

**SENATE
STATE OF MINNESOTA
NINETY-FIRST SESSION**

S.F. No. 3261

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DATE
02/17/2020

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Introduction and first reading
Referred to Environment and Natural Resources Policy and Legacy Finance

OFFICIAL STATUS

1.1 A bill for an act
1.2 relating to environment; providing that certain authority of the Minnesota Pollution
1.3 Control Agency related to priority qualified facilities expires; amending Minnesota
1.4 Statutes 2018, sections 115B.406, by adding subdivisions; 115B.407; 115B.408.

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

1.6 Section 1. Minnesota Statutes 2018, section 115B.406, is amended by adding a subdivision
1.7 to read:

1.8 Subd. 10. **Reporting.** By January 15 each year, the commissioner must submit a report
1.9 to the chairs and ranking minority members of the house of representatives and senate
1.10 committees and divisions with jurisdiction over environment and natural resources policy
1.11 and finance on the activities undertaken pursuant to sections 115B.406 to 115B.408 during
1.12 the previous calendar year.

1.13 Sec. 2. Minnesota Statutes 2018, section 115B.406, is amended by adding a subdivision
1.14 to read:

1.15 Subd. 11. **Expiration.** This section expires August 1, 2030.

1.16 Sec. 3. Minnesota Statutes 2018, section 115B.407, is amended to read:

1.17 **115B.407 ACQUISITION AND DISPOSITION OF REAL PROPERTY AT**
1.18 **PRIORITY QUALIFIED FACILITIES.**

1.19 (a) The commissioner may acquire interests in real property by donation or eminent
1.20 domain at all or a portion of a priority qualified facility. Condemnation under this section
1.21 includes acquisition of fee title or an easement. After acquiring an interest in real property

2.1 under this section, the commissioner must take environmental response actions at the priority
2.2 qualified facility according to sections 115B.39 to 115B.414 after the legislature makes an
2.3 appropriation for that purpose.

2.4 (b) The commissioner may dispose of real property acquired under this section according
2.5 to section 115B.17, subdivision 16.

2.6 (c) Chapter 117 governs condemnation proceedings by the commissioner under this
2.7 section. The exceptions under section 117.189 apply to the use of eminent domain authority
2.8 under this section.

2.9 (d) The state is not liable under this chapter solely as a result of acquiring an interest in
2.10 real property under this section.

2.11 (e) This section expires August 1, 2030.

2.12 Sec. 4. Minnesota Statutes 2018, section 115B.408, is amended to read:

2.13 **115B.408 DEPOSITING PROCEEDS.**

2.14 All amounts paid to the state under sections 115B.406 and 115B.407 must be deposited
2.15 in the state treasury and credited to the remediation fund. This section expires August 1,
2.16 2030.