishment of native vegetation as part of utility projects,
255.23 including solar and wind projects, pipelines, and electrical transmission corridors, to:

255.24 (1) ensure the integrity and resiliency of Minnesota landscapes; and

255.25 (2) protect habitat and water resources.

255.26 (b) The board must establish criteria for grants or payments awarded under this section.
255.27 Grants or payments awarded under this section may prioritize proposals in areas identified
255.28 by state and federal agencies and conservation partners for protecting high-priority natural
255.29 resources and wildlife species.

256.1 (c) The board may collaborate with and enter into agreements with federal, state, and
 256.2 local agencies; Tribal Nations; utility companies; nonprofit organizations; and contractors
 256.3 to implement and promote the program.

256.4 **Sec. 8. [103B.106] HABITAT ENHANCEMENT LANDSCAPE PROGRAM.**

256.5 (a) The Board of Water and Soil Resources may provide financial and technical assistance
 256.6 to establish or enhance areas of diverse native vegetation to:

256.7 (1) support declining populations of bees, butterflies, dragonflies, birds, and other wildlife
 256.8 species that are essential for ecosystems and food production across conservation lands,
 256.9 open spaces, and natural areas; and

256.10 (2) provide additional benefits for water management, carbon sequestration, and landscape
 256.11 and climate resiliency.

256.12 (b) The board must establish criteria for grants or payments awarded under this section.
 256.13 Grants or payments awarded under this section may prioritize proposals in areas identified
 256.14 by state and federal agencies and conservation partners as high priority for protecting
 256.15 endangered or threatened pollinator and other species.

256.16 (c) The board may collaborate with and enter into agreements with federal, state, and
 256.17 local agencies; Tribal Nations; nonprofit organizations; and contractors to implement and
 256.18 promote the program.

256.19 Sec. 9. Minnesota Statutes 2022, section 103C.501, subdivision 1, is amended to read:

256.20 Subdivision 1. ~~Cost-share~~ **Program authorization.** The state board may allocate
 256.21 available funds to districts ~~to share the cost of systems or~~ for practices, projects, and systems
 256.22 for:

256.23 (1) erosion or sedimentation control or;

256.24 (2) improvements to water quality improvement that are designed to protect and improve
 256.25 soil and water resources; or water quantity;

256.26 (3) habitat enhancement;

256.27 (4) plant biodiversity;

256.28 (5) energy conservation; or

256.29 (6) climate adaptation, resiliency, or mitigation.

257.1 Sec. 10. Minnesota Statutes 2022, section 103C.501, subdivision 4, is amended to read:

257.2 Subd. 4. **Cost-sharing Use of funds.** ~~(a) The state board shall allocate cost-sharing funds~~
257.3 ~~to areas with high-priority erosion, sedimentation, or water quality problems or water quantity~~
257.4 ~~problems due to altered hydrology. The areas must be selected based on priorities established~~
257.5 ~~by the state board.~~

257.6 ~~(b) The allocated funds must be used for:~~

257.7 (1) for conservation practices for high-priority problems activities, including technical
257.8 and financial assistance, identified in the comprehensive and annual work plans of the
257.9 districts, for the technical assistance portion of the grant funds state-approved plans that are
257.10 related to water and natural resources and established under chapters 103B, 103C, 103D,
257.11 103F, 103G, and 114D;

257.12 (2) to leverage federal or other nonstate funds; or

257.13 (3) to address high-priority needs identified in local water management plans or
257.14 comprehensive watershed management plans by the district based on public input.

257.15 Sec. 11. Minnesota Statutes 2022, section 103C.501, subdivision 5, is amended to read:

257.16 Subd. 5. **Contracts by districts.** ~~(a) A district board may contract on a cost-share basis~~
257.17 ~~to furnish financial aid to~~ provide technical and financial assistance to a land occupier or
257.18 to a state or federal agency for permanent systems practices and projects for:

257.19 (1) erosion or sedimentation control or;

257.20 (2) improvements to water quality or water quantity improvements that are consistent
257.21 ~~with the district's comprehensive and annual work plans;~~

257.22 (3) habitat enhancement;

257.23 (4) plant biodiversity;

257.24 (5) energy conservation; or

257.25 (6) climate adaptation, resiliency, or mitigation.

257.26 ~~(b) A district board, with approval from the state board and,~~ consistent with state board
257.27 rules and policies, may contract on a cost-share basis to furnish financial aid to a land
257.28 occupier for to provide technical and financial assistance for structural and nonstructural
257.29 land management practices that are part of a planned erosion control or water quality
257.30 improvement plan and projects.

258.1 ~~(e) The duration of the contract must, at a minimum, be the time required to complete~~
 258.2 ~~the planned systems. A contract must specify that the land occupier is liable for monetary~~
 258.3 ~~damages and penalties in an amount up to 150 percent of the financial assistance received~~
 258.4 ~~from the district, for failure to complete the systems or practices in a timely manner or~~
 258.5 ~~maintain the systems or practices as specified in the contract.~~

258.6 ~~(d) A contract may provide for cooperation or funding with federal agencies. A land~~
 258.7 ~~occupier or state agency may provide the cost-sharing portion of the contract through services~~
 258.8 ~~in kind.~~

258.9 ~~(e) (c)~~ The state board or the district board may not furnish any financial aid assistance
 258.10 for practices designed only to increase land productivity.

258.11 ~~(f) (d)~~ When a district board determines that long-term maintenance of a system or
 258.12 practice is desirable, the district or the state board may require that maintenance be made
 258.13 a covenant upon the land for the effective life of the practice. A covenant under this
 258.14 subdivision shall be construed in the same manner as a conservation restriction under section
 258.15 84.65.

258.16 Sec. 12. Minnesota Statutes 2022, section 103C.501, subdivision 6, is amended to read:

258.17 Subd. 6. **Policies and rules.** ~~(a)~~ The state board may adopt rules and shall adopt policies
 258.18 prescribing:

258.19 (1) procedures and criteria for allocating funds ~~for cost-sharing contracts;~~ and

258.20 (2) standards and guidelines for ~~cost-sharing~~ implementing the conservation contracts;
 258.21 program.

258.22 ~~(3) the scope and content of district comprehensive plans, plan amendments, and annual~~
 258.23 ~~work plans;~~

258.24 ~~(4) standards and methods necessary to plan and implement a priority cost-sharing~~
 258.25 ~~program, including guidelines to identify high priority erosion, sedimentation, and water~~
 258.26 ~~quality problems and water quantity problems due to altered hydrology;~~

258.27 ~~(5) the share of the cost of conservation practices to be paid from cost-sharing funds;~~
 258.28 ~~and~~

258.29 ~~(6) requirements for districts to document their efforts to identify and contact land~~
 258.30 ~~occupiers with high priority problems.~~

258.31 ~~(b) The rules may provide that cost sharing may be used for windbreaks and shelterbelts~~
 258.32 ~~for the purposes of energy conservation and snow protection.~~

259.1 Sec. 13. Minnesota Statutes 2022, section 103C.501, is amended by adding a subdivision
259.2 to read:

259.3 Subd. 7. **Inspections.** The district or the district's delegate must conduct site inspections
259.4 of conservation practices installed to determine if the land occupier is in compliance with
259.5 design, operation, and maintenance specifications.

259.6 Sec. 14. Minnesota Statutes 2022, section 103D.605, subdivision 5, is amended to read:

259.7 Subd. 5. **Establishment order.** After the project hearing, if the managers find that the
259.8 project will be conducive to public health, will promote the general welfare, and ~~is in~~
259.9 ~~compliance~~ complies with the watershed management plan and the provisions of this chapter,
259.10 the ~~board~~ managers must, by order, establish the project. The establishment order must
259.11 include the findings of the managers.

259.12 Sec. 15. [103E.122] DRAINAGE REGISTRY INFORMATION PORTAL.

259.13 (a) By December 31, 2023, the executive director of the Board of Water and Soil
259.14 Resources must establish and permanently maintain a drainage registry information portal
259.15 that includes a publicly searchable electronic database. The portal must allow a drainage
259.16 authority to electronically submit information on:

259.17 (1) a petitioned drainage project; and

259.18 (2) a petition or order for reestablishment of records.

259.19 (b) Within ten days of appointing an engineer for a petitioned drainage project or within
259.20 ten days of a finding that a record is incomplete under section 103E.101, subdivision 4a,
259.21 paragraph (a), a drainage authority must file the following information with the Board of
259.22 Water and Soil Resources through the registry information portal established under paragraph
259.23 (a):

259.24 (1) the name of the drainage authority;

259.25 (2) whether the filing results from a petitioned drainage project or a petition or order for
259.26 reestablishment of records;

259.27 (3) the date that the petition or order was filed;

259.28 (4) information for a local contact that can provide additional information; and

259.29 (5) a copy of the filed petition or order.

260.1 (c) A drainage authority may not take further action on a petitioned drainage project or
260.2 a petition or order for reestablishment of records until the information under paragraph (b)
260.3 is available for public viewing on the registry information portal.

260.4 (d) The registry information portal must allow members of the public to electronically
260.5 search for and retrieve information by the data fields specified in paragraph (b), clauses (1)
260.6 to (5).

260.7 **Sec. 16. [103F.06] SOIL HEALTH PRACTICES PROGRAM.**

260.8 Subdivision 1. **Definitions.** (a) In this section, the following terms have the meanings
260.9 given:

260.10 (1) "board" means the Board of Water and Soil Resources;

260.11 (2) "local units of government" has the meaning given under section 103B.305,
260.12 subdivision 5; and

260.13 (3) "soil health" has the meaning given under section 103C.101, subdivision 10a.

260.14 Subd. 2. **Establishment.** (a) The board must administer a financial and technical support
260.15 program to produce soil health practices that achieve water quality, soil productivity, climate
260.16 change resiliency, or carbon sequestration benefits or reduce pesticide and fertilizer use.

260.17 (b) The program must include but is not limited to no till, field borders, prairie strips,
260.18 cover crops, and other practices sanctioned by the board or the United States Department
260.19 of Agriculture's Natural Resources Conservation Service.

260.20 Subd. 3. **Financial and technical assistance.** (a) The board may provide financial and
260.21 technical support to local units of government, private sector organizations, and farmers to
260.22 establish soil health practices and related practices with climate and water-quality benefits.

260.23 (b) The board must establish practices and costs that are eligible for financial and technical
260.24 support under this section.

260.25 Subd. 4. **Program implementation.** (a) The board may employ staff or enter into external
260.26 agreements to implement this section.

260.27 (b) The board must assist local units of government in achieving the objectives of the
260.28 program, including assessing practice standards and program effectiveness.

260.29 Subd. 5. **Federal aid availability.** The board must regularly review and optimize the
260.30 availability of federal funds and programs to supplement or complement state and other
260.31 efforts consistent with the purposes of this section.

261.1 Subd. 6. Soil health practices. The board, in consultation with the commissioner of
261.2 agriculture, may cooperate with the United States Department of Agriculture, other federal
261.3 and state agencies, local governments, and private sector organizations to establish soil
261.4 health goals for the state that will achieve water quality, soil productivity, climate change
261.5 resiliency, and carbon sequestration benefits and reduce pesticide and fertilizer use.

261.6 Sec. 17. Minnesota Statutes 2022, section 103F.505, is amended to read:

261.7 **103F.505 PURPOSE AND POLICY.**

261.8 (a) It is the purpose of sections 103F.505 to 103F.531 to restore certain marginal
261.9 agricultural land and protect environmentally sensitive areas to:

261.10 (1) enhance soil and water quality;

261.11 (2) minimize damage to flood-prone areas;

261.12 (3) sequester carbon, ~~and~~;

261.13 (4) support native plant, fish, and wildlife habitats; and

261.14 (5) establish perennial vegetation.

261.15 (b) It is state policy to encourage ~~the~~:

261.16 (1) restoration of wetlands and riparian lands ~~and promote the retirement~~;

261.17 (2) restoration and protection of marginal, highly erodible land, particularly land adjacent
261.18 to public waters, drainage systems, wetlands, and locally designated priority waters; and

261.19 (3) protection of environmentally sensitive areas, including wellhead protection areas,
261.20 grasslands, peatlands, shorelands, karst geology, and forest lands in priority areas.

261.21 Sec. 18. Minnesota Statutes 2022, section 103F.511, is amended by adding a subdivision
261.22 to read:

261.23 Subd. 5a. Grasslands. "Grasslands" means landscapes that are or were formerly
261.24 dominated by grasses, that have a low percentage of trees and shrubs, and that provide
261.25 economic and ecosystem services such as managed grazing, wildlife habitat, carbon
261.26 sequestration, and water filtration and retention.

262.1 Sec. 19. Minnesota Statutes 2022, section 103F.511, is amended by adding a subdivision
262.2 to read:

262.3 Subd. 8d. **Restored prairie.** "Restored prairie" means a restoration that uses at least 25
262.4 representative and biologically diverse native prairie plant species and that occurs on land
262.5 that was previously cropped or used as pasture.

262.6 Sec. 20. **[103F.519] REINVEST IN MINNESOTA WORKING LANDS PROGRAM.**

262.7 Subdivision 1. **Establishment.** The board may establish and administer a reinvest in
262.8 Minnesota working lands program that is in addition to the program established under
262.9 section 103F.515. Selecting land for the program must be based on the land's potential for:

262.10 (1) protecting or improving water quality;

262.11 (2) reducing erosion;

262.12 (3) improving soil health;

262.13 (4) reducing chemical inputs;

262.14 (5) improving carbon storage; and

262.15 (6) increasing biodiversity and habitat for fish, wildlife, and native plants.

262.16 Subd. 2. **Applicability.** Section 103F.515 applies to this section except as otherwise
262.17 provided in subdivisions 1, 3, and 4.

262.18 Subd. 3. **Nature of property rights acquired.** Notwithstanding section 103F.515,
262.19 subdivision 4, paragraph (a), the board may authorize managed haying and managed livestock
262.20 grazing, perennial or winter annual cover crop production, forest management, or other
262.21 activities that the board determines are consistent with section 103F.505 or appropriation
262.22 conditions or criteria.

262.23 Subd. 4. **Payments for easements.** The board must establish payment rates for acquiring
262.24 easements and for related practices. The board must consider market factors as well as
262.25 easement terms, including length and allowable uses, when establishing rates.

262.26 Sec. 21. Minnesota Statutes 2022, section 103G.2242, subdivision 1, is amended to read:

262.27 Subdivision 1. **Rules.** (a) The board, in consultation with the commissioner, shall adopt
262.28 rules governing the approval of wetland value replacement plans under this section and
262.29 public-waters-work permits affecting public waters wetlands under section 103G.245. These
262.30 rules must address the criteria, procedure, timing, and location of acceptable replacement

263.1 of wetland values and may address the state establishment and administration of a wetland
263.2 banking program for public and private projects, including provisions for an in-lieu fee
263.3 program; mitigating and banking other water and water-related resources; the administrative,
263.4 monitoring, and enforcement procedures to be used; and a procedure for the review and
263.5 appeal of decisions under this section. In the case of peatlands, the replacement plan rules
263.6 must consider the impact on carbon. Any in-lieu fee program established by the board must
263.7 conform with Code of Federal Regulations, title 33, section 332.8, as amended.

263.8 (b) After the adoption of the rules, a replacement plan must be approved by a resolution
263.9 of the governing body of the local government unit, consistent with the provisions of the
263.10 rules or a comprehensive wetland protection and management plan approved under section
263.11 103G.2243.

263.12 (c) If the local government unit fails to apply the rules, or fails to implement a local
263.13 comprehensive wetland protection and management plan established under section
263.14 103G.2243, the government unit is subject to penalty as determined by the board.

263.15 (d) When making a determination under rules adopted pursuant to this subdivision on
263.16 whether a rare natural community will be permanently adversely affected, consideration of
263.17 measures to mitigate any adverse effect on the community must be considered.

263.18 Sec. 22. **REPEALER.**

263.19 (a) Minnesota Statutes 2022, section 103C.501, subdivisions 2 and 3, are repealed.

263.20 (b) Minnesota Rules, parts 8400.0500; 8400.0550; 8400.0600, subparts 4 and 5;
263.21 8400.0900, subparts 1, 2, 4, and 5; 8400.1650; 8400.1700; 8400.1750; 8400.1800; and
263.22 8400.1900, are repealed.

263.23

ARTICLE 6

263.24

FARMED CERVIDAE

263.25 Section 1. Minnesota Statutes 2022, section 13.643, subdivision 6, is amended to read:

263.26 Subd. 6. **Animal premises data.** (a) Except for farmed Cervidae premises location data
263.27 collected and maintained under section 35.155, the following data collected and maintained
263.28 by the Board of Animal Health related to registration and identification of premises and
263.29 animals under chapter 35, are classified as private or nonpublic:

263.30 (1) the names and addresses;

263.31 (2) the location of the premises where animals are kept; and

264.1 (3) the identification number of the premises or the animal.

264.2 (b) Except as provided in section 347.58, subdivision 5, data collected and maintained
264.3 by the Board of Animal Health under sections 347.57 to 347.64 are classified as private or
264.4 nonpublic.

264.5 (c) The Board of Animal Health may disclose data collected under paragraph (a) or (b)
264.6 to any person, agency, or to the public if the board determines that the access will aid in the
264.7 law enforcement process or the protection of public or animal health or safety.

264.8 Sec. 2. Minnesota Statutes 2022, section 17.118, subdivision 2, is amended to read:

264.9 Subd. 2. **Definitions.** (a) For the purposes of this section, the terms defined in this
264.10 subdivision have the meanings given them.

264.11 (b) "Livestock" means beef cattle, dairy cattle, swine, poultry, goats, mules, farmed
264.12 Cervidae, Ratitae, bison, sheep, horses, and llamas.

264.13 (c) "Qualifying expenditures" means the amount spent for:

264.14 (1) the acquisition, construction, or improvement of buildings or facilities for the
264.15 production of livestock or livestock products;

264.16 (2) the development of pasture for use by livestock including, but not limited to, the
264.17 acquisition, development, or improvement of:

264.18 (i) lanes used by livestock that connect pastures to a central location;

264.19 (ii) watering systems for livestock on pasture including water lines, booster pumps, and
264.20 well installations;

264.21 (iii) livestock stream crossing stabilization; and

264.22 (iv) fences; or

264.23 (3) the acquisition of equipment for livestock housing, confinement, feeding, and waste
264.24 management including, but not limited to, the following:

264.25 (i) freestall barns;

264.26 (ii) watering facilities;

264.27 (iii) feed storage and handling equipment;

264.28 (iv) milking parlors;

264.29 (v) robotic equipment;

- 265.1 (vi) scales;
- 265.2 (vii) milk storage and cooling facilities;
- 265.3 (viii) bulk tanks;
- 265.4 (ix) computer hardware and software and associated equipment used to monitor the
265.5 productivity and feeding of livestock;
- 265.6 (x) manure pumping and storage facilities;
- 265.7 (xi) swine farrowing facilities;
- 265.8 (xii) swine and cattle finishing barns;
- 265.9 (xiii) calving facilities;
- 265.10 (xiv) digesters;
- 265.11 (xv) equipment used to produce energy;
- 265.12 (xvi) on-farm processing facilities equipment;
- 265.13 (xvii) fences, including but not limited to farmed Cervidae perimeter fences required
265.14 under section 35.155, ~~subdivision 4~~ subdivisions 4 and 4a; and
- 265.15 (xviii) livestock pens and corrals and sorting, restraining, and loading chutes.

265.16 Except for qualifying pasture development expenditures under clause (2), qualifying
265.17 expenditures only include amounts that are allowed to be capitalized and deducted under
265.18 either section 167 or 179 of the Internal Revenue Code in computing federal taxable income.
265.19 Qualifying expenditures do not include an amount paid to refinance existing debt.

265.20 Sec. 3. Minnesota Statutes 2022, section 35.155, subdivision 1, is amended to read:

265.21 Subdivision 1. **Running at large prohibited.** (a) An owner may not allow farmed
265.22 Cervidae to run at large. The owner must make all reasonable efforts to return escaped
265.23 farmed Cervidae to their enclosures as soon as possible. The owner must immediately notify
265.24 the commissioner of natural resources of the escape of farmed Cervidae if the farmed
265.25 Cervidae are not returned or captured by the owner within 24 hours of their escape.

265.26 (b) An owner is liable for expenses of another person in capturing, caring for, and
265.27 returning farmed Cervidae that have left their enclosures if the person capturing the farmed
265.28 Cervidae contacts the owner as soon as possible.

265.29 (c) If an owner is unwilling or unable to capture escaped farmed Cervidae, the
265.30 commissioner of natural resources may destroy the escaped farmed Cervidae. The

266.1 commissioner of natural resources must allow the owner to attempt to capture the escaped
266.2 farmed Cervidae prior to destroying the farmed Cervidae. Farmed Cervidae that are not
266.3 captured by 24 hours after escape may be destroyed.

266.4 (d) A hunter licensed by the commissioner of natural resources under chapter 97A may
266.5 kill and possess escaped farmed Cervidae in a lawful manner and is not liable to the owner
266.6 for the loss of the animal. A licensed hunter who harvests escaped farmed Cervidae under
266.7 this paragraph must immediately notify the commissioner of natural resources.

266.8 (e) Escaped farmed Cervidae killed by a hunter or destroyed by the commissioner of
266.9 natural resources must be tested for chronic wasting disease.

266.10 (f) The owner is responsible for proper disposal, as determined by the board, of farmed
266.11 Cervidae that are killed or destroyed under this subdivision and test positive for chronic
266.12 wasting disease.

266.13 (g) An owner is liable for any additional costs associated with escaped farmed Cervidae
266.14 that are infected with chronic wasting disease. This paragraph may be enforced by the
266.15 attorney general on behalf of any state agency affected.

266.16 **EFFECTIVE DATE.** This section is effective September 1, 2023.

266.17 Sec. 4. Minnesota Statutes 2022, section 35.155, subdivision 4, is amended to read:

266.18 Subd. 4. **Fencing.** Farmed Cervidae must be confined in a manner designed to prevent
266.19 escape. Except as provided in subdivision 4a, all perimeter fences for farmed Cervidae must
266.20 be at least 96 inches in height and be constructed and maintained in a way that prevents the
266.21 escape of farmed Cervidae or, entry into the premises by free-roaming Cervidae, and physical
266.22 contact between farmed Cervidae and free-roaming Cervidae. After July 1, 2019, All new
266.23 fencing installed and all fencing used to repair deficiencies must be high tensile. By
266.24 December 1, 2019, All entry areas for farmed Cervidae enclosure areas must have two
266.25 redundant gates, which must be maintained to prevent the escape of animals through an
266.26 open gate. If a fence deficiency allows entry or exit by farmed or wild Cervidae, the owner
266.27 must repair the deficiency within a reasonable time, as determined by the Board of Animal
266.28 Health, not to exceed 45 14 days. If a fence deficiency is detected during an inspection, the
266.29 facility must be reinspected at least once in the subsequent three months. The farmed
266.30 Cervidae owner must pay a reinspection fee equal to one-half the applicable annual inspection
266.31 fee under subdivision 7a for each reinspection related to a fence violation. If the facility
266.32 experiences more than one escape incident in any six-month period or fails to correct a
266.33 deficiency found during an inspection, the board may revoke the facility's registration and

267.1 order the owner to remove or destroy the animals as directed by the board. If the board
267.2 revokes a facility's registration, the commissioner of natural resources may seize and destroy
267.3 animals at the facility.

267.4 **EFFECTIVE DATE.** This section is effective September 1, 2024.

267.5 Sec. 5. Minnesota Statutes 2022, section 35.155, is amended by adding a subdivision to
267.6 read:

267.7 Subd. 4a. **Fencing; commercial herds.** In addition to the requirements in subdivision
267.8 4, commercially farmed white-tailed deer must be confined by two or more perimeter fences,
267.9 with each perimeter fence at least 120 inches in height.

267.10 **EFFECTIVE DATE.** This section is effective September 1, 2024.

267.11 Sec. 6. Minnesota Statutes 2022, section 35.155, subdivision 10, is amended to read:

267.12 Subd. 10. **Mandatory registration.** (a) A person may not possess live Cervidae in
267.13 Minnesota unless the person is registered with the Board of Animal Health and meets all
267.14 the requirements for farmed Cervidae under this section. Cervidae possessed in violation
267.15 of this subdivision may be seized and destroyed by the commissioner of natural resources.

267.16 (b) A person whose registration is revoked by the board is ineligible for future registration
267.17 under this section unless the board determines that the person has undertaken measures that
267.18 make future escapes extremely unlikely.

267.19 (c) The board must not allow new registrations under this section for possessing
267.20 white-tailed deer. This paragraph does not prohibit a person holding a valid registration
267.21 under this subdivision from selling or transferring the person's registration to a family
267.22 member who resides in this state and is related to the person within the third degree of
267.23 kindred according to the rules of civil law. A valid registration may be sold or transferred
267.24 only once under this paragraph. Before the board approves a sale or transfer under this
267.25 paragraph, the board must verify that the herd is free from chronic wasting disease and the
267.26 person or eligible family member must pay a onetime transfer fee of \$500 to the board.

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

267.28 Sec. 7. Minnesota Statutes 2022, section 35.155, subdivision 11, is amended to read:

267.29 Subd. 11. **Mandatory surveillance for chronic wasting disease; depopulation.** (a)
267.30 An inventory for each farmed Cervidae herd must be verified by an accredited veterinarian
267.31 and filed with the Board of Animal Health every 12 months.

268.1 (b) Movement of farmed Cervidae from any premises to another location must be reported
268.2 to the Board of Animal Health within 14 days of the movement on forms approved by the
268.3 Board of Animal Health. A person must not move farmed white-tailed deer from a herd that
268.4 tests positive for chronic wasting disease from any premises to another location.

268.5 (c) All animals from farmed Cervidae herds that are over ~~12~~ six months of age that die
268.6 or are slaughtered must be tested for chronic wasting disease.

268.7 (d) The owner of a premises where chronic wasting disease is detected must:

268.8 (1) allow and cooperate with inspections of the premises as determined by the Board of
268.9 Animal Health and Department of Natural Resources conservation officers and wildlife
268.10 managers;

268.11 ~~(1)~~ (2) depopulate the premises of Cervidae after the federal indemnification process
268.12 has been completed or, if an indemnification application is not submitted, within ~~a reasonable~~
268.13 ~~time determined by the board in consultation with the commissioner of natural resources~~
268.14 30 days;

268.15 ~~(2)~~ (3) maintain the fencing required under ~~subdivision~~ subdivisions 4 and 4a on the
268.16 premises for ~~five~~ ten years after the date of detection; ~~and~~

268.17 ~~(3)~~ (4) post the fencing on the premises with biohazard signs as directed by the board;

268.18 (5) not raise farmed Cervidae on the premises for at least ten years;

268.19 (6) before signing an agreement to sell or transfer the property, disclose in writing to
268.20 the buyer or transferee the date of depopulation and the requirements incumbent upon the
268.21 premises and the buyer or transferee under this paragraph; and

268.22 (7) record with the county recorder or registrar of titles, as appropriate, in the county
268.23 where the premises is located a notice, in the form required by the board, that meets the
268.24 recording requirements of sections 507.093 and 507.24 and includes the nearest address
268.25 and the legal description of the premises, the date of detection, the date of depopulation,
268.26 the landowner requirements under this paragraph, and any other information required by
268.27 the board. The legal description must be the legal description of record with the county
268.28 recorder or registrar of titles and must not otherwise be the real estate tax statement legal
268.29 description of the premises. The notice expires and has no effect ten years after the date of
268.30 detection stated in the notice. The registrar of titles must omit an expired notice from future
268.31 certificates of title.

268.32 (e) An owner of farmed Cervidae that test positive for chronic wasting disease is
268.33 responsible for proper disposal of the animals, as determined by the board.

269.1 Sec. 8. Minnesota Statutes 2022, section 35.155, is amended by adding a subdivision to
269.2 read:

269.3 Subd. 11a. **Liability.** (a) A herd owner is liable in a civil action to a person injured by
269.4 the owner's sale or unlawful disposal of farmed Cervidae infected with or exposed to chronic
269.5 wasting disease. Action may be brought in a county where the farmed Cervidae are sold,
269.6 delivered, or unlawfully disposed.

269.7 (b) A herd owner is liable to the state for costs associated with the owner's unlawful
269.8 disposal of farmed Cervidae infected with or exposed to chronic wasting disease. This
269.9 paragraph may be enforced by the attorney general on behalf of any state agency affected.

269.10 Sec. 9. Minnesota Statutes 2022, section 35.155, subdivision 12, is amended to read:

269.11 Subd. 12. **Importation.** (a) A person must not import live Cervidae or Cervidae semen
269.12 into the state from a herd that is:

269.13 (1) infected with or has been exposed to chronic wasting disease; or

269.14 (2) from a ~~known~~ state or province where chronic wasting disease ~~endemic area, as~~
269.15 ~~determined by the board~~ is present in farmed or wild Cervidae populations.

269.16 (b) A person may import live Cervidae or Cervidae semen into the state only from a
269.17 herd that:

269.18 (1) is not ~~in a known~~ located in a state or province where chronic wasting disease ~~endemic~~
269.19 ~~area, as determined by the board,~~ is present in farmed or wild Cervidae populations; and
269.20 ~~the herd~~

269.21 (2) has been subject to a ~~state or provincial approved~~ state- or provincial-approved
269.22 chronic wasting disease monitoring program for at least three years.

269.23 (c) Cervidae or Cervidae semen imported in violation of this section may be seized and
269.24 destroyed by the commissioner of natural resources.

269.25 (d) This subdivision does not apply to the interstate transfer of animals between two
269.26 facilities accredited by the Association of Zoos and Aquariums.

269.27 (e) Notwithstanding this subdivision, the commissioner of natural resources may issue
269.28 a permit allowing the importation of orphaned wild cervid species that are not susceptible
269.29 to chronic wasting disease from another state to an Association of Zoos and Aquariums
269.30 accredited institution in Minnesota following a joint risk-based assessment conducted by
269.31 the commissioner and the institution.

270.1 Sec. 10. Minnesota Statutes 2022, section 35.156, subdivision 2, is amended to read:

270.2 Subd. 2. **Federal fund account.** (a) Money granted to the state by the federal government
270.3 for purposes of chronic wasting disease must be credited to a separate account in the federal
270.4 fund and, except as provided in paragraph (b), is annually appropriated to the commissioner
270.5 of agriculture for the purposes for which the federal grant was made according to section
270.6 17.03.

270.7 (b) Money granted to the state by the federal government for response to, and remediation
270.8 of, farmed or wild white-tailed deer infected with chronic wasting disease is annually
270.9 appropriated to the commissioner of natural resources according to section 84.085,
270.10 subdivision 1.

270.11 Sec. 11. Minnesota Statutes 2022, section 35.156, is amended by adding a subdivision to
270.12 read:

270.13 Subd. 3. **Consultation required.** The Board of Animal Health and the commissioner
270.14 of natural resources must consult the Minnesota Center for Prion Research and Outreach
270.15 at the University of Minnesota and incorporate peer-reviewed scientific information when
270.16 administering and enforcing section 35.155 and associated rules pertaining to chronic wasting
270.17 disease and farmed Cervidae.

270.18 Sec. 12. Minnesota Statutes 2022, section 35.156, is amended by adding a subdivision to
270.19 read:

270.20 Subd. 4. **Notice required.** The Board of Animal Health must promptly notify affected
270.21 local units of government and Tribal governments when an animal in a farmed Cervidae
270.22 herd tests positive for chronic wasting disease.

270.23 Sec. 13. Minnesota Statutes 2022, section 35.156, is amended by adding a subdivision to
270.24 read:

270.25 Subd. 5. **Annual testing required.** (a) Annually beginning July 1, 2023, the Board of
270.26 Animal Health must have each farmed white-tailed deer possessed by a person registered
270.27 under section 35.155 tested for chronic wasting disease using a real-time quaking-induced
270.28 conversion (RT-QuIC) test offered by a public or private diagnostic laboratory. Live-animal
270.29 testing must consist of an ear biopsy, the collection of which must be managed by the Board
270.30 of Animal Health, with each laboratory reporting RT-QuIC results to both the commissioner
270.31 of natural resources and the Board of Animal Health in the form required by both agencies.

271.1 If a white-tailed deer tests positive, the owner must have the animal tested a second time
271.2 using an RT-QuIC test performed on both a second ear biopsy and a tonsil or rectal biopsy.

271.3 (b) If a farmed white-tailed deer tests positive using an RT-QuIC test performed on both
271.4 a second ear biopsy and a tonsil or rectal biopsy, the owner must have the animal destroyed
271.5 and tested for chronic wasting disease using a postmortem test approved by the Board of
271.6 Animal Health.

271.7 (c) If a farmed white-tailed deer tests positive for chronic wasting disease under paragraph
271.8 (b), the owner must depopulate the premises of farmed Cervidae as required under section
271.9 35.155, subdivision 11.

271.10 **Sec. 14. TRANSFER OF DUTIES; FARMED WHITE-TAILED DEER.**

271.11 (a) Responsibility for administering and enforcing the statutes and rules listed in clauses
271.12 (1) and (2) for farmed white-tailed deer are, except as provided in paragraph (c), transferred
271.13 pursuant to Minnesota Statutes, section 15.039, from the Board of Animal Health to the
271.14 commissioner of natural resources:

271.15 (1) Minnesota Statutes, sections 35.153 to 35.156; and

271.16 (2) Minnesota Rules, parts 1721.0370 to 1721.0420.

271.17 (b) The Board of Animal Health retains responsibility for administering and enforcing
271.18 the statutes and rules listed in paragraph (a), clauses (1) and (2), for all other farmed Cervidae.

271.19 (c) Notwithstanding Minnesota Statutes, section 15.039, subdivision 7, the transfer of
271.20 personnel will not take place.

271.21 **EFFECTIVE DATE.** This section is effective July 1, 2025.

271.22 **Sec. 15. REVISOR INSTRUCTION.**

271.23 The revisor of statutes must recodify the relevant sections in Minnesota Statutes, chapter
271.24 35, and Minnesota Rules, chapter 1721, as necessary to conform with section 13. The revisor
271.25 must also change the responsible agency, remove obsolete language, and make necessary
271.26 cross-reference changes consistent with section 13 and the renumbering.

271.27 **ARTICLE 7**

271.28 **MISCELLANEOUS**

271.29 **Section 1. [3.8865] LEGISLATIVE WATER COMMISSION.**

271.30 Subdivision 1. **Establishment.** The Legislative Water Commission is established.

272.1 Subd. 2. **Membership.** (a) The Legislative Water Commission consists of 12 members
272.2 appointed as follows:

272.3 (1) six members of the senate, including three majority party members appointed by the
272.4 majority leader and three minority party members appointed by the minority leader; and

272.5 (2) six members of the house of representatives, including three majority party members
272.6 appointed by the speaker of the house and three minority party members appointed by the
272.7 minority leader.

272.8 (b) Members serve at the pleasure of the appointing authority and continue to serve until
272.9 their successors are appointed or until a member is no longer a member of the legislative
272.10 body that appointed the member to the commission. Vacancies must be filled in the same
272.11 manner as the original positions. Vacancies occurring on the commission do not affect the
272.12 authority of the remaining members of the Legislative Water Commission to carry out the
272.13 functions of the commission.

272.14 (c) Members must elect a chair, vice-chair, and other officers as determined by the
272.15 commission. The chair may convene meetings as necessary to perform the duties prescribed
272.16 by this section.

272.17 Subd. 3. **Commission staffing.** The Legislative Coordinating Commission must employ
272.18 staff and contract with consultants as necessary to enable the Legislative Water Commission
272.19 to carry out its duties and functions.

272.20 Subd. 4. **Powers and duties.** (a) The Legislative Water Commission must review water
272.21 policy reports and recommendations of the Environmental Quality Board, the Board of
272.22 Water and Soil Resources, the Pollution Control Agency, the Department of Natural
272.23 Resources, and the Metropolitan Council and other water-related reports as may be required
272.24 by law or the legislature.

272.25 (b) The commission may conduct public hearings and otherwise secure data and
272.26 comments.

272.27 (c) The commission must make recommendations as it deems proper to assist the
272.28 legislature in formulating legislation.

272.29 (d) Data or information compiled by the Legislative Water Commission or its
272.30 subcommittees must be made available to the Legislative-Citizen Commission on Minnesota
272.31 Resources, the Clean Water Council, and standing and interim committees of the legislature
272.32 upon request of the chair of the respective commission, council, or committee.

272.33 (e) The commission must coordinate with the Clean Water Council.

273.1 Subd. 5. **Compensation.** Members of the commission may receive per diem and expense
273.2 reimbursement incurred doing the work of the commission in the manner and amount
273.3 prescribed for per diem and expense payments by the senate Committee on Rules and
273.4 Administration and the house of representatives Committee on Rules and Legislative
273.5 Administration.

273.6 Subd. 6. **Expiration.** This section expires July 1, 2028.

273.7 Sec. 2. Minnesota Statutes 2022, section 18B.01, subdivision 31, is amended to read:

273.8 Subd. 31. **Unreasonable adverse effects on the environment.** "Unreasonable adverse
273.9 effects on the environment" means any unreasonable risk to humans or the environment,
273.10 taking into account the economic, social, and environmental costs and benefits of the use
273.11 of any pesticide or seed treated with pesticide.

273.12 Sec. 3. **[18B.075] PESTICIDE-TREATED SEED.**

273.13 A person may not use, store, handle, distribute, or dispose of seed treated with pesticide
273.14 in a manner that:

273.15 (1) endangers humans, food, livestock, fish, or wildlife; or

273.16 (2) will cause unreasonable adverse effects on the environment.

273.17 Sec. 4. Minnesota Statutes 2022, section 18B.09, subdivision 2, is amended to read:

273.18 Subd. 2. **Authority.** (a) Statutory and home rule charter cities may enact an ordinance,
273.19 which may include penalty and enforcement provisions, containing one or both of the
273.20 following:

273.21 (1) the pesticide application warning information contained in subdivision 3, ~~including~~
273.22 ~~their own licensing, penalty, and enforcement provisions; and~~

273.23 (2) the pesticide prohibition contained in subdivision 4.

273.24 (b) Statutory and home rule charter cities may not enact an ordinance ~~that contains more~~
273.25 ~~restrictive pesticide application warning information than is contained in subdivision~~
273.26 ~~subdivisions 3 and 4.~~

274.1 Sec. 5. Minnesota Statutes 2022, section 18B.09, is amended by adding a subdivision to
274.2 read:

274.3 Subd. 4. **Application of certain pesticides prohibited.** (a) A person may not apply or
274.4 use a pollinator-lethal pesticide within the geographic boundaries of a city that has enacted
274.5 an ordinance under subdivision 2 prohibiting such use.

274.6 (b) For purposes of this subdivision, "pollinator-lethal pesticide" means a pesticide that
274.7 has a pollinator protection box on the label or labeling or a pollinator, bee, or honey bee
274.8 precautionary statement in the environmental hazards section of the label or labeling.

274.9 (c) This subdivision does not apply to:

274.10 (1) pet care products used to mitigate fleas, mites, ticks, heartworms, or other animals
274.11 that are harmful to the health of a domesticated animal;

274.12 (2) personal care products used to mitigate lice and bedbugs;

274.13 (3) indoor pest control products used to mitigate insects indoors, including ant bait;

274.14 (4) pesticides as used or applied by the Metropolitan Mosquito Control District for public
274.15 health protection if the pesticide includes vector species on the label;

274.16 (5) wood preservative pesticides used either within a sealed steel cylinder or inside an
274.17 enclosed building at a secure facility by trained technicians and pesticide-treated wood
274.18 products;

274.19 (6) pesticides used or applied to control or eradicate a noxious weed designated by the
274.20 commissioner under section 18.79, subdivision 13; and

274.21 (7) pesticides used or applied on land used for agricultural production and located in an
274.22 area zoned for agricultural use.

274.23 (d) The commissioner must maintain a list of pollinator-lethal pesticides on the
274.24 department's website.

274.25 Sec. 6. Minnesota Statutes 2022, section 21.82, subdivision 3, is amended to read:

274.26 Subd. 3. **Treated seed.** For all named agricultural, vegetable, flower, or wildflower
274.27 seeds which are treated, for which a separate label may be used, the label must contain:

274.28 (1) a word or statement to indicate that the seed has been treated;

274.29 (2) the commonly accepted, coined, chemical, or abbreviated generic chemical name of
274.30 the applied substance;

275.1 (3) the caution statement "Do not use for food, feed, or oil purposes" if the substance in
275.2 the amount present with the seed is harmful to human or other vertebrate animals;

275.3 (4) in the case of mercurials or similarly toxic substances, a poison statement and symbol;

275.4 (5) a word or statement describing the process used when the treatment is not of pesticide
275.5 origin; ~~and~~

275.6 (6) the date beyond which the inoculant is considered ineffective if the seed is treated
275.7 with an inoculant. It must be listed on the label as "inoculant: expires (month and year)" or
275.8 wording that conveys the same meaning; and

275.9 (7) the caution statement, framed in a box and including a bee icon developed by the
275.10 commissioner: "Planting seed treated with a neonicotinoid pesticide may negatively impact
275.11 pollinator health. Please use care when handling and planting this seed" for any corn or
275.12 soybean seed treated with a neonicotinoid pesticide.

275.13 Sec. 7. Minnesota Statutes 2022, section 21.86, subdivision 2, is amended to read:

275.14 Subd. 2. **Miscellaneous violations.** No person may:

275.15 (a) detach, alter, deface, or destroy any label required in sections 21.82 and 21.83, alter
275.16 or substitute seed in a manner that may defeat the purposes of sections 21.82 and 21.83, or
275.17 alter or falsify any seed tests, laboratory reports, records, or other documents to create a
275.18 misleading impression as to kind, variety, history, quality, or origin of the seed;

275.19 (b) hinder or obstruct in any way any authorized person in the performance of duties
275.20 under sections 21.80 to 21.92;

275.21 (c) fail to comply with a "stop sale" order or to move or otherwise handle or dispose of
275.22 any lot of seed held under a stop sale order or attached tags, except with express permission
275.23 of the enforcing officer for the purpose specified;

275.24 (d) use the word "type" in any labeling in connection with the name of any agricultural
275.25 seed variety;

275.26 (e) use the word "trace" as a substitute for any statement which is required;

275.27 (f) plant any agricultural seed which the person knows contains weed seeds or noxious
275.28 weed seeds in excess of the limits for that seed; ~~or~~

275.29 (g) advertise or sell seed containing patented, protected, or proprietary varieties used
275.30 without permission of the patent or certificate holder of the intellectual property associated
275.31 with the variety of seed; or

276.1 (h) use or sell as food, feed, oil, or ethanol feedstock any seed treated with neonicotinoid
276.2 pesticide.

276.3 Sec. 8. **[21.915] PESTICIDE-TREATED SEED USE AND DISPOSAL; CONSUMER**
276.4 **GUIDANCE REQUIRED.**

276.5 (a) The commissioner, in consultation with the commissioner of the Pollution Control
276.6 Agency, must develop and maintain consumer guidance regarding the proper use and disposal
276.7 of seed treated with pesticide.

276.8 (b) A person selling seed treated with pesticide at retail must post in a conspicuous
276.9 location the guidance developed by the commissioner under paragraph (a).

276.10 Sec. 9. Minnesota Statutes 2022, section 85A.01, subdivision 1, is amended to read:

276.11 Subdivision 1. **Creation.** (a) The Minnesota Zoological Garden is established under the
276.12 supervision and control of the Minnesota Zoological Board. The board consists of 30 public
276.13 and private sector members having a background or interest in zoological societies or zoo
276.14 management or an ability to generate community interest in the Minnesota Zoological
276.15 Garden. Fifteen members shall be appointed by the board after consideration of a list supplied
276.16 by board members serving on a nominating committee, and 15 members shall be appointed
276.17 by the governor. One member of the board must be a resident of Dakota County and shall
276.18 be appointed by the governor after consideration of the recommendation of the Dakota
276.19 County Board. Board appointees shall not be subject to the advice and consent of the senate.

276.20 (b) To the extent possible, the board and governor shall appoint members who are
276.21 residents of the various geographic regions of the state. Terms, compensation, and removal
276.22 of members are as provided in section 15.0575, except that a member may be compensated
276.23 at the rate of up to \$125 a day. In making appointments, the governor and board shall utilize
276.24 the appointment process as provided under section 15.0597 and consider, among other
276.25 factors, the ability of members to garner support for the Minnesota Zoological Garden.

276.26 (c) A member of the board may not be an employee of or have a direct or immediate
276.27 family financial interest in a business that provides goods or services to the zoo. A member
276.28 of the board may not be an employee of the zoo.

277.1 Sec. 10. Minnesota Statutes 2022, section 373.475, is amended to read:

277.2 **373.475 COUNTY ENVIRONMENTAL TRUST FUND.**

277.3 (a) Notwithstanding the provisions of chapter 282 and any other law relating to the
277.4 apportionment of proceeds from the sale of tax-forfeited land, and except as otherwise
277.5 provided in this section, a county board must deposit the money received from the sale of
277.6 land under Laws 1998, chapter 389, article 16, section 31, subdivision 3, into an
277.7 environmental trust fund established by the county under this section. The principal from
277.8 the sale of the land may not be expended, and the county board may spend interest earned
277.9 on the principal only for purposes related to the improvement of natural resources. To the
277.10 extent money received from the sale is attributable to tax-forfeited land from another county,
277.11 the money must be deposited in an environmental trust fund established under this section
277.12 by that county board.

277.13 (b) Notwithstanding paragraph (a), St. Louis County may use up to 50 percent of the
277.14 principal in an environmental trust fund established under this section for economic
277.15 development and environmental projects within the county that protect the environment or
277.16 create clean economy jobs and manufacturing.

277.17 Sec. 11. **[473.5491] METROPOLITAN CITIES INFLOW AND INFILTRATION**
277.18 **GRANTS.**

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

277.21 (b) "Affordability criteria" means an inflow and infiltration project service area that is
277.22 located, in whole or in part, in a census tract where at least three of the following apply as
277.23 determined using the most recently published data from the United States Census Bureau
277.24 or United States Centers for Disease Control and Prevention:

277.25 (1) 20 percent or more of the residents have income below the federal poverty thresholds;

277.26 (2) the tract has a United States Centers for Disease Control and Prevention Social
277.27 Vulnerability Index greater than 0.80;

277.28 (3) the upper limit of the lowest quintile of household income is less than the state upper
277.29 limit of the lowest quintile;

277.30 (4) the housing vacancy rate is greater than the state average; or

277.31 (5) the percent of the population receiving Supplemental Nutrition Assistance Program
277.32 (SNAP) benefits is greater than the state average.

278.1 (c) "City" means a statutory or home rule charter city located within the metropolitan
278.2 area.

278.3 Subd. 2. **Grants.** (a) The council shall make grants to cities for capital improvements
278.4 in municipal wastewater collection systems to reduce the amount of inflow and infiltration
278.5 to the council's metropolitan sanitary sewer disposal system.

278.6 (b) A grant under this section may be made in an amount up to 50 percent of the cost to
278.7 mitigate inflow and infiltration in the publicly owned municipal wastewater collection
278.8 system. The council may award a grant up to 100 percent of the cost to mitigate inflow and
278.9 infiltration in the publicly owned municipal wastewater collection system if the project
278.10 meets affordability criteria.

278.11 Subd. 3. **Eligibility.** To be eligible for a grant under this section, a city must be identified
278.12 by the council as a contributor of excessive inflow and infiltration in the metropolitan
278.13 disposal system or have a measured flow rate within 20 percent of its allowable
278.14 council-determined inflow and infiltration limits.

278.15 Subd. 4. **Application.** The council must award grants based on applications from cities
278.16 that identify eligible capital costs and include a timeline for inflow and infiltration mitigation
278.17 construction, pursuant to guidelines established by the council. The council must prioritize
278.18 applications that meet affordability criteria.

278.19 Subd. 5. **Cancellation.** If a grant is awarded to a city and funds are not encumbered for
278.20 the grant within four years after the award date, the grant must be canceled.

278.21 Sec. 12. **[473.5492] COMMUNITY WASTEWATER COSTS; ANNUAL REPORT.**

278.22 By February 15 each year, the council must submit a report to the chairs and ranking
278.23 minority members of the legislative committees and divisions with jurisdiction over capital
278.24 investment and environment and natural resources that provides a summary of the average
278.25 monthly wastewater costs for communities in the metropolitan area for the previous calendar
278.26 year.

278.27 Sec. 13. **50-YEAR CLEAN WATER PLAN SCOPE OF WORK.**

278.28 (a) The Board of Regents of the University of Minnesota, through the University of
278.29 Minnesota Water Council, is requested to develop a scope of work, timeline, and budget
278.30 for a plan to promote and protect clean water in Minnesota for the next 50 years. The 50-year
278.31 clean water plan must:

- 279.1 (1) provide a literature-based assessment of the current status and trends regarding the
279.2 quality and quantity of all Minnesota waters, both surface and subsurface;
- 279.3 (2) identify gaps in the data or understanding and provide recommended action steps to
279.4 address gaps;
- 279.5 (3) identify existing and potential future threats to Minnesota's waters; and
- 279.6 (4) propose a road map of scenarios and policy recommendations to allow the state to
279.7 proactively protect, remediate, and conserve clean water for human use and biodiversity
279.8 for the next 50 years.
- 279.9 (b) The scope of work must outline the steps and resources necessary to develop the
279.10 plan, including but not limited to:
- 279.11 (1) the data sets that are required and how the University of Minnesota will obtain access;
- 279.12 (2) the suite of proposed analysis methods;
- 279.13 (3) the roles and responsibilities of project leaders, key personnel, and stakeholders;
- 279.14 (4) the project timeline with milestones; and
- 279.15 (5) a budget with expected costs for tasks and milestones.
- 279.16 (c) By December 1, 2023, the Board of Regents of the University of Minnesota is
279.17 requested to submit the scope of work to the chairs and ranking minority members of the
279.18 house of representatives and senate committees and divisions with jurisdiction over
279.19 environment and natural resources.

84.033 SCIENTIFIC AND NATURAL AREAS.

Subd. 3. **County approval.** The commissioner must follow the procedures under section 97A.145, subdivision 2, when acquiring land for designation as a scientific and natural area under this section.

84.944 ACQUIRING CRITICAL NATURAL HABITAT.

Subd. 3. **County approval.** The commissioner must follow the procedures under section 97A.145, subdivision 2, for critical natural habitat acquired under this section.

86B.101 WATERCRAFT SAFETY PROGRAM.

Subdivision 1. **Safety program.** The commissioner shall continue and expand the comprehensive boat safety and education program. The commissioner shall cooperate with boaters, governmental subdivisions, state agencies, other states, and the federal government in the operation of the program.

Subd. 2. **Youth watercraft safety course.** (a) The commissioner shall establish an educational course and a testing program for personal watercraft and watercraft operators and for persons age 12 or older but younger than age 18 required to take the watercraft safety course. The commissioner shall prescribe a written test as part of the course. A personal watercraft educational course and testing program that emphasizes safe and legal operation must be required for persons age 13 or older but younger than age 18 operating personal watercraft.

(b) The commissioner shall issue a watercraft operator's permit to a person age 12 or older but younger than age 18 who successfully completes the educational program and the written test.

Subd. 3. **Operator's permit.** The commissioner shall issue a watercraft operator's permit to a person who successfully qualifies for a watercraft operator's permit under the boat safety education program.

Subd. 4. **Boat safety education program; reciprocity with other states.** The commissioner may enter into reciprocity agreements or otherwise certify boat safety education programs from other states that are substantially similar to in-state programs. The commissioner shall issue a watercraft operator's permit to a person who provides proof of completion of a program subject to a reciprocity agreement or certified as substantially similar.

86B.305 YOUTH OPERATORS.

Subdivision 1. **Under age 12.** (a) Except in case of an emergency, a person under age 12 may not operate or be allowed to operate a watercraft propelled by a motor with a factory rating of more than 25 horsepower unless there is present in the watercraft, in addition to the operator, at least one person age 21 or older who is within immediate reach of the controls of the motor. For purposes of section 169A.20, the person age 21 or older, as well as the actual operator, is in physical control of the motorboat.

(b) A person under age 12 may not operate or be allowed to operate a watercraft propelled by a motor with a factory rating of more than 75 horsepower.

Subd. 2. **Age 12 to 17; permit required.** Except as provided in this subdivision, a person age 12 or older and younger than age 18 may not operate a motorboat powered by a motor over 25 horsepower without possessing a valid watercraft operator's permit from this state or from the operator's state of residence unless there is a person age 21 or older in the motorboat who is within immediate reach of the controls of the motor. For purposes of section 169A.20, the person age 21 or older, as well as the actual operator, is in physical control of the motorboat.

Subd. 3. **Owners may not allow certain uses.** An owner of a watercraft may not allow a watercraft to be operated contrary to the provisions of subdivision 2.

86B.313 PERSONAL WATERCRAFT; REGULATIONS.

Subd. 2. **Age of operator.** Except in the case of an emergency, a person under the age of 13 years may not operate or be permitted to operate a personal watercraft, regardless of horsepower. It is unlawful for the owner of a personal watercraft to permit the personal watercraft to be operated contrary to this subdivision.

Subd. 3. **Operator's permit; adult supervision.** Except in the case of an emergency, a person 13 years of age or over but less than 18 years of age may not operate a personal watercraft, regardless of horsepower, without possessing a valid watercraft operator's permit as required by section 86B.305, unless there is a person 21 years of age or older on board the craft. In addition to the

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permit requirement, a person 13 years of age operating a personal watercraft must remain under visual supervision by a person who is 21 years of age or older. An owner of a personal watercraft may not permit the personal watercraft to be operated contrary to this subdivision.

97A.145 WETLANDS FOR WILDLIFE.

Subd. 2. **Acquisition procedure.** (a) Lands purchased or leased under this section must be acquired in accordance with this subdivision.

(b) The commissioner must notify the county board and the town officers where the land is located and furnish them a description of the land to be acquired. The county board must approve or disapprove the proposed acquisition within 90 days after being notified. The commissioner may extend the time up to 30 days. The soil and water conservation district supervisors shall counsel the county board on drainage and flood control and the best utilization and capability of the land.

(c) If the county board approves the acquisition within the prescribed time, the commissioner may acquire the land.

(d) If the county board disapproves the acquisition, it must state valid reasons. The commissioner may not purchase or lease the land if the county board disapproves the acquisition and states its reasons within the prescribed time period. The landowner or the commissioner may appeal the disapproval to the district court having jurisdiction where the land is located.

(e) The commissioner or the owner of the land may submit the proposed acquisition to the Land Exchange Board if:

(1) the county board does not give reason for disapproval, or does not approve or disapprove the acquisition within the prescribed time period; or

(2) the court finds that the disapproval is arbitrary and capricious, or that the reasons stated for disapproval are invalid.

(f) The Land Exchange Board must conduct a hearing and make a decision on the acquisition within 60 days after receiving the proposal. The Land Exchange Board must give notice of the hearing to the county board, the commissioner, the landowner, and other interested parties. The Land Exchange Board must consider the interests of the county, the state, and the landowner in determining whether the acquisition is in the public interest. If a majority of the Land Exchange Board members approves the acquisition, the commissioner may acquire the land. If a majority disapproves, the commissioner may not purchase or lease the land.

97C.605 TURTLES.

Subd. 2. **Turtle seller's license.** (a) A person may not take, possess, buy, or transport turtles for sale; sell turtles; or take turtles for sale using commercial equipment without a turtle seller's license, except as provided in subdivision 2c.

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

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

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

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

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

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

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

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

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

(3) knowingly damage, disturb, or interfere with a licensed turtle operation.

103C.501 COST-SHARING CONSERVATION CONTRACTS FOR EROSION CONTROL AND WATER MANAGEMENT.

Subd. 2. **Request by district board.** A district board requesting funds of the state board must submit an application in a form prescribed by the board containing:

(1) a comprehensive plan;

(2) an annual work plan; and

(3) an application for cost-sharing funds.

Subd. 3. **Approving application.** If the state board approves the comprehensive plan, including the plan's most recent amendment, the annual work plan, and the application of the district, the state board shall determine the specific amount of funds to allocate to the district for cost-sharing contracts.

115.44 CLASSIFICATION OF WATERS; STANDARDS OF QUALITY AND PURITY.

Subd. 9. **Annual report.** (a) By January 15 each year, the commissioner shall post on the Pollution Control Agency's website a report on the agency's activities the previous calendar year to implement standards and classification requirements into national pollutant discharge elimination system and state disposal system permits held by municipalities. The report must include:

(1) a summary of permits issued or reissued over the previous calendar year, including any changes to permitted effluent limits due to water quality standards adopted or revised during the previous permit term;

(2) highlights of innovative approaches employed by the agency and municipalities to develop and achieve permit requirements in a cost-effective manner;

(3) a summary of standards development and water quality rulemaking activities over the previous calendar year, including economic analyses;

(4) a summary of standards development and water quality rulemaking activities anticipated for the next three years, including economic analyses;

(5) a process and timeframe for municipalities to provide input to the agency regarding their needs based on the information provided in the report; and

(6) a list of anticipated permitting initiatives in the next calendar year that may impact municipalities and the agency's plan for involving the municipalities throughout the planning and decision-making process. The plan must include opportunities for input and public comment from municipalities on rulemaking initiatives prior to preparation of a statement of need and reasonableness required under section 14.131. The commissioner must ensure the agency's plan under this clause is implemented.

(b) For the purposes of this section, "economic analyses" must include assessments of the potential costs to regulated municipalities associated with water quality standards or rules proposed by the agency.

116.011 POLLUTION REPORT.

A goal of the Pollution Control Agency is to reduce the amount of pollution that is emitted in the state. By April 1 of each even-numbered year, the Pollution Control Agency shall report the best estimate of the agency of the total volume of water and air pollution that was emitted in the state in the previous two calendar years for which data are available. The agency shall report its findings for both water and air pollution:

(1) in gross amounts, including the percentage increase or decrease over the previously reported two calendar years; and

(2) in a manner which will demonstrate the magnitude of the various sources of water and air pollution.

325E.389 ITEMS CONTAINING LEAD PROHIBITED.

Subdivision 1. **Definitions.** For purposes of this section, the following definitions apply.

(a) "Body piercing jewelry" means any part of jewelry that is manufactured or sold for placement in a new piercing or a mucous membrane, but does not include any part of that jewelry that is not placed within a new piercing or a mucous membrane.

(b) "Children" means children age six and younger.

(c) "Children's jewelry" means jewelry that is made for, marketed for use by, or marketed to children. For purposes of this section, children's jewelry includes, but is not limited to, jewelry that meets any of the following conditions:

(1) is represented in its packaging, display, or advertising as appropriate for use by children;

(2) is sold in conjunction with, attached to, or packaged together with other products that are packaged, displayed, or advertised as appropriate for use by children;

(3) is sized for children and not intended for use by adults; or

(4) is sold in any of the following:

(i) a vending machine;

(ii) retail store, catalog, or website in which a person exclusively offers for sale products that are packaged, displayed, or advertised as appropriate for use by children; or

(iii) a discrete portion of a retail store, catalog, or website in which a person offers for sale products that are packaged, displayed, or advertised as appropriate for use by children.

(d) "Class 1 material" means any of the following materials:

(1) stainless or surgical steel;

(2) karat gold;

(3) sterling silver;

(4) platinum, palladium, iridium, ruthenium, rhodium, or osmium;

(5) natural or cultured pearls;

(6) glass, ceramic, or crystal decorative components including cat's eye; cubic zirconia, including cubic zirconium or CZ; rhinestones; and cloisonne;

(7) a gemstone that is cut and polished for ornamental purposes, except that the following gemstones are not Class 1 materials: aragonite, bayldonite, boleite, cerussite, crocoite, ekanite, linarite, mimetite, phosgenite, samarskite, vanadinite, and wulfenite;

(8) elastic, fabric, ribbon, rope, or string, unless it contains intentionally added lead and is listed as a Class 2 material;

(9) all natural decorative material including amber, bone, coral, feathers, fur, horn, leather, shell, and wood that is in its natural state and is not treated in a way that adds lead; or

(10) adhesive.

(e) "Class 2 material" means any of the following materials:

(1) electroplated metal that meets the following standards:

(i) on and before August 30, 2009, a metal alloy with less than ten percent lead by weight that is electroplated with suitable under and finish coats; or

(ii) on and after August 31, 2009, a metal alloy with less than six percent lead by weight that is electroplated with suitable under and finish coats;

(2) unplated metal with less than 1.5 percent lead that is not otherwise listed as a Class 1 material;

(3) plastic or rubber including acrylic, polystyrene, plastic beads and stones, and polyvinyl chloride (PVC) that meets the following standards:

(i) on and before August 30, 2009, less than 0.06 percent (600 parts per million) lead by weight; and

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(ii) on and after August 31, 2009, less than 0.02 percent (200 parts per million) lead by weight; and

(4) a dye or surface coating containing less than 0.06 percent (600 parts per million) lead by weight.

(f) "Class 3 material" means any portion of jewelry that meets both of the following criteria:

(1) is not a Class 1 or Class 2 material; and

(2) contains less than 0.06 percent (600 parts per million) lead by weight.

(g) "Component" means any part of jewelry.

(h) "EPA reference methods 3050B (Acid Digestion of Sediments, Sludges, and Soils) or 3051 (Microwave Assisted Digestion/Sludge, Soils)" means those test methods incorporated by reference in Code of Federal Regulations, title 40, section 260.11, paragraph (11), subdivision (a).

(i) "Jewelry" means:

(1) any of the following ornaments worn by a person: anklet, arm cuff, bracelet, brooch, chain, crown, cuff link, decorated hair accessories, earring, necklace, pin, ring, or body piercing jewelry; or

(2) any bead, chain, link, pendant, or other component of such an ornament.

(j) "Surface coating" means a fluid, semifluid, or other material, with or without a suspension of finely divided coloring matter, that changes to a solid film when a thin layer is applied to a metal, wood, stone, paper, leather, cloth, plastic, or other surface. Surface coating does not include a printing ink or a material that actually becomes a part of the substrate including, but not limited to, pigment in a plastic article or a material that is actually bonded to the substrate, such as by electroplating or ceramic glazing.

Subd. 2. **Sale prohibited.** (a) No person shall manufacture any jewelry that is offered for sale in Minnesota unless the jewelry is made entirely from a Class 1, Class 2, or Class 3 material, or any combination thereof.

(b) No person shall offer for sale, sell, label, or distribute for free any jewelry represented to contain safe levels of lead, unless the jewelry is made entirely from a Class 1, Class 2, or Class 3 material, or any combination thereof.

(c) Notwithstanding paragraph (a), no person shall manufacture any children's jewelry that is offered for sale in Minnesota unless the children's jewelry is made entirely from one or more of the following materials:

(1) a nonmetallic material that is a Class 1 material;

(2) a nonmetallic material that is a Class 2 material;

(3) a metallic material that is either a Class 1 material or contains less than 0.06 percent (600 parts per million) lead by weight;

(4) glass or crystal decorative components that weigh in total no more than one gram, excluding any glass or crystal decorative component that contains less than 0.02 percent (200 parts per million) lead by weight and has no intentionally added lead;

(5) printing ink or ceramic glaze that contains less than 0.06 percent (600 parts per million) lead by weight; or

(6) Class 3 material that contains less than 0.02 percent (200 parts per million) lead by weight.

(d) Notwithstanding paragraph (b), no person shall offer for sale, sell, distribute for free, or label any jewelry as children's jewelry represented to contain safe levels of lead, unless the jewelry is made entirely from one or more of the following materials:

(1) a nonmetallic material that is a Class 1 material;

(2) a nonmetallic material that is a Class 2 material;

(3) a metallic material that is either a Class 1 material or contains less than 0.06 percent (600 parts per million) lead by weight;

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(4) glass or crystal decorative components that weigh in total no more than one gram, excluding any glass or crystal decorative component that contains less than 0.02 percent (200 parts per million) lead by weight and has no intentionally added lead;

(5) printing ink or ceramic glaze that contains less than 0.06 percent (600 parts per million) lead by weight; or

(6) Class 3 material that contains less than 0.02 percent (200 parts per million) lead by weight.

(e) Notwithstanding paragraph (a), no person shall manufacture any body piercing jewelry that is offered for sale in Minnesota unless the body piercing jewelry is made of one or more of the following materials:

(1) surgical implant stainless steel; or

(2) surgical implant grade of titanium, niobium (Nb), solid 14-karat or higher white or yellow nickel-free gold, solid platinum, or a dense low-porosity plastic including, but not limited to, Tygon or polytetrafluoroethylene (PTFE), if the plastic contains no intentionally added lead.

(f) No person shall offer for sale, sell, label, or distribute for free any body piercing jewelry represented to contain safe levels of lead unless the body piercing jewelry is made of one or more of the following materials:

(1) surgical implant stainless steel; or

(2) surgical implant grade of titanium, niobium (Nb), solid 14-karat or higher white or yellow nickel-free gold, solid platinum, or a dense low-porosity plastic including, but not limited to, Tygon or polytetrafluoroethylene (PTFE), if the plastic contains no intentionally added lead.

(g) The prohibitions under this section do not apply to sales or free distribution of jewelry by a nonprofit organization described in section 501(c)(3) of the Internal Revenue Code or to isolated and occasional sales of jewelry not made in the normal course of business.

Subd. 3. **Testing methods.** (a) The testing methods for determining compliance with this section must be conducted using EPA reference method 3050B or 3051 for the material being tested, except as otherwise provided in subdivision 4 and in accordance with all of the following procedures:

(1) when preparing a sample, the laboratory shall make every effort to ensure that the sample removed from a jewelry piece is representative of the component to be tested, and is free of contamination from extraneous dirt and material not related to the component to be tested;

(2) all component samples must be washed before testing using standard laboratory detergent, rinsed with laboratory reagent-grade deionized water, and dried in a clean ambient environment;

(3) if a component is required to be cut or scraped to obtain a sample, the metal snips, scissors, or other cutting tools used for the cutting or scraping must be made of stainless steel and washed and rinsed before each use and between samples;

(4) a sample must be digested in a container that is known to be free of lead and with the use of an acid that is not contaminated by lead, including analytical reagent-grade digestion acids and reagent-grade deionized water;

(5) method blanks, consisting of all reagents used in sample preparation handled, digested, and made to volume in the same exact manner and in the same container type as samples, must be tested with each group of 20 or fewer samples tested; and

(6) the results for the method blanks must be reported with each group of sample results and must be below the stated reporting limit for sample results to be considered valid.

(b) A material does not meet an applicable lead standard set forth in this section if any of the following occurs:

(1) the mean lead level of one or two samples of the material exceeds 300 percent of the applicable limit for a component;

(2) the mean lead level of three samples of the material exceeds 200 percent of the applicable limit for a component; or

(3) the mean lead level of four or more samples of the material exceeds the applicable limit for a component.

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Subd. 4. **Additional testing procedures.** In addition to the requirements of subdivision 3, the following procedures must be used for testing the following materials:

(1) for testing a metal plated with suitable undercoats and finish coats, the following protocols must be observed:

(i) digestion must be conducted using hot concentrated nitric acid with the option of using hydrochloric acid or hydrogen peroxide;

(ii) the sample size must be 0.050 gram to one gram;

(iii) the digested sample may require dilution prior to analysis;

(iv) the digestion and analysis must achieve a reported detection limit no greater than 0.1 percent for samples; and

(v) all necessary dilutions must be made to ensure that measurements are made within the calibrated range of the analytical instrument;

(2) for testing unplated metal and metal substrates that are not a Class 1 material, the following protocols must be observed:

(i) digestion must be conducted using hot concentrated nitric acid with the option of using hydrochloric acid and hydrogen peroxide;

(ii) the sample size must be 0.050 gram to one gram;

(iii) the digested sample may require dilution prior to analysis;

(iv) the digestion and analysis must achieve a reported detection limit no greater than 0.01 percent for samples; and

(v) all necessary dilutions must be made to ensure that measurements are made within the calibrated range of the analytical instrument;

(3) for testing polyvinyl chloride (PVC), the following protocols must be observed:

(i) the digestion must be conducted using hot concentrated nitric acid with the option of using hydrochloric acid and hydrogen peroxide;

(ii) the sample size must be a minimum of 0.05 gram if using microwave digestion or 0.5 gram if using hotplate digestion, and must be chopped or comminuted prior to digestion;

(iii) digested samples may require dilution prior to analysis;

(iv) digestion and analysis must achieve a reported detection limit no greater than 0.001 percent (10 parts per million) for samples; and

(v) all necessary dilutions must be made to ensure that measurements are made within the calibrated range of the analytical instrument;

(4) for testing plastic or rubber that is not polyvinyl chloride (PVC), including acrylic, polystyrene, plastic beads, or plastic stones, the following protocols must be observed:

(i) the digestion must be conducted using hot concentrated nitric acid with the option of using hydrochloric acid or hydrogen peroxide;

(ii) the sample size must be a minimum of 0.05 gram if using microwave digestion or 0.5 gram if using hotplate digestion, and must be chopped or comminuted prior to digestion;

(iii) plastic beads or stones must be crushed prior to digestion;

(iv) digested samples may require dilution prior to analysis;

(v) digestion and analysis must achieve a reported detection limit no greater than 0.001 percent (10 parts per million) for samples; and

(vi) all necessary dilutions must be made to ensure that measurements are made within the calibrated range of the analytical instrument;

(5) for testing coatings on glass and plastic pearls, the following protocols must be observed:

(i) the coating of glass or plastic beads must be scraped onto a surface free of dust, including a clean weighing paper or pan, using a clean stainless steel razor blade or other clean sharp instrument

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that will not contaminate the sample with lead. The substrate pearl material must not be included in the scrapings;

(ii) the razor blade or sharp instrument must be rinsed with deionized water, wiped to remove particulate matter, rinsed again, and dried between samples;

(iii) the scrapings must be weighed and not less than 50 micrograms of scraped coating must be used for analysis. If less than 50 micrograms of scraped coating is obtained from an individual pearl, multiple pearls from that sample must be scraped and composited to obtain a sufficient sample amount;

(iv) the number of pearls used to make the composite must be noted;

(v) the scrapings must be digested according to EPA reference method 3050B or 3051 or an equivalent procedure for hot acid digestion in preparation for trace lead analysis;

(vi) the digestate must be diluted in the minimum volume practical for analysis;

(vii) the digested sample must be analyzed according to specification of an approved and validated methodology for inductively coupled plasma mass spectrometry;

(viii) a reporting limit of 0.001 percent (10 parts per million) in the coating must be obtained for the analysis; and

(ix) the sample result must be reported within the calibrated range of the instrument. If the initial test of the sample is above the highest calibration standard, the sample must be diluted and reanalyzed within the calibrated range of the instrument;

(6) for testing dyes, paints, coatings, varnish, printing inks, ceramic glazes, glass, or crystal, the following testing protocols must be observed:

(i) the digestion must use hot concentrated nitric acid with the option of using hydrochloric acid or hydrogen peroxide;

(ii) the sample size must be not less than 0.050 gram, and must be chopped or comminuted prior to digestion;

(iii) the digested sample may require dilution prior to analysis;

(iv) the digestion and analysis must achieve a reported detection limit no greater than 0.001 percent (10 parts per million) for samples; and

(v) all necessary dilutions must be made to ensure that measurements are made within the calibrated range of the analytical instrument; and

(7) for testing glass and crystal used in children's jewelry, the following testing protocols for determining weight must be used:

(i) a component must be free of any extraneous material, including adhesive, before it is weighed;

(ii) the scale used to weigh a component must be calibrated immediately before the components are weighed using S-class weights of one and two grams, as certified by the National Institute of Standards and Technology (NIST) of the United States Department of Commerce; and

(iii) the calibration of the scale must be accurate to within 0.01 gram.

325E.3891 CADMIUM IN CHILDREN'S JEWELRY.

Subdivision 1. **Definitions.** (a) As used in this section, the term:

(1) "accessible" has the meaning given in section 3.1.2 of the ASTM International Safety Specification on Toy Safety, F-963;

(2) "child" means an individual who is six years of age or younger; and

(3) "children's jewelry" shall have the meaning set forth in section 325E.389, subdivision 1, paragraph (c).

Subd. 2. **Prohibitions.** Cadmium in any surface coating or accessible substrate material of metal or plastic components of children's jewelry shall not exceed 75 parts per million, as determined through solubility testing for heavy metals defined in the ASTM International Safety Specification on Toy Safety, ASTM standard F-963 and subsequent versions of this standard, if the product is sold in this state unless this requirement is superseded by a federal standard regulating cadmium

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in children's jewelry. This section shall not regulate any product category for which an existing federal standard regulates cadmium exposure in surface coatings and accessible substrate materials as required under ASTM F-963.

Subd. 3. **Manufacturer or wholesaler.** No manufacturer or wholesaler may sell or offer for sale in this state children's jewelry that fails to meet the requirements of subdivision 2.

Subd. 4. **Retailer.** No retailer may sell or offer for sale in this state children's jewelry that fails to meet the requirements of subdivision 2. This subdivision does not apply to sales or free distribution of jewelry by a nonprofit organization described in section 501(c)(3) of the Internal Revenue Code or to isolated and occasional sales of jewelry not made in the normal course of business.

Subd. 5. **Enforcement.** The attorney general shall enforce this section under section 8.31.

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.

6115.1220 PROCEDURES.

Subp. 8. **Sale of basin to commissioner.** If the landowner chooses to sell the basin and access area to the commissioner the landowner shall obtain from the county board of commissioners the approval to sell the property as required by Minnesota Statutes, section 97A.145. The commissioner must be supplied with a copy of the board's resolution and if the county board refuses approval, the applicant must select from among those options not requiring county board approval. This procedure does not apply in those counties where blanket approval to sell the property to the state has been granted to those landowners who are eligible for compensation under Minnesota Statutes, section 105.391, subdivision 3.

6256.0500 TAKING TURTLES.

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

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

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

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

Subp. 5. **Required marking of turtle traps.**

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

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

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

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

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

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

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

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

8400.0500 MAXIMUM COST-SHARE RATES.

The maximum cost-share rates established by the state board represent the maximum percent or amount of the total cost of a conservation practice that may be funded using state cost-share funds.

8400.0550 RECORDING CONSERVATION PRACTICES.

The state board may determine that long-term maintenance of a conservation practice is desirable and may require that maintenance be made a covenant upon the land for the effective life of the practice. A covenant under this part shall be construed in the same manner as a conservation restriction under Minnesota Statutes, section 84.65.

8400.0600 STATE BOARD ALLOCATION OF FUNDS TO DISTRICTS.

Subp. 4. **Grants to districts.** The state board shall allocate cost-share funds to district boards that have fully complied with Minnesota Statutes, section 103C.501, subdivision 3; all erosion control and water management program rules; and program policies.

Subp. 5. **Other funds.** Other funds received by the state board may be allocated to districts for the treatment of erosion, sedimentation, water quality problems, or water quantity problems due to altered hydrology. These additional funds may be incorporated with existing erosion control and water management program funds and their use may be governed by the program policy or may be subject to other policies or guidelines required to fully implement the intent for which these additional funds were appropriated.

8400.0900 DISTRICT ADMINISTRATION OF PROGRAM FUNDS.

Subpart 1. **General.** Following receipt of grant funds from the state board, a district is responsible for administration of the funds in accordance with Minnesota Statutes, chapter 103C, parts 8400.0050 to 8400.1900, program policies, and all other applicable laws. All funds allocated to districts must be used for the purposes designated by the state board.

Subp. 2. **Maximum cost-share rate.** Prior to considering any applications from land occupiers for cost-share assistance, the district board shall establish cost-share rates for conservation practices to be installed under the program, up to the maximum rates established by the state board.

Subp. 4. **Criteria for district board review.** The district board shall use the factors in items A to D to determine practice eligibility and to review applications for conservation practice funding.

A. The application must be signed by the land occupier and the landowner, if different, indicating their agreement to:

(1) grant the district's representatives access to the parcel where the conservation practice will be located;

(2) obtain all permits required in conjunction with the installation and establishment of the practice prior to starting construction of the practice; and

(3) be responsible for operation and maintenance of conservation practices applied under this program according to an operation and maintenance plan prepared or approved by a district technical representative or the district's delegate.

B. Costs to repair damage to conservation practices installed with state cost-share dollars are eligible if the damage was caused by reasons beyond the control of the land occupier.

C. If the practice has fully met or exceeded its designed effective life, the cost to reconstruct the practice is eligible for cost-share assistance.

D. Conservation practices where construction has begun prior to district approval are ineligible for financial assistance. The board may waive this requirement for emergency needs.

Subp. 5. **Entering into contract.** After review of practice eligibility, the district board, or its delegate, shall approve or deny the application. If the application is approved, the district board, or its delegate, may enter into a contract with the land occupier.

8400.1650 RECORDING CONSERVATION PRACTICES.

When a district board, or its delegate, determines that long-term maintenance of a conservation practice is desirable, the board, or its delegate, may require that maintenance be made a covenant upon the land for the effective life of the conservation practice. A

covenant under this part shall be construed in the same manner as a conservation restriction under Minnesota Statutes, section 84.65.

8400.1700 MAINTENANCE.

Subpart 1. **Land occupier maintenance responsibilities.** The land occupier is responsible for operation and maintenance of conservation practices applied under this program to ensure that their conservation objective is met and the effective life is achieved. Should the land occupier fail to maintain the conservation practices during their effective life, the land occupier is liable to the district for up to 150 percent of financial assistance received to install and establish the conservation practice. The land occupier is not liable for cost-share assistance received if the failure was caused by reasons beyond the land occupier's control, or if conservation practices are applied at the land occupier's expense which provide equivalent protection of the soil and water resources.

Subp. 2. **Reapplication of conservation practices.** In no case shall a district provide cost-share assistance to a land occupier for the reapplication of conservation practices which were removed by the land occupier during their effective life or that failed due to improper maintenance.

8400.1750 PRACTICE SITE INSPECTIONS.

The district or the district's delegate shall conduct site inspections of conservation practices installed with cost-share funds to determine if the land occupier is in compliance with the operation and maintenance requirements under part 8400.1700 and the policy, guidelines, and requirements of the state board.

8400.1800 APPEALS.

Land occupiers may appeal a district's action within 60 days of receiving notice of the action by submitting a written request to the district board asking the board to reconsider its decision. Should the land occupier and the district board reach an impasse, the land occupier may petition to appeal the district board's decision to the state board within 60 days of receiving notice of the district board's final decision. The state board or its executive director, as delegated, shall review and grant the petition, unless it is deemed without sufficient merit, within 30 days of the receipt of the petition. The state board shall make its decision on the appeal, if granted, within 60 days of a hearing date. The state board's decision may uphold, remand, reverse, or amend the decision of the district board.

8400.1900 REPORTS TO STATE BOARD.

For the purpose of reporting and monitoring the progress of the program and use of funds, each district shall submit an accomplishments report according to the guidelines and requirements established by the state board.