

SENATE
STATE OF MINNESOTA
NINETY-FIRST SESSION

S.F. No. 4499

(SENATE AUTHORS: INGEBRIGTSEN)

DATE	D-PG	OFFICIAL STATUS
04/20/2020	5799	Introduction and first reading Referred to Environment and Natural Resources Policy and Legacy Finance
04/23/2020	5837	Withdrawn and re-referred to Environment and Natural Resources Finance
04/30/2020	6024a	Comm report: To pass as amended Joint rule 2.03, referred to Rules and Administration
05/06/2020	6362	Comm report: Adopt previous comm report Jt. rule 2.03 suspended
05/16/2020	6364	Second reading Special Order: Amended Third reading Reconsidered Third reading Passed

1.1 A bill for an act

1.2 relating to state government; modifying the availability of certain appropriations;

1.3 modifying and repealing agency authority and reporting requirements; modifying

1.4 effluent limitation requirements; modifying definition of pipeline for certain

1.5 purposes; requiring analyses; requiring modifications of certain plans; modifying

1.6 conditions on water appropriations and wells; repealing authority of the Pollution

1.7 Control Agency related to automobile emissions; modifying fees for dry cleaners;

1.8 modifying the metropolitan landfill abatement fund; prohibiting certain antler point

1.9 restrictions; regulating wake surfing on waters of the state; modifying application

1.10 of stormwater rules; increasing soil and water conservation district supervisor

1.11 compensation; modifying definition of all-terrain vehicle; removing prohibition

1.12 on transporting unregistered snowmobiles; establishing certified salt applicator

1.13 program; modifying provisions related to certifiable fish diseases and list of species

1.14 susceptible to viral hemorrhagic septicemia; modifying review and approval of

1.15 local regulation in Mississippi River Corridor Critical Area; modifying requirements

1.16 for exchanging wild rice leases; modifying reporting requirement on school trust

1.17 lands; modifying provisions for certain invasive species permits; modifying state

1.18 park provisions; providing for special use permits; modifying muzzleloader

1.19 provisions; providing for regulation of possessing, propagating, and selling snakes,

1.20 lizards, and salamanders; modifying provisions for game and fish licenses after

1.21 convictions; modifying hunting and fishing provisions; modifying date of Lake

1.22 Superior Management Plan; prohibiting import of cervidae carcasses; establishing

1.23 Minnesota River Basin water quality and storage program; permanently allowing

1.24 portable stands in certain wildlife management areas; modifying provisions for

1.25 conveying state land interests; adding to and deleting from state parks and recreation

1.26 areas; authorizing sales of certain surplus state lands; amending Minnesota Statutes

1.27 2018, sections 14.05, by adding a subdivision; 17.4982, subdivisions 6, 8, 9, 12,

1.28 by adding subdivisions; 17.4985, subdivisions 2, 3, 5; 17.4986, subdivisions 2, 4;

1.29 17.4991, subdivision 3; 17.4992, subdivision 2; 84.63; 84.82, subdivisions 1a, 7a;

1.30 84.92, subdivision 8; 84D.11, subdivision 1a; 85.052, subdivisions 1, 2, 6, by

1.31 adding a subdivision; 85.053, subdivision 2; 86B.005, by adding subdivisions;

1.32 86B.315, subdivision 1, by adding subdivisions; 92.502; 97A.015, subdivision 51;

1.33 97A.137, subdivision 5; 97A.401, subdivision 1, by adding a subdivision; 97A.421,

1.34 subdivision 1, by adding a subdivision; 97A.505, subdivision 3b; 97B.031,

1.35 subdivision 1; 97B.036; 97B.311; 97C.005, subdivision 3; 97C.342, subdivision

1.36 2; 97C.515, subdivision 2; 97C.805, subdivision 2; 97C.836; 103A.212; 103C.315,

1.37 subdivision 4; 103G.271, subdivision 7, by adding a subdivision; 103G.287,

1.38 subdivisions 4, 5; 103G.289; 115.03, subdivision 1; 115.455; 115.77, subdivision

2.1 1; 115.84, subdivisions 2, 3; 115B.49, by adding a subdivision; 116.03, subdivision
 2.2 2b; 116.07, subdivisions 2, 4d; 116G.07, by adding a subdivision; 116G.15, by
 2.3 adding a subdivision; 216G.01, subdivision 3; 473.844, subdivision 1a; Minnesota
 2.4 Statutes 2019 Supplement, sections 84.027, subdivision 18; 85.054, subdivision
 2.5 1; 85.47; 97A.505, subdivision 8; 97B.086; Laws 2016, chapter 154, section 16;
 2.6 Laws 2019, First Special Session chapter 4, article 1, section 2, subdivision 10;
 2.7 article 3, section 109; proposing coding for new law in Minnesota Statutes, chapters
 2.8 103F; 116; repealing Minnesota Statutes 2018, sections 85.0505, subdivision 3;
 2.9 85.0507; 85.054, subdivision 19; 115B.49, subdivisions 4, 4b; Laws 2013, chapter
 2.10 121, section 53; Minnesota Rules, part 6232.0350.

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

2.12 Section 1. Minnesota Statutes 2018, section 14.05, is amended by adding a subdivision
 2.13 to read:

2.14 Subd. 1a. **Limitation regarding certain policies, guidelines, and other interpretive**
 2.15 **statements.** An agency must not seek to impose or require in a permit or contract or to
 2.16 enforce against any person through monetary or nonmonetary penalty a policy, guideline,
 2.17 bulletin, criterion, manual, standard, interpretive statement, or similar pronouncement that
 2.18 has not been properly adopted under this chapter.

2.19 Sec. 2. Minnesota Statutes 2018, section 17.4982, subdivision 6, is amended to read:

2.20 Subd. 6. **Certifiable diseases.** "Certifiable diseases" includes any of the following
 2.21 expressed as clinical symptoms or based on the presence of the pathogen: channel catfish
 2.22 virus, *Renibacterium salmoninarum* (bacterial kidney disease), *Aeromonas salmonicida*
 2.23 (bacterial furunculosis), *Yersinia ruckeri* (enteric redmouth disease), *Edwardsiella ictaluri*
 2.24 (enteric septicemia of catfish), infectious hematopoietic necrosis virus, infectious pancreatic
 2.25 necrosis virus, *Myxobolus cerebralis* (whirling disease), *Tetracapsuloides bryosalmonae*
 2.26 (proliferative kidney disease), viral hemorrhagic septicemia virus, epizootic epitheliotropic
 2.27 virus, *Ceratomyxa shasta* (ceratomyxosis), and any emergency fish disease.

2.28 Sec. 3. Minnesota Statutes 2018, section 17.4982, subdivision 8, is amended to read:

2.29 Subd. 8. **Containment facility.** "Containment facility" means a licensed facility for
 2.30 salmonids, catfish, or species on the ~~viral hemorrhagic septicemia (VHS) susceptible list~~
 2.31 ~~published by the United States Department of Agriculture, Animal and Plant Health~~
 2.32 ~~Inspection Services, VHS-susceptible-species list that complies with clauses (1), (3), and~~
 2.33 (4), or clauses (2), (3), and (4):

2.34 (1) disinfects its effluent to the standards in section 17.4991 before the effluent is
 2.35 discharged to public waters;

3.1 (2) does not discharge to public waters or to waters of the state directly connected to
3.2 public waters;

3.3 (3) raises aquatic life that is prohibited from being released into the wild and must be
3.4 kept in a facility approved by the commissioner unless processed for food consumption;

3.5 (4) contains aquatic life requiring a fish health inspection prior to transportation.

3.6 Sec. 4. Minnesota Statutes 2018, section 17.4982, subdivision 9, is amended to read:

3.7 Subd. 9. **Emergency fish disease.** "Emergency fish disease" means designated fish
3.8 diseases or pathogens not already present in this state that could impact populations of
3.9 aquatic life if inadvertently released by infected aquatic life, including channel catfish virus,
3.10 viral hemorrhagic septicemia virus, infectious hematopoietic necrosis virus, infectious
3.11 pancreatic necrosis virus, whirling disease, ceratomyxosis, proliferative kidney disease, and
3.12 epizootic epitheliotropic virus disease.

3.13 Sec. 5. Minnesota Statutes 2018, section 17.4982, subdivision 12, is amended to read:

3.14 Subd. 12. **Fish health inspection.** (a) "Fish health inspection" means an on-site,
3.15 statistically based sampling, collection, and testing of fish in accordance with processes in
3.16 the Fish Health Blue Book or the Diagnostic Manual for Aquatic Animal Diseases, published
3.17 by the International Office of Epizootics (OIE) to test for causative pathogens. The samples
3.18 for inspection must be collected by a fish health inspector or a fish collector in cooperation
3.19 with the producer. Testing of samples must be done by an approved laboratory.

3.20 (b) The inspection for viral hemorrhagic septicemia (VHS), infectious pancreatic necrosis
3.21 (IPN), and infectious hematopoietic necrosis (IHN) in salmonids and for VHS in
3.22 nonsalmonids must include at a minimum viral testing of ovarian fluids at the 95 percent
3.23 confidence level of detecting two percent incidence of disease.

3.24 (c) The inspection for certifiable diseases and pathogens for wild fish must follow the
3.25 guidelines of the Fish Health Blue Book or the Diagnostic Manual for Aquatic Animal
3.26 Diseases.

3.27 Sec. 6. Minnesota Statutes 2018, section 17.4982, is amended by adding a subdivision to
3.28 read:

3.29 Subd. 21a. **VHS-susceptible species.** "VHS-susceptible species" are aquatic species
3.30 that are natural hosts for viral hemorrhagic septicemia according to the Fish Health Blue
3.31 Book or the book's successor.

4.1 Sec. 7. Minnesota Statutes 2018, section 17.4982, is amended by adding a subdivision to
4.2 read:

4.3 Subd. 21b. VHS-susceptible-species list. "VHS-susceptible-species list" is the
4.4 VHS-susceptible species listed in the Fish Health Blue Book that are found in or that can
4.5 survive in the Great Lakes region.

4.6 Sec. 8. Minnesota Statutes 2018, section 17.4985, subdivision 2, is amended to read:

4.7 Subd. 2. **Bill of lading.** (a) A state-issued bill of lading is required for:

4.8 (1) intrastate transportation of aquatic life other than salmonids, catfish, or species on
4.9 the ~~official list of viral hemorrhagic septicemia susceptible species published by the United~~
4.10 ~~States Department of Agriculture, Animal and Plant Health Inspection Services,~~
4.11 VHS-susceptible-species list between licensed private fish hatcheries, aquatic farms, or
4.12 aquarium facilities licensed for the species being transported if the aquatic life is being
4.13 transported into a watershed where it is not currently present, if walleyes whose original
4.14 source is south of marked State Highway 210 are being transported to a facility north of
4.15 marked State Highway 210, or if the original source of the aquatic life is outside Minnesota
4.16 and contiguous states; and

4.17 (2) stocking ~~of~~ waters other than public waters with aquatic life other than salmonids,
4.18 catfish, or species on the ~~official list of viral hemorrhagic septicemia susceptible species~~
4.19 ~~published by the United States Department of Agriculture, Animal and Plant Health~~
4.20 ~~Inspection Services~~ VHS-susceptible-species list.

4.21 (b) When aquatic life is transported under paragraph (a), a copy of the bill of lading
4.22 must be submitted to the regional fisheries manager at least 72 hours before the transportation.

4.23 (c) For transportation and stocking of waters that are not public waters:

4.24 (1) a bill of lading must be submitted to the regional fisheries manager 72 hours before
4.25 transporting fish for stocking;

4.26 (2) a bill of lading must be submitted to the regional fisheries manager within five days
4.27 after stocking if the waters to be stocked are confirmed by telecopy or telephone prior to
4.28 stocking by the regional fisheries office not to be public waters; or

4.29 (3) a completed bill of lading may be submitted to the regional fisheries office by telecopy
4.30 prior to transporting fish for stocking. Confirmation that the waters to be stocked are not
4.31 public waters may be made by returning the bill of lading by telecopy or in writing, in which
4.32 cases additional copies need not be submitted to the Department of Natural Resources.

5.1 (d) Bill of lading forms may only be issued by the Department of Natural Resources in
 5.2 St. Paul, and new bill of lading forms may not be issued until all previously issued forms
 5.3 have been returned.

5.4 Sec. 9. Minnesota Statutes 2018, section 17.4985, subdivision 3, is amended to read:

5.5 Subd. 3. **Exemptions for transportation permits and bills of lading.** (a) A state-issued
 5.6 bill of lading or transportation permit is not required by an aquatic farm licensee for
 5.7 ~~importation of~~ importing animals not on the ~~official list of viral hemorrhagic septicemia~~
 5.8 ~~susceptible species published by the United States Department of Agriculture, Animal and~~
 5.9 ~~Plant Health Inspection Services; transportation of~~ VHS-susceptible-species list, transporting
 5.10 animals not on the ~~official list of viral hemorrhagic septicemia susceptible species published~~
 5.11 ~~by the United States Department of Agriculture, Animal and Plant Health Inspection Services;~~
 5.12 ~~or export for~~ VHS-susceptible-species list, or exporting the following:

5.13 (1) minnows taken under an aquatic farm license in this state and transported intrastate;

5.14 (2) aquarium or ornamental fish including goldfish and tropical, subtropical, and saltwater
 5.15 species that cannot survive in the waters of the state, which may be imported or transported
 5.16 if accompanied by shipping documents;

5.17 (3) fish or fish eggs that have been processed for use as food, bait, or other purposes
 5.18 unrelated to fish propagation;

5.19 (4) live fish from a licensed aquatic farm, which may be transported directly to an outlet
 5.20 for processing or for other food purposes if accompanied by shipping documents;

5.21 (5) fish being exported if accompanied by shipping documents;

5.22 (6) sucker eggs, sucker fry, or fathead minnows transported intrastate for bait propagation
 5.23 or feeding of cultural aquatic life, except that if either species becomes listed on the ~~official~~
 5.24 ~~list of viral hemorrhagic septicemia susceptible species published by the United States~~
 5.25 ~~Department of Agriculture, Animal and Plant Health Inspection Services~~
 5.26 VHS-susceptible-species list, then a transportation permit is required;

5.27 (7) species of fish that are found within the state used in connection with public shows,
 5.28 exhibits, demonstrations, or fishing pools for periods not exceeding 14 days;

5.29 (8) fish being transported through the state if accompanied by shipping documents; or

5.30 (9) intrastate transportation of aquatic life between or within licensed private fish
 5.31 hatcheries, aquatic farms, or aquarium facilities licensed for the species being transported,
 5.32 except where required in subdivision 2 and except that salmonids, catfish, or species on the

6.1 ~~official list of viral hemorrhagic septicemia susceptible species published by the United~~
 6.2 ~~States Department of Agriculture, Animal and Plant Health Inspection Services,~~
 6.3 VHS-susceptible-species list may only be transferred or transported intrastate without a
 6.4 transportation permit if they had no record of bacterial kidney disease or viral hemorrhagic
 6.5 septicemia at the time they were imported into the state and if they have had a fish health
 6.6 inspection within the preceding year that has shown no certifiable diseases to be present.

6.7 Aquatic life being transferred between licensed private fish hatcheries, aquatic farms,
 6.8 or aquarium facilities must be accompanied by shipping documents and salmonids, catfish,
 6.9 or species on the ~~official list of viral hemorrhagic septicemia susceptible species published~~
 6.10 ~~by the United States Department of Agriculture, Animal and Plant Health Inspection Services,~~
 6.11 VHS-susceptible-species list being transferred or transported intrastate without a
 6.12 transportation permit must be accompanied by a copy of their most recent fish health
 6.13 inspection.

6.14 (b) Shipping documents required under paragraph (a) must show the place of origin,
 6.15 owner or consignee, destination, number, and species.

6.16 Sec. 10. Minnesota Statutes 2018, section 17.4985, subdivision 5, is amended to read:

6.17 Subd. 5. **Permit application.** An application for a transportation permit must be made
 6.18 on forms provided by the commissioner. An incomplete application must be rejected. An
 6.19 application for a transportation permit for salmonids, catfish, or species on the ~~official list~~
 6.20 ~~of viral hemorrhagic septicemia susceptible species published by the United States~~
 6.21 ~~Department of Agriculture, Animal and Plant Health Inspection Services,~~
 6.22 VHS-susceptible-species list; their eggs; or their sperm must be accompanied by certification
 6.23 that the source of the eggs or sperm are free of certifiable diseases, except that eggs with
 6.24 enteric redmouth, whirling disease, or furunculosis may be imported, transported, or stocked
 6.25 following treatment approved by the commissioner, and fish with bacterial kidney disease
 6.26 or viral hemorrhagic septicemia may be imported, transported, or stocked into areas where
 6.27 the disease has been identified as being present. A copy of the transportation permit showing
 6.28 the date of certification inspection must accompany the shipment of fish while in transit
 6.29 and must be available for inspection by the commissioner. By 14 days after a completed
 6.30 application is received, the commissioner must approve or deny the importation permits as
 6.31 provided in this section.

7.1 Sec. 11. Minnesota Statutes 2018, section 17.4986, subdivision 2, is amended to read:

7.2 Subd. 2. **Licensed facilities.** (a) The commissioner shall issue transportation permits to
7.3 import:

7.4 (1) indigenous and naturalized species except trout, salmon, catfish, or species on the
7.5 ~~official list of viral hemorrhagic septicemia susceptible species published by the United~~
7.6 ~~States Department of Agriculture, Animal and Plant Health Inspection Services,~~
7.7 VHS-susceptible-species list and sperm from any source to a standard facility;

7.8 (2) trout, salmon, catfish, or species on the ~~official list of viral hemorrhagic septicemia~~
7.9 ~~susceptible species published by the United States Department of Agriculture, Animal and~~
7.10 ~~Plant Health Inspection Services,~~ VHS-susceptible-species list from a nonemergency enzootic
7.11 disease area to a containment facility if the fish are certified within the previous year to be
7.12 free of certifiable diseases, except that eggs with enteric redmouth, whirling disease, or
7.13 furunculosis may be imported following treatment approved by the commissioner, and fish
7.14 with bacterial kidney disease or viral hemorrhagic septicemia may be imported into areas
7.15 where the disease has been identified as being present; and

7.16 (3) trout, salmon, catfish, or species on the ~~official list of viral hemorrhagic septicemia~~
7.17 ~~susceptible species published by the United States Department of Agriculture, Animal and~~
7.18 ~~Plant Health Inspection Services,~~ VHS-susceptible-species list from a facility in a
7.19 nonemergency enzootic disease area with a disease-free history of three years or more to a
7.20 standard facility, except that eggs with enteric redmouth, whirling disease, or furunculosis
7.21 may be imported following treatment approved by the commissioner, and fish with bacterial
7.22 kidney disease or viral hemorrhagic septicemia may be imported into areas where the disease
7.23 has been identified as being present.

7.24 (b) If a source facility in a nonemergency enzootic disease area cannot demonstrate a
7.25 history free from disease, aquatic life may only be imported into a quarantine facility.

7.26 Sec. 12. Minnesota Statutes 2018, section 17.4986, subdivision 4, is amended to read:

7.27 Subd. 4. **Disease-free history.** Disease-free histories required under this section must
7.28 include the results of a fish health inspection. When disease-free histories of more than one
7.29 year are required for importing salmonids, catfish, or species on the ~~official list of viral~~
7.30 ~~hemorrhagic septicemia susceptible species published by the United States Department of~~
7.31 ~~Agriculture, Animal and Plant Health Inspection Services~~ VHS-susceptible-species list, the
7.32 disease history must be of consecutive years that include the year previous to, or the year
7.33 of, the transportation request.

8.1 Sec. 13. Minnesota Statutes 2018, section 17.4991, subdivision 3, is amended to read:

8.2 Subd. 3. **Fish health inspection.** (a) An aquatic farm propagating salmonids, catfish,
8.3 or species on the ~~viral hemorrhagic septicemia (VHS) susceptible list published by the~~
8.4 ~~United States Department of Agriculture, Animal and Plant Health Inspection Services,~~
8.5 VHS-susceptible-species list and having an effluent discharge from the aquatic farm into
8.6 public waters must have a fish health inspection conducted at least once every 12 months
8.7 by a certified fish health inspector. Testing must be conducted according to laboratory
8.8 methods of the Fish Health Blue Book or the Diagnostic Manual for Aquatic Animal
8.9 Diseases, published by the International Office of Epizootics (OIE).

8.10 (b) An aquatic farm propagating any species on the VHS susceptible list and having an
8.11 effluent discharge from the aquatic farm into public waters must test for VHS virus using
8.12 the guidelines of the Fish Health Blue Book or the Diagnostic Manual for Aquatic Animal
8.13 Diseases. The commissioner may, by written order published in the State Register, prescribe
8.14 alternative testing time periods and methods from those prescribed in the Fish Health Blue
8.15 Book or the OIE Diagnostic Manual if the commissioner determines that biosecurity measures
8.16 will not be compromised. These alternatives are not subject to the rulemaking provisions
8.17 of chapter 14 and section 14.386 does not apply. The commissioner must provide reasonable
8.18 notice to affected parties of any changes in testing requirements.

8.19 (c) Results of fish health inspections must be provided to the commissioner for all fish
8.20 that remain in the state. All data used to prepare and issue a fish health certificate must be
8.21 maintained for three years by the issuing fish health inspector, approved laboratory, or
8.22 accredited veterinarian.

8.23 (d) A health inspection fee must be charged based on each lot of fish sampled. The fee
8.24 by check or money order payable to the Department of Natural Resources must be prepaid
8.25 or paid at the time a bill or notice is received from the commissioner that the inspection and
8.26 processing of samples is completed.

8.27 (e) Upon receipt of payment and completion of inspection, the commissioner shall notify
8.28 the operator and issue a fish health certificate. The certification must be made according to
8.29 the Fish Health Blue Book or the Diagnostic Manual for Aquatic Animal Diseases by a
8.30 person certified as a fish health inspector.

8.31 (f) All aquatic life in transit or held at transfer stations within the state may be inspected
8.32 by the commissioner. This inspection may include the collection of stock for purposes of
8.33 pathological analysis. Sample size necessary for analysis will follow guidelines listed in
8.34 the Fish Health Blue Book or the Diagnostic Manual for Aquatic Animal Diseases.

9.1 (g) Salmonids, catfish, or species on the VHS susceptible list must have a fish health
 9.2 inspection before being transported from a containment facility, unless the fish are being
 9.3 transported directly to an outlet for processing or other food purposes or unless the
 9.4 commissioner determines that an inspection is not needed. A fish health inspection conducted
 9.5 for this purpose need only be done on the lot or lots of fish that will be transported. The
 9.6 commissioner must conduct a fish health inspection requested for this purpose within five
 9.7 working days of receiving written notice. Salmonids and catfish may be immediately
 9.8 transported from a containment facility to another containment facility once a sample has
 9.9 been obtained for a health inspection or once the five-day notice period has expired.

9.10 Sec. 14. Minnesota Statutes 2018, section 17.4992, subdivision 2, is amended to read:

9.11 Subd. 2. **Restriction on the sale of fish.** (a) Except as provided in paragraph (b), species
 9.12 on the ~~official list of viral hemorrhagic septicemia susceptible species published by the~~
 9.13 ~~United States Department of Agriculture, Animal and Plant Health Inspection Services,~~
 9.14 VHS-susceptible-species list must be free of viral hemorrhagic septicemia and species of
 9.15 the family salmonidae or ictaluridae, except bullheads, must be free of certifiable diseases
 9.16 if sold for stocking or transfer to another aquatic farm.

9.17 (b) The following exceptions apply to paragraph (a):

9.18 (1) eggs with enteric redmouth, whirling disease, or furunculosis may be transferred
 9.19 between licensed facilities or stocked following treatment approved by the commissioner;

9.20 (2) fish with bacterial kidney disease or viral hemorrhagic septicemia may be transferred
 9.21 between licensed facilities or stocked in areas where the disease has been identified as being
 9.22 present; and

9.23 (3) the commissioner may allow transfer between licensed facilities or stocking of fish
 9.24 with enteric redmouth or furunculosis when the commissioner determines that doing so
 9.25 would pose no threat to the state's aquatic resources.

9.26 Sec. 15. Minnesota Statutes 2019 Supplement, section 84.027, subdivision 18, is amended
 9.27 to read:

9.28 Subd. 18. **Permanent school fund authority; reporting.** (a) The commissioner of
 9.29 natural resources has the authority and responsibility to administer school trust lands under
 9.30 sections 92.122 and 127A.31. The commissioner shall ~~biannually~~ biennially report to the
 9.31 Legislative Permanent School Fund Commission and the legislature on the management of

10.1 the school trust lands that shows how the commissioner has and will continue to achieve
10.2 the following goals:

10.3 (1) manage the school trust lands efficiently and in a manner that reflects the undivided
10.4 loyalty to the beneficiaries consistent with the commissioner's fiduciary duties;

10.5 (2) reduce the management expenditures of school trust lands and maximize the revenues
10.6 deposited in the permanent school trust fund;

10.7 (3) manage the sale, exchange, and commercial leasing of school trust lands, requiring
10.8 returns of not less than fair market value, to maximize the revenues deposited in the
10.9 permanent school trust fund and retain the value from the long-term appreciation of the
10.10 school trust lands;

10.11 (4) manage the school trust lands to maximize the long-term economic return for the
10.12 permanent school trust fund while maintaining sound natural resource conservation and
10.13 management principles;

10.14 (5) optimize school trust land revenues and maximize the value of the trust consistent
10.15 with balancing short-term and long-term interests, so that long-term benefits are not lost in
10.16 an effort to maximize short-term gains; and

10.17 (6) maintain the integrity of the trust and prevent the misapplication of its lands and its
10.18 revenues.

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

10.31 (c) By December 31, 2013, the report required under paragraph (a) must provide an
10.32 inventory and identification of all school trust lands that are included under a designation
10.33 or policy provision that prohibits long-term economic return. The report must include a plan

11.1 to compensate the permanent school fund through the purchase or exchange of the lands or
11.2 a plan to manage the school trust land to generate long-term economic return to the permanent
11.3 school fund. Subsequent reports under paragraph (a) must include a status report of the
11.4 commissioner's progress in maximizing the long-term economic return on lands identified
11.5 in the 2013 report.

11.6 (d) When management practices, policies, or designations by the commissioner diminish
11.7 or prohibit the long-term economic return on school trust land, the conflict must be resolved
11.8 as provided in section 92.122.

11.9 Sec. 16. Minnesota Statutes 2018, section 84.63, is amended to read:

11.10 **84.63 CONVEYANCE OF INTERESTS IN LANDS TO STATE ~~AND~~, FEDERAL,**
11.11 **AND TRIBAL GOVERNMENTS.**

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

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

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

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

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

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

12.5 (e) Money received under paragraph (b) must be deposited in the land management
 12.6 account in the natural resources fund and is appropriated to the commissioner of natural
 12.7 resources to cover the reasonable costs incurred for issuing and monitoring easements.

12.8 (f) A county or joint county regional railroad authority is exempt from all fees specified
 12.9 under this section for trail easements on state-owned land.

12.10 Sec. 17. Minnesota Statutes 2018, section 84.82, subdivision 1a, is amended to read:

12.11 Subd. 1a. **General requirements.** A person may not operate ~~or transport~~ a snowmobile
 12.12 unless the snowmobile has been registered under this section. A person may not sell a
 12.13 snowmobile without furnishing the buyer a bill of sale on a form prescribed by the
 12.14 commissioner.

12.15 Sec. 18. Minnesota Statutes 2018, section 84.82, subdivision 7a, is amended to read:

12.16 Subd. 7a. **Collector limited snowmobile use.** The commissioner may issue a special
 12.17 permit to a person or organization to operate ~~or transport~~ a collector snowmobile without
 12.18 registration in parades or organized group outings, such as races, rallies, and other
 12.19 promotional events and for up to ten days each year for personal transportation. The
 12.20 commissioner may impose a reasonable restriction on a permittee and may revoke, amend,
 12.21 suspend, or modify a permit for cause.

12.22 Sec. 19. Minnesota Statutes 2018, section 84.92, subdivision 8, is amended to read:

12.23 Subd. 8. **All-terrain vehicle or vehicle.** "All-terrain vehicle" or "vehicle" means a
 12.24 motorized vehicle with: (1) not less than three, but not more than six ~~low-pressure or~~
 12.25 ~~non-pneumatic~~ tires; (2) a total dry weight of 2,000 pounds or less; and (3) a total width
 12.26 from outside of tire rim to outside of tire rim that is 65 inches or less. All-terrain vehicle
 12.27 includes a class 1 all-terrain vehicle and class 2 all-terrain vehicle. All-terrain vehicle does
 12.28 not include a golf cart, mini-truck, dune buggy, or go-cart or a vehicle designed and used
 12.29 specifically for lawn maintenance, agriculture, logging, or mining purposes.

13.1 Sec. 20. Minnesota Statutes 2018, section 84D.11, subdivision 1a, is amended to read:

13.2 Subd. 1a. **Permit for invasive carp.** The commissioner may issue a permit to
 13.3 departmental divisions for tagging bighead, black, grass, or silver carp for research or
 13.4 control. Under the permit, the carp may be released into the water body from which the carp
 13.5 was captured. ~~This subdivision expires December 31, 2021.~~

13.6 Sec. 21. Minnesota Statutes 2018, section 85.052, subdivision 1, is amended to read:

13.7 Subdivision 1. **Authority to establish.** (a) The commissioner may establish, by written
 13.8 order, provisions for the use of state parks for the following:

13.9 (1) special parking space for automobiles or other motor-driven vehicles in a state park
 13.10 or state recreation area;

13.11 (2) special parking spurs, campgrounds for automobiles, sites for tent camping, other
 13.12 types of lodging, camping, or day use facilities, and special auto trailer coach parking spaces,
 13.13 for the use of the individual charged for the space or facility; and

13.14 ~~(3) improvement and maintenance of golf courses already established in state parks, and~~
 13.15 ~~charging reasonable use fees; and~~

13.16 ~~(4)~~ (3) providing water, sewer, and electric service to trailer or tent campsites and charging
 13.17 a reasonable use fee.

13.18 (b) Provisions established under paragraph (a) are exempt from section 16A.1283 and
 13.19 the rulemaking provisions of chapter 14. Section 14.386 does not apply.

13.20 (c) For the purposes of this subdivision, "lodging" means an enclosed shelter, room, or
 13.21 building with furnishings for overnight use.

13.22 Sec. 22. Minnesota Statutes 2018, section 85.052, subdivision 2, is amended to read:

13.23 Subd. 2. **State park ~~pageants~~ special events.** (a) The commissioner may stage state
 13.24 park ~~pageants~~ special events in a state park, municipal park, or on other land near or adjoining
 13.25 a state park and charge an entrance or use fee for the ~~pageant~~ special event. All receipts
 13.26 from the ~~pageants~~ special events must be used in the same manner as though the ~~pageants~~
 13.27 special events were conducted in a state park.

13.28 (b) The commissioner may establish, by written order, state park ~~pageant~~ special event
 13.29 areas to hold historical or other ~~pageants~~ special events conducted by the commissioner of
 13.30 a state agency or other public agency. Establishment of the areas is exempt from the
 13.31 rulemaking provisions of chapter 14, and section 14.386 does not apply.

14.1 Sec. 23. Minnesota Statutes 2018, section 85.052, subdivision 6, is amended to read:

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

14.7 (b) The revenue collected from the state park reservation fee established under subdivision
14.8 5, including interest earned, shall be deposited in the state park account in the natural
14.9 resources fund and is annually appropriated to the commissioner for the cost of the state
14.10 park reservation system.

14.11 Sec. 24. Minnesota Statutes 2018, section 85.052, is amended by adding a subdivision to
14.12 read:

14.13 Subd. 7. **Special-use permits.** The commissioner may, by written order, develop
14.14 reasonable policies for special-use permits to use state parks, state recreation areas, and
14.15 state waysides. These policies are exempt from rulemaking provisions under chapter 14,
14.16 and section 14.386 does not apply.

14.17 Sec. 25. Minnesota Statutes 2018, section 85.053, subdivision 2, is amended to read:

14.18 Subd. 2. **Requirement.** Except as provided in section 85.054, a motor vehicle may not
14.19 enter a state park, state recreation area, or state wayside over 50 acres in area, without a
14.20 state park permit issued under this section or a state parks and trails plate issued under
14.21 section 168.1295. Except for vehicles permitted under subdivisions 7, paragraph (a), clause
14.22 (2), and 8, the state park permit must be affixed to the lower right corner windshield of the
14.23 motor vehicle and must be completely affixed by its own adhesive to the windshield, or the
14.24 commissioner may, by written order, provide an alternative means to display and validate
14.25 state park permits. A motor vehicle owner or lessee is responsible for ensuring the owner's
14.26 or lessee's vehicle has a state park permit, and the commissioner may issue warnings and
14.27 citations under section 84.0835 to the owner or lessee of a vehicle not in compliance.

14.28 Sec. 26. Minnesota Statutes 2019 Supplement, section 85.054, subdivision 1, is amended
14.29 to read:

14.30 Subdivision 1. **State Park Open House Days.** (a) A state park permit is not required
14.31 for a motor vehicle to enter a state park, state monument, state recreation area, or state
14.32 wayside, on four days each calendar year at each park, which the commissioner shall

15.1 designate as State Park Open House Days. The commissioner may designate two consecutive
 15.2 days as State Park Open House Days, if the open house is held in conjunction with a special
 15.3 ~~pageant~~ event described in section 85.052, subdivision 2.

15.4 (b) The commissioner shall announce the date of each State Park Open House Day at
 15.5 least 30 days in advance of the date it occurs.

15.6 (c) The purpose of State Park Open House Days is to acquaint the public with state
 15.7 parks, recreation areas, and waysides.

15.8 Sec. 27. Minnesota Statutes 2019 Supplement, section 85.47, is amended to read:

15.9 **85.47 ~~SPECIAL-USE~~ SPECIAL-USE PERMITS; FEES.**

15.10 Subdivision 1. **Special-use permits.** The commissioner may, by written order, develop
 15.11 reasonable policies for special-use permits to use state trails and state water access sites.
 15.12 The policies are exempt from rulemaking provisions under chapter 14, and section 14.386
 15.13 does not apply.

15.14 Subd. 2. **Disposition of fees.** Fees collected for ~~special-use~~ special-use permits to use
 15.15 state trails and state water access sites not on state forest, state park, or state recreation area
 15.16 lands and for use of state water access sites must be deposited in the natural resources fund
 15.17 and are appropriated to the commissioner of natural resources for operating and maintaining
 15.18 state trails and water access sites.

15.19 Sec. 28. Minnesota Statutes 2018, section 86B.005, is amended by adding a subdivision
 15.20 to read:

15.21 Subd. 17a. **Wake surfer.** "Wake surfer" means a person who wake surfs.

15.22 Sec. 29. Minnesota Statutes 2018, section 86B.005, is amended by adding a subdivision
 15.23 to read:

15.24 Subd. 17b. **Wake surf.** "Wake surf" means:

15.25 (1) to surf a wake, regardless of whether the surfer is being pulled by a tow rope attached
 15.26 to the watercraft that is producing the wake; or

15.27 (2) to operate a boat that creates a wake that is, or is intended to be, surfed by another
 15.28 person.

16.1 Sec. 30. Minnesota Statutes 2018, section 86B.315, subdivision 1, is amended to read:

16.2 Subdivision 1. **Observer or mirror required.** A person may not wake surf on waters
16.3 of this state or operate a watercraft on waters of this state ~~and create a wake for a wake~~
16.4 ~~surfer or tow~~ while towing a person on water skis, an aquaplane, a surfboard, a saucer, or
16.5 a similar device unless:

16.6 (1) there is another person in the watercraft in addition to the operator who is in a position
16.7 to continually observe the person being towed; or

16.8 (2) the boat is equipped with a mirror providing the operator a wide field of vision to
16.9 the rear.

16.10 Sec. 31. Minnesota Statutes 2018, section 86B.315, is amended by adding a subdivision
16.11 to read:

16.12 Subd. 3. **Distance from shore.** On waters of this state, a person may not wake surf at
16.13 greater than slow-no wake speed within 200 feet of a:

16.14 (1) shoreline;

16.15 (2) dock;

16.16 (3) swimmer;

16.17 (4) raft used for swimming or diving; or

16.18 (5) moored, anchored, or nonmotorized watercraft.

16.19 Sec. 32. Minnesota Statutes 2018, section 86B.315, is amended by adding a subdivision
16.20 to read:

16.21 Subd. 4. **Requirements for wake surfing.** A person may not wake surf unless the
16.22 watercraft used to wake surf is powered with a propeller that is forward of the watercraft's
16.23 transom or swim platform or powered by a jet drive.

16.24 Sec. 33. Minnesota Statutes 2018, section 92.502, is amended to read:

16.25 **92.502 LEASE OF TAX-FORFEITED AND STATE LANDS.**

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

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

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

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

17.12 Sec. 34. Minnesota Statutes 2018, section 97A.015, subdivision 51, is amended to read:

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

17.16 (1) for a flintlock ignition is unloaded if, it does not have priming powder in a pan. ~~A~~
 17.17 ~~muzzle-loading firearm with;~~

17.18 (2) for a percussion ignition is unloaded if, it does not have a percussion cap on a nipple;

17.19 (3) for an electronic ignition system, the battery is removed and is disconnected from
 17.20 the firearm; and

17.21 (4) for an encapsulated powder charge ignition system, the primer and powder charge
 17.22 are removed from the firearm.

17.23 Sec. 35. Minnesota Statutes 2018, section 97A.137, subdivision 5, is amended to read:

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

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

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

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

18.19 **EFFECTIVE DATE.** This section is effective retroactively from July 1, 2019.

18.20 Sec. 36. Minnesota Statutes 2018, section 97A.401, subdivision 1, is amended to read:

18.21 Subdivision 1. **Commissioner's authority.** The commissioner may issue special permits
 18.22 for the activities in this section. A special permit may be issued in the form of a general
 18.23 permit to a governmental subdivision or to the general public to conduct one or more
 18.24 activities under subdivisions 2 to ~~7~~ 8.

18.25 Sec. 37. Minnesota Statutes 2018, section 97A.401, is amended by adding a subdivision
 18.26 to read:

18.27 **Subd. 8. Snakes, lizards, and salamanders.** (a) The commissioner must prescribe
 18.28 conditions and may issue permits to breed, propagate, and sell snakes, lizards, and
 18.29 salamanders. A snake, lizard, or salamander that is obtained from a permitted breeder or
 18.30 that was possessed before August 1, 2020, may be possessed as a pet.

18.31 (b) If the commissioner does not prescribe conditions to issue permits under this
 18.32 subdivision by March 31, 2021, authority to prescribe conditions under this subdivision is

19.1 repealed. Authority to prescribe conditions under this subdivision is not continuing authority
 19.2 to amend or repeal the conditions. Notwithstanding section 14.125, any additional action
 19.3 on prescribed conditions after adoption must be under specific statutory authority to take
 19.4 the additional action.

19.5 Sec. 38. Minnesota Statutes 2018, section 97A.421, subdivision 1, is amended to read:

19.6 Subdivision 1. **General.** (a) The annual license of a person convicted of a violation of
 19.7 the game and fish laws relating to the license or wild animals covered by the license is void
 19.8 when:

19.9 (1) a second conviction occurs within three years under a license to trap fur-bearing
 19.10 animals, take small game, or to take fish by angling or spearing;

19.11 (2) a ~~third~~ second conviction occurs within ~~one year~~ three years under a minnow dealer's
 19.12 license;

19.13 (3) a second conviction occurs within three years for violations of section 97A.425 that
 19.14 do not involve falsifications or intentional omissions of information required to be recorded,
 19.15 or attempts to conceal unlawful acts within the records;

19.16 (4) two or more misdemeanor convictions occur within a three-year period under a
 19.17 private fish hatchery license;

19.18 (5) the conviction occurs under a license not described in clause (1), (2), or (4) or is for
 19.19 a violation of section 97A.425 not described in clause (3); or

19.20 (6) the conviction is related to assisting a person in the illegal taking, transportation, or
 19.21 possession of wild animals, when acting as a hunting or angling guide.

19.22 (b) Except for big-game licenses and as otherwise provided in this section, for one year
 19.23 after the conviction the person may not obtain the kind of license or take wild animals under
 19.24 a lifetime license, issued under section 97A.473 or 97A.474, relating to the game and fish
 19.25 law violation.

19.26 Sec. 39. Minnesota Statutes 2018, section 97A.421, is amended by adding a subdivision
 19.27 to read:

19.28 Subd. 3b. **Issuance after conviction; night vision or thermal imaging equipment.** (a)
 19.29 A person who is convicted of a violation under paragraph (b) and who possessed night
 19.30 vision or thermal imaging equipment during the violation may not obtain a hunting license
 19.31 or hunt wild animals for five years from the date of conviction.

20.1 (b) The revocation under this subdivision applies to convictions for:

20.2 (1) trespassing;

20.3 (2) hunting game in closed season;

20.4 (3) hunting game in closed hours;

20.5 (4) possessing night vision or thermal imaging equipment while taking wild animals in
20.6 violation of section 97B.086; or

20.7 (5) possessing unlawful firearms in deer zones in violation of section 97B.041.

20.8 Sec. 40. Minnesota Statutes 2018, section 97A.505, subdivision 3b, is amended to read:

20.9 Subd. 3b. **Wild animals taken on Red Lake Reservation lands** ~~within Northwest~~
20.10 ~~Angle.~~ Wild animals taken and tagged on the Red Lake Reservation lands in accordance
20.11 with the Red Lake Band's Conservation Code ~~on the Red Lake Reservation lands in~~
20.12 ~~Minnesota north of the 49th parallel shall be~~ and all applicable federal law are considered
20.13 lawfully taken and possessed under state law. Possessing wild animals harvested under this
20.14 subdivision is in addition to any state limits.

20.15 Sec. 41. Minnesota Statutes 2019 Supplement, section 97A.505, subdivision 8, is amended
20.16 to read:

20.17 Subd. 8. **Importing ~~hunter-harvested~~ Cervidae carcasses.** (a) Importing
20.18 ~~hunter-harvested~~ Cervidae carcasses procured by any means into Minnesota is prohibited
20.19 except for cut and wrapped meat, quarters or other portions of meat with no part of the
20.20 spinal column or head attached, antlers, hides, teeth, finished taxidermy mounts, and antlers
20.21 attached to skull caps that are cleaned of all brain tissue.

20.22 ~~Hunter-harvested~~ (b) Cervidae carcasses taken originating from outside of Minnesota
20.23 may be transported on a direct route through the state by nonresidents.

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

20.25 Sec. 42. Minnesota Statutes 2018, section 97B.031, subdivision 1, is amended to read:

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

20.28 (1) ~~the~~ any rifle, shotgun, ~~and~~ or handgun used is a caliber of at least .22 inches and ~~with~~
20.29 has centerfire ignition;

20.30 (2) the firearm is loaded only with single projectile ammunition;

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

21.3 (4) ~~the any muzzleloader used is incapable of being~~ has the projectile loaded only at the
 21.4 ~~breech~~ muzzle;

21.5 (5) ~~the any~~ smooth-bore muzzleloader used is a caliber of at least .45 inches; and

21.6 (6) ~~the any~~ rifled muzzleloader used is a caliber of at least .40 inches.

21.7 Sec. 43. Minnesota Statutes 2018, section 97B.036, is amended to read:

21.8 **97B.036 CROSSBOW HUNTING DURING FIREARMS SEASON.**

21.9 Notwithstanding section 97B.035, subdivisions 1 and 2, a person may take deer, bear,
 21.10 or turkey by crossbow during the respective ~~regular~~ firearms seasons. The transportation
 21.11 requirements of section 97B.051 apply to crossbows during the ~~regular~~ firearms deer, bear,
 21.12 or turkey season. Crossbows must meet the requirements of section 97B.106, subdivision
 21.13 2. A person taking deer, bear, or turkey by crossbow under this section must have a valid
 21.14 ~~firearms~~ license to take the respective game by firearm. This section does not allow the use
 21.15 of a crossbow by licensed muzzleloader hunters during the muzzleloader firearms deer
 21.16 season under section 97B.311.

21.17 Sec. 44. Minnesota Statutes 2019 Supplement, section 97B.086, is amended to read:

21.18 **97B.086 POSSESSING NIGHT VISION OR THERMAL IMAGING EQUIPMENT.**

21.19 (a) A person may not possess night vision or thermal imaging equipment while taking
 21.20 wild animals or while having in possession, either individually or as one of a group of
 21.21 persons, a firearm, bow, or other implement that could be used to take wild animals.

21.22 (b) This section does not apply to a firearm that is:

21.23 (1) unloaded;

21.24 (2) in a gun case expressly made to contain a firearm that fully encloses the firearm by
 21.25 being zipped, snapped, buckled, tied, or otherwise fastened without any portion of the
 21.26 firearm exposed; and

21.27 (3) in the closed trunk of a motor vehicle.

21.28 (c) This section does not apply to a bow that is:

21.29 (1) completely encased or unstrung; and

21.30 (2) in the closed trunk of a motor vehicle.

22.1 (d) If the motor vehicle under paragraph (b) or (c) does not have a trunk, the firearm or
22.2 bow must be placed in the rearmost location of the vehicle.

22.3 (e) This section does not apply to night vision, night vision enhanced with an infrared
22.4 illuminator, or thermal imaging equipment possessed by:

22.5 (1) peace officers or military personnel while exercising their duties; or

22.6 (2) a person taking coyote or fox as provided under section 97B.075 and rules adopted
22.7 under section 97B.605, but the equipment must not be possessed during the regular firearms
22.8 deer season.

22.9 Sec. 45. Minnesota Statutes 2018, section 97B.311, is amended to read:

22.10 **97B.311 DEER SEASONS AND RESTRICTIONS.**

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

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

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

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

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

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

22.23 Sec. 46. Minnesota Statutes 2018, section 97C.005, subdivision 3, is amended to read:

22.24 Subd. 3. **Seasons, limits, and other rules.** The commissioner may, in accordance with
22.25 the procedures in subdivision 2, paragraphs (c) and (e), or by rule under chapter 14, establish
22.26 open seasons, limits, methods, and other requirements for taking fish on special management
22.27 waters. The commissioner may, by written order published in the State Register, amend
22.28 daily, possession, or size limits to make midseason adjustments based on available harvest,
22.29 angling pressure, and population data to manage the fisheries in the 1837 Ceded Territory
22.30 in compliance with the court orders in Mille Lacs Band of Chippewa v. Minnesota, 119 S.
22.31 Ct. 1187 (1999) and in the state waters of Upper Red Lake. The midseason adjustments in

23.1 daily, possession, or size limits are not subject to the rulemaking provisions of chapter 14
 23.2 and section 14.386 does not apply. Before the written order is effective, the commissioner
 23.3 shall attempt to notify persons or groups of persons affected by the written order by public
 23.4 announcement, posting, and other appropriate means as determined by the commissioner.

23.5 Sec. 47. Minnesota Statutes 2018, section 97C.342, subdivision 2, is amended to read:

23.6 Subd. 2. **Bait restrictions.** Frozen or dead fish on the ~~official list of viral hemorrhagic~~
 23.7 ~~septicemia-susceptible species published by the United States Department of Agriculture,~~
 23.8 ~~Animal and Plant Health Inspection Services~~ VHS-susceptible-species list under section
 23.9 17.4982, subdivision 21b; cisco (all *Coregonus*, including lake herring and tullibee); and
 23.10 smelt (all *Osmerus*, *Spirincus*, *Hypomesus*, and *Allosmerus*) being used as bait in waters of
 23.11 the state must originate from water bodies certified disease-free. Certification for these
 23.12 water bodies is valid for one year from the date of test results.

23.13 Sec. 48. Minnesota Statutes 2018, section 97C.515, subdivision 2, is amended to read:

23.14 Subd. 2. **Permit for transportation.** (a) A person may transport live minnows through
 23.15 the state with a permit from the commissioner. The permit must state the name and address
 23.16 of the person, the number and species of minnows, the point of entry into the state, the
 23.17 destination, and the route through the state. The permit is not valid for more than 12 hours
 23.18 after it is issued.

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

23.21 (c) The commissioner may require the person transporting minnow species found on
 23.22 the ~~official list of viral hemorrhagic septicemia-susceptible species published by the United~~
 23.23 ~~States Department of Agriculture, Animal and Plant Health Inspection Services~~
 23.24 VHS-susceptible-species list under section 17.4982, subdivision 21b, to provide health
 23.25 certification for viral hemorrhagic septicemia. The certification must disclose any incidentally
 23.26 isolated replicating viruses, and must be dated within the 12 months preceding transport.

23.27 Sec. 49. Minnesota Statutes 2018, section 97C.805, subdivision 2, is amended to read:

23.28 Subd. 2. **Restrictions.** (a) ~~The~~ Netting of lake whitefish and ciscoes is subject to the
 23.29 restrictions in this subdivision.

23.30 (b) A person may not use:

23.31 (1) more than ~~two nets~~ one net;

24.1 (2) a net more than 100 feet long; or

24.2 (3) a net more than three feet wide.

24.3 (c) The mesh size of the ~~nets~~ net may not be less than:

24.4 (1) 1-3/4 inches, stretch measure, for nets used to take ciscoes; and

24.5 (2) 3-1/2 inches, stretch measure, for all other nets.

24.6 (d) A net may not be set in water, including ice thickness, deeper than six feet.

24.7 (e) The commissioner may designate waters where nets may be set so that portions of
24.8 the net extend into water deeper than six feet under conditions prescribed by the
24.9 commissioner to protect game fish. A pole or stake must project at least two feet above the
24.10 surface of the water or ice at one end of ~~each~~ the net.

24.11 (f) A net may not be set within 50 feet of another net.

24.12 (g) A person may not have angling equipment in possession while netting lake whitefish
24.13 or ciscoes.

24.14 Sec. 50. Minnesota Statutes 2018, section 97C.836, is amended to read:

24.15 **97C.836 LAKE SUPERIOR LAKE TROUT; EXPANDED ASSESSMENT**
24.16 **HARVEST.**

24.17 The commissioner shall provide for taking of lake trout by licensed commercial operators
24.18 in Lake Superior management zones MN-3 and MN-2 for expanded assessment and sale.
24.19 The commissioner shall authorize expanded assessment taking and sale of lake trout in Lake
24.20 Superior management zone MN-3 beginning annually in 2007 and zone MN-2 beginning
24.21 annually in 2010. Total assessment taking and sale may not exceed 3,000 lake trout in zone
24.22 MN-3 and 2,000 lake trout in zone MN-2 and may be reduced when necessary to protect
24.23 the lake trout population or to manage the effects of invasive species or fish disease. Taking
24.24 lake trout for expanded assessment and sale shall be allowed from June 1 to September 30,
24.25 but may end earlier in the respective zones if the quotas are reached. The quotas must be
24.26 reassessed at the expiration of the current ten-year Fisheries Management Plan for the
24.27 Minnesota Waters of Lake Superior ~~dated September 2006~~.

24.28 Sec. 51. Minnesota Statutes 2018, section 103A.212, is amended to read:

24.29 **103A.212 WATERSHED MANAGEMENT POLICY.**

24.30 Subdivision 1. Purpose. The quality of life of every Minnesotan depends on water.
24.31 Minnesota's rivers, lakes, streams, wetlands, and groundwater provide a foundation for

25.1 drinking water and the state's recreational, municipal, commercial, industrial, agricultural,
 25.2 environmental, aesthetic, and economic well-being. The legislature finds that it is in the
 25.3 public interest to manage groundwater and surface water resources from the perspective of
 25.4 aquifers, watersheds, and river basins to achieve protection, preservation, enhancement,
 25.5 and restoration of the state's valuable groundwater and surface water resources.

25.6 Subd. 2. **Coordination and cooperation.** In implementing the policy under this section,
 25.7 state agencies and local and regional governments with authority for local water management
 25.8 conservation, land use, land management, and development plans must take into consideration
 25.9 the manner in which their plans are consistent with the policy. To the extent practicable,
 25.10 state agencies and local and regional governments must endeavor to enter into formal and
 25.11 informal agreements and arrangements to jointly utilize staff and educational, technical,
 25.12 and financial resources to deliver programs or conduct activities to achieve the intent of the
 25.13 policy.

25.14 Sec. 52. Minnesota Statutes 2018, section 103C.315, subdivision 4, is amended to read:

25.15 Subd. 4. **Compensation.** A supervisor shall receive compensation for services up to \$75
 25.16 \$125 per day, and may be reimbursed for expenses, including traveling expenses, necessarily
 25.17 incurred in the discharge of duties. A supervisor may be reimbursed for the use of the
 25.18 supervisor's own automobile in the performance of official duties at a rate up to the maximum
 25.19 tax-deductible mileage rate permitted under the federal Internal Revenue Code.

25.20 Sec. 53. **[103F.05] MINNESOTA RIVER BASIN WATER QUALITY AND**
 25.21 **STORAGE PROGRAM.**

25.22 Subdivision 1. **Definitions.** For the purposes of this section:

25.23 (1) "board" means the Board of Water and Soil Resources; and

25.24 (2) "local units of government" has the meaning given under section 103B.305,
 25.25 subdivision 5.

25.26 Subd. 2. **Establishment.** The board may establish a program to provide financial
 25.27 assistance to local units of government located in the Minnesota River basin to control water
 25.28 volume and rates for the purpose of protecting infrastructure and improving water quality
 25.29 and related public benefits.

25.30 Subd. 3. **Financial assistance.** (a) The board may provide financial assistance to local
 25.31 units of government to cover the costs of water storage projects and other water quality
 25.32 practices consistent with a plan approved according to chapter 103B, 103C, or 103D. Costs

26.1 may include site acquisition, design, engineering, and construction. The board may acquire
26.2 conservation easements under sections 103F.501 to 103F.531 as necessary to implement a
26.3 project or practice under this section.

26.4 (b) The board must enter into agreements with local units of government receiving
26.5 financial assistance under this section. The agreements must specify the terms of state and
26.6 local cooperation, including financing arrangements for construction and assurances for
26.7 maintenance of any structures after completion.

26.8 (c) The board may adopt procedures based on the provisions of section 103C.501, for
26.9 cost-sharing contracts needed to implement this program.

26.10 Subd. 4. **Local match.** The board may require a local match and may adjust match
26.11 requirements if federal funds are available for the project.

26.12 Subd. 5. **Technical assistance.** (a) The board may employ or contract with an engineer
26.13 or hydrologist to work on the technical implementation of the program established under
26.14 this section.

26.15 (b) When implementing the program, the board must:

26.16 (1) assist local units of government in achieving the purposes of the program;

26.17 (2) review and analyze projects and project sites; and

26.18 (3) evaluate the effectiveness of completed projects constructed under the program.

26.19 (c) The board may enter into cooperative agreements with the commissioner of natural
26.20 resources, the Natural Resources Conservation Service of the United States Department of
26.21 Agriculture, and other agencies as needed to analyze hydrological and engineering
26.22 information on proposed sites.

26.23 Subd. 6. **Requirements.** (a) A local unit of government applying for financial assistance
26.24 under this section must provide a copy of a resolution or other documentation of the local
26.25 unit of government's support for the project. The documentation must include provisions
26.26 for local funding and management, the proposed method of obtaining necessary land rights
26.27 for the proposed project, and an assignment of responsibility for maintenance of any
26.28 structures or practices upon completion of the project.

26.29 (b) A local unit of government, with the assistance of the board, must evaluate the
26.30 environmental and other benefits that are reasonably expected upon completion of the
26.31 proposed project. The evaluation must be submitted to the board before the final design.

27.1 Subd. 7. **Interstate cooperation.** The board may enter into or approve working
 27.2 agreements with neighboring states or their political subdivisions to accomplish projects
 27.3 consistent with the program established in this section.

27.4 Subd. 8. **Federal aid availability.** The board must regularly complete an analysis of the
 27.5 availability of federal funds and programs to supplement or complement state and local
 27.6 efforts consistent with the purposes of this section.

27.7 Sec. 54. Minnesota Statutes 2018, section 103G.271, subdivision 7, is amended to read:

27.8 Subd. 7. **Transferring permit.** (a) A water-use permit may be transferred to a successive
 27.9 owner of real property if the permittee conveys the real property where the source of water
 27.10 is located. The new owner must notify the commissioner immediately after the conveyance
 27.11 and request transfer of the permit. The commissioner must not deny the transfer of a permit
 27.12 if:

27.13 (1) the permittee is in compliance with all permit conditions, as demonstrated by:

27.14 (i) the permit being valid at the time of the real property transfer; and

27.15 (ii) the permittee has complied with the total volume allowed under the water-use permit
 27.16 prior to transferring the real property; and

27.17 (2) the permit meets the requirements of sections 103G.255 to 103G.301.

27.18 (b) The commissioner must not require additional conditions on the permit, reduce the
 27.19 appropriation, or require any testing when transferring a permit.

27.20 **EFFECTIVE DATE.** This section is effective retroactively from January 1, 2010.

27.21 Sec. 55. Minnesota Statutes 2018, section 103G.271, is amended by adding a subdivision
 27.22 to read:

27.23 Subd. 8. **Management plans; economic impacts.** Before a management plan for
 27.24 appropriating water is prepared, the commissioner must provide estimates of the economic
 27.25 impact of any new restriction or policy on existing and future groundwater users and local
 27.26 governments in the affected area. Strategies to address economic impacts must be included
 27.27 in the plan.

27.28 Sec. 56. Minnesota Statutes 2018, section 103G.287, subdivision 4, is amended to read:

27.29 Subd. 4. **Groundwater management areas.** (a) The commissioner may designate
 27.30 groundwater management areas and limit total annual water appropriations and uses within

28.1 a designated area to ensure sustainable use of groundwater that protects ecosystems, water
28.2 quality, and the ability of future generations to meet their own needs. Water appropriations
28.3 and uses within a designated management area must be consistent with a groundwater
28.4 management area plan approved by the commissioner that addresses water conservation
28.5 requirements and water allocation priorities established in section 103G.261. During the
28.6 development of a groundwater management plan, the commissioner and employees and
28.7 agents of the department may disseminate information related to the timing, location, and
28.8 agendas of meetings related to the plan, but shall otherwise limit public information
28.9 disseminated related to the ground water management area to direct factual responses to
28.10 public and media inquires. At least 30 days prior to implementing or modifying a groundwater
28.11 management area plan under this subdivision, the commissioner shall consult with the
28.12 advisory team established in paragraph (c).

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

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

28.34 (d) Before designating a groundwater management area, the commissioner must provide
28.35 estimates of the economic effect of any new restriction or policy on existing and future

29.1 groundwater users and local governments in the affected area. Strategies to address economic
 29.2 impacts must be included in any plan.

29.3 Sec. 57. Minnesota Statutes 2018, section 103G.287, subdivision 5, is amended to read:

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

29.9 (b) For the purposes of this subdivision and subdivision 4, "sustainable" means a change
 29.10 in hydrologic regime of 20 percent or less relative to the August median stream flow.

29.11 Sec. 58. Minnesota Statutes 2018, section 103G.289, is amended to read:

29.12 **103G.289 WELL INTERFERENCE; ~~WELL SEALING VALIDATION;~~**
 29.13 **CONTESTED CASE.**

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

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

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

29.24 Sec. 59. Minnesota Statutes 2018, section 115.03, subdivision 1, is amended to read:

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

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

29.29 ~~(b)~~ (2) to investigate the extent, character, and effect of the pollution of the waters of
 29.30 this state and to gather data and information necessary or desirable in the administration or

30.1 enforcement of pollution laws, and to make such classification of the waters of the state as
30.2 it may deem advisable;

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

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

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

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

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

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

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

30.32 ~~(5)~~ (v) establishing, and from time to time revising, standards of performance for new
30.33 sources taking into consideration, among other things, classes, types, sizes, and categories

31.1 of sources, processes, pollution control technology, cost of achieving such effluent reduction,
31.2 and any nonwater quality environmental impact and energy requirements. Said standards
31.3 of performance for new sources shall encompass those standards for the control of the
31.4 discharge of pollutants which reflect the greatest degree of effluent reduction which the
31.5 agency determines to be achievable through application of the best available demonstrated
31.6 control technology, processes, operating methods, or other alternatives, including, where
31.7 practicable, a standard permitting no discharge of pollutants. New sources shall encompass
31.8 buildings, structures, facilities, or installations from which there is or may be the discharge
31.9 of pollutants, the construction of which is commenced after the publication by the agency
31.10 of proposed rules prescribing a standard of performance which will be applicable to such
31.11 source. Notwithstanding any other provision of the law of this state, any point source the
31.12 construction of which is commenced after May 20, 1973, and which is so constructed as to
31.13 meet all applicable standards of performance for new sources shall, consistent with and
31.14 subject to the provisions of section 306(d) of the Amendments of 1972 to the Federal Water
31.15 Pollution Control Act, not be subject to any more stringent standard of performance for new
31.16 sources during a ten-year period beginning on the date of completion of such construction
31.17 or during the period of depreciation or amortization of such facility for the purposes of
31.18 section 167 or 169, or both, of the Federal Internal Revenue Code of 1954, whichever period
31.19 ends first. Construction shall encompass any placement, assembly, or installation of facilities
31.20 or equipment, including contractual obligations to purchase such facilities or equipment, at
31.21 the premises where such equipment will be used, including preparation work at such
31.22 premises;

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

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

31.32 ~~(8)~~ (viii) notwithstanding any other provision of this chapter, and with respect to the
31.33 pollution of waters of the state, chapter 116, requiring the achievement of more stringent
31.34 limitations than otherwise imposed by effluent limitations in order to meet any applicable
31.35 water quality standard by establishing new effluent limitations, based upon section 115.01,

32.1 subdivision 13, clause (b), including alternative effluent control strategies for any point
32.2 source or group of point sources to insure the integrity of water quality classifications,
32.3 whenever the agency determines that discharges of pollutants from such point source or
32.4 sources, with the application of effluent limitations required to comply with any standard
32.5 of best available technology, would interfere with the attainment or maintenance of the
32.6 water quality classification in a specific portion of the waters of the state. Prior to
32.7 establishment of any such effluent limitation, the agency shall hold a public hearing to
32.8 determine the relationship of the economic and social costs of achieving such limitation or
32.9 limitations, including any economic or social dislocation in the affected community or
32.10 communities, to the social and economic benefits to be obtained and to determine whether
32.11 or not such effluent limitation can be implemented with available technology or other
32.12 alternative control strategies. If a person affected by such limitation demonstrates at such
32.13 hearing that, whether or not such technology or other alternative control strategies are
32.14 available, there is no reasonable relationship between the economic and social costs and
32.15 the benefits to be obtained, such limitation shall not become effective and shall be adjusted
32.16 as it applies to such person;

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

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

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

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

32.33 ~~(h)~~ (8) to conduct such investigations, issue such notices, public and otherwise, and hold
32.34 such hearings as are necessary or which it may deem advisable for the discharge of its duties

33.1 under this chapter and, with respect to the pollution of waters of the state, under chapter
 33.2 116, including, but not limited to, the issuance of permits, and to authorize any member,
 33.3 employee, or agent appointed by it to conduct such investigations or, issue such notices and
 33.4 hold such hearings;

33.5 ~~(9)~~ (9) for the purpose of water pollution control planning by the state and pursuant to
 33.6 the Federal Water Pollution Control Act, as amended, to establish and revise planning areas,
 33.7 adopt plans and programs and continuing planning processes, including, but not limited to,
 33.8 basin plans and areawide waste treatment management plans, and to provide for the
 33.9 implementation of any such plans by means of, including, but not limited to, standards, plan
 33.10 elements, procedures for revision, intergovernmental cooperation, residual treatment process
 33.11 waste controls, and needs inventory and ranking for construction of disposal systems;

33.12 ~~(10)~~ (10) to train water pollution control personnel; and charge such fees ~~therefor as are~~
 33.13 for the training as necessary to cover the agency's costs. The fees under this clause are
 33.14 subject to legislative approval under section 16A.1283. All such fees received shall be paid
 33.15 into the state treasury and credited to the Pollution Control Agency training account;

33.16 ~~(11)~~ (11) to impose as additional conditions in permits to publicly owned disposal systems
 33.17 appropriate measures to insure compliance by industrial and other users with any pretreatment
 33.18 standard, including, but not limited to, those related to toxic pollutants, and any system of
 33.19 user charges ratably as is hereby required under state law or said Federal Water Pollution
 33.20 Control Act, as amended, or any regulations or guidelines promulgated thereunder;

33.21 ~~(12)~~ (12) to set a period not to exceed five years for the duration of any national pollutant
 33.22 discharge elimination system permit or not to exceed ten years for any permit issued as a
 33.23 state disposal system permit only;

33.24 ~~(13)~~ (13) to require each governmental subdivision identified as a permittee for a
 33.25 wastewater treatment works to evaluate in every odd-numbered year the condition of its
 33.26 existing system and identify future capital improvements that will be needed to attain or
 33.27 maintain compliance with a national pollutant discharge elimination system or state disposal
 33.28 system permit; and

33.29 ~~(14)~~ (14) to train subsurface sewage treatment system personnel, including persons who
 33.30 design, construct, install, inspect, service, and operate subsurface sewage treatment systems,
 33.31 and charge fees for the training as necessary to pay the agency's costs. The fees under this
 33.32 clause are subject to legislative approval under section 16A.1283. All fees received must
 33.33 be paid into the state treasury and credited to the agency's training account. Money in the
 33.34 account is appropriated to the agency to pay expenses related to training.

34.1 (b) The information required in paragraph (a), clause ~~(m)~~ (13), must be submitted in
 34.2 every odd-numbered year to the commissioner on a form provided by the commissioner.
 34.3 The commissioner shall provide technical assistance if requested by the governmental
 34.4 subdivision.

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

34.7 Sec. 60. Minnesota Statutes 2018, section 115.455, is amended to read:

34.8 **115.455 EFFLUENT LIMITATIONS; COMPLIANCE.**

34.9 To the extent allowable under federal law, for a municipality that constructs a publicly
 34.10 owned treatment works or for an industrial national pollutant discharge elimination system
 34.11 and state disposal system permit holder that constructs a treatment works to comply with a
 34.12 new or modified effluent limitation, compliance with any new or modified effluent limitation
 34.13 adopted after construction begins that would require additional capital investment is required
 34.14 no sooner than 16 years after the date the facility begins operating.

34.15 Sec. 61. Minnesota Statutes 2018, section 115.77, subdivision 1, is amended to read:

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

34.20 Sec. 62. Minnesota Statutes 2018, section 115.84, subdivision 2, is amended to read:

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

34.24 Sec. 63. Minnesota Statutes 2018, section 115.84, subdivision 3, is amended to read:

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

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

35.3 (c) Revenue from fees charged by the agency for certification ~~shall~~ must be credited to
35.4 the environmental fund.

35.5 Sec. 64. Minnesota Statutes 2018, section 115B.49, is amended by adding a subdivision
35.6 to read:

35.7 Subd. 4c. **Registration; fees.** (a) The owner or operator of a dry cleaning facility must
35.8 register on or before October 1 of each year with the commissioner of revenue in a manner
35.9 prescribed by the commissioner of revenue and pay a registration fee for the facility. The
35.10 fee is:

35.11 (1) \$3,886 for facilities with a full-time equivalent of fewer than five;

35.12 (2) \$8,386 for facilities with a full-time equivalent of five to ten; and

35.13 (3) \$15,442 for facilities with a full-time equivalent of more than ten.

35.14 (b) The registration fee must be paid on or before October 18, or the owner or operator
35.15 of a dry cleaning facility may elect to pay the fee in equal installments. Installment payments
35.16 must be paid on or before October 18, on or before January 18, on or before April 18, and
35.17 on or before June 18. All payments made after October 18 bear interest at the rate specified
35.18 in section 270C.40.

35.19 (c) A person who sells dry cleaning solvents for use by dry cleaning facilities in the state
35.20 must collect and remit to the commissioner of revenue, in the same manner prescribed by
35.21 the commissioner of revenue for the taxes imposed under chapter 297A, a fee of:

35.22 (1) \$46.73 for each gallon of perchloroethylene sold for use by dry cleaning facilities
35.23 in the state;

35.24 (2) \$24.78 for each gallon of hydrocarbon-based dry cleaning solvent sold for use by
35.25 dry cleaning facilities in the state; and

35.26 (3) \$11.57 for each gallon of other nonaqueous solvents sold for use by dry cleaning
35.27 facilities in the state.

35.28 (d) The audit, assessment, appeal, collection, enforcement, and administrative provisions
35.29 of chapters 270C and 289A apply to the fees imposed under this subdivision. To enforce
35.30 this subdivision, the commissioner of revenue may grant extensions to file returns and pay
35.31 fees, impose penalties and interest on the fees imposed by this subdivision, and abate
35.32 penalties and interest in the manner provided in chapters 270C and 289A. The penalties and

36.1 interest imposed on taxes under chapter 297A apply to the fees imposed under this
 36.2 subdivision. Disclosure of data collected by the commissioner of revenue under this
 36.3 subdivision is governed by chapter 270B.

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

36.5 Sec. 65. Minnesota Statutes 2018, section 116.03, subdivision 2b, is amended to read:

36.6 Subd. 2b. **Permitting efficiency.** (a) It is the goal of the state that environmental and
 36.7 resource management permits be issued or denied within 90 days for tier 1 permits or 150
 36.8 days for tier 2 permits following submission of a permit application. The commissioner of
 36.9 the Pollution Control Agency shall establish management systems designed to achieve the
 36.10 goal. For the purposes of this section, "tier 1 permits" are permits that do not require
 36.11 individualized actions or public comment periods, and "tier 2 permits" are permits that
 36.12 require individualized actions or public comment periods.

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

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

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

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

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

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

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

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

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

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

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

37.28 (iii) business schedule for project completion; and

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

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

- 38.1 (i) an overview of the permit review program;
- 38.2 (ii) a determination of which specific application or applications will be necessary to
38.3 complete the project;
- 38.4 (iii) a statement notifying the applicant if the specific permit being sought requires a
38.5 mandatory public hearing or comment period;
- 38.6 (iv) a review of the timetable established in the permit review program for the specific
38.7 permit being sought; and
- 38.8 (v) a determination of what information must be included in the application, including
38.9 a description of any required modeling or testing.
- 38.10 (g) The applicant may select a permit professional to undertake the preparation of the
38.11 permit application and draft permit.
- 38.12 (h) If a preapplication meeting was held, the agency shall, within seven business days
38.13 of receipt of an application, notify the applicant and submitting permit professional that the
38.14 application is complete or is denied, specifying the deficiencies of the application.
- 38.15 (i) Upon receipt of notice that the application is complete, the permit professional shall
38.16 submit to the agency a timetable for submitting a draft permit. The permit professional shall
38.17 submit a draft permit on or before the date provided in the timetable. Within 60 days after
38.18 the close of the public comment period, the commissioner shall notify the applicant whether
38.19 the permit can be issued.
- 38.20 (j) Nothing in this section shall be construed to modify:
- 38.21 (1) any requirement of law that is necessary to retain federal delegation to or assumption
38.22 by the state; or
- 38.23 (2) the authority to implement a federal law or program.
- 38.24 (k) The permit application and draft permit shall identify or include as an appendix all
38.25 studies and other sources of information used to substantiate the analysis contained in the
38.26 permit application and draft permit. The commissioner shall request additional studies, if
38.27 needed, and the permit applicant shall submit all additional studies and information necessary
38.28 for the commissioner to perform the commissioner's responsibility to review, modify, and
38.29 determine the completeness of the application and approve the draft permit.
- 38.30 (l) If an environmental or resource management permit is not issued or denied within
38.31 the applicable period described in paragraph (a), the commissioner must immediately begin
38.32 review of the application and must take all steps necessary to issue the final permit, deny

39.1 the permit, or issue the public notice for the draft permit within 150 days of the expiration
39.2 of the applicable period described in paragraph (a). The commissioner may extend the period
39.3 for up to 60 days by issuing a written notice to the applicant stating the length of and reason
39.4 for the extension. Except as prohibited by federal law, after the applicable period expires,
39.5 any person may seek an order of the district court requiring the commissioner to immediately
39.6 take action on the permit application. A time limit under this paragraph may be extended
39.7 through written agreement between the commissioner and the applicant.

39.8 Sec. 66. Minnesota Statutes 2018, section 116.07, subdivision 2, is amended to read:

39.9 Subd. 2. **Adopting standards.** (a) The Pollution Control Agency shall improve air
39.10 quality by promoting, in the most practicable way possible, the use of energy sources and
39.11 waste disposal methods which produce or emit the least air contaminants consistent with
39.12 the agency's overall goal of reducing all forms of pollution. The agency shall also adopt
39.13 standards of air quality, not including maximum allowable standards of emission of air
39.14 contaminants from motor vehicles, recognizing that due to variable factors, no single standard
39.15 of purity of air is applicable to all areas of the state. In adopting standards the Pollution
39.16 Control Agency shall give due recognition to the fact that the quantity or characteristics of
39.17 air contaminants or the duration of their presence in the atmosphere, which may cause air
39.18 pollution in one area of the state, may cause less or not cause any air pollution in another
39.19 area of the state, and it shall take into consideration in this connection such factors, including
39.20 others which it may deem proper, as existing physical conditions, zoning classifications,
39.21 topography, prevailing wind directions and velocities, and the fact that a standard of air
39.22 quality which may be proper as to an essentially residential area of the state, may not be
39.23 proper as to a highly developed industrial area of the state. Such standards of air quality
39.24 shall be premised upon scientific knowledge of causes as well as effects based on technically
39.25 substantiated criteria and commonly accepted practices. No local government unit shall set
39.26 standards of air quality which are more stringent than those set by the Pollution Control
39.27 Agency.

39.28 (b) The Pollution Control Agency shall promote solid waste disposal control by
39.29 encouraging the updating of collection systems, elimination of open dumps, and
39.30 improvements in incinerator practices. The agency shall also adopt standards for the control
39.31 of the collection, transportation, storage, processing, and disposal of solid waste and sewage
39.32 sludge for the prevention and abatement of water, air, and land pollution, recognizing that
39.33 due to variable factors, no single standard of control is applicable to all areas of the state.
39.34 In adopting standards, the Pollution Control Agency shall give due recognition to the fact
39.35 that elements of control which may be reasonable and proper in densely populated areas of

40.1 the state may be unreasonable and improper in sparsely populated or remote areas of the
40.2 state, and it shall take into consideration in this connection such factors, including others
40.3 which it may deem proper, as existing physical conditions, topography, soils and geology,
40.4 climate, transportation, and land use. Such standards of control shall be premised on technical
40.5 criteria and commonly accepted practices.

40.6 (c) The Pollution Control Agency shall also adopt standards describing the maximum
40.7 levels of noise in terms of sound pressure level which may occur in the outdoor atmosphere,
40.8 recognizing that due to variable factors no single standard of sound pressure is applicable
40.9 to all areas of the state. Such standards shall give due consideration to such factors as the
40.10 intensity of noises, the types of noises, the frequency with which noises recur, the time
40.11 period for which noises continue, the times of day during which noises occur, and such
40.12 other factors as could affect the extent to which noises may be injurious to human health
40.13 or welfare, animal or plant life, or property, or could interfere unreasonably with the
40.14 enjoyment of life or property. In adopting standards, the Pollution Control Agency shall
40.15 give due recognition to the fact that the quantity or characteristics of noise or the duration
40.16 of its presence in the outdoor atmosphere, which may cause noise pollution in one area of
40.17 the state, may cause less or not cause any noise pollution in another area of the state, and
40.18 it shall take into consideration in this connection such factors, including others which it
40.19 may deem proper, as existing physical conditions, zoning classifications, topography,
40.20 meteorological conditions and the fact that a standard which may be proper in an essentially
40.21 residential area of the state, may not be proper as to a highly developed industrial area of
40.22 the state. Such noise standards shall be premised upon scientific knowledge as well as effects
40.23 based on technically substantiated criteria and commonly accepted practices. No local
40.24 governing unit shall set standards describing the maximum levels of sound pressure which
40.25 are more stringent than those set by the Pollution Control Agency.

40.26 (d) The Pollution Control Agency shall adopt standards for the identification of hazardous
40.27 waste and for the management, identification, labeling, classification, storage, collection,
40.28 transportation, processing, and disposal of hazardous waste, recognizing that due to variable
40.29 factors, a single standard of hazardous waste control may not be applicable to all areas of
40.30 the state. In adopting standards, the Pollution Control Agency shall recognize that elements
40.31 of control which may be reasonable and proper in densely populated areas of the state may
40.32 be unreasonable and improper in sparsely populated or remote areas of the state. The agency
40.33 shall consider existing physical conditions, topography, soils, and geology, climate,
40.34 transportation and land use. Standards of hazardous waste control shall be premised on
40.35 technical knowledge, and commonly accepted practices. Hazardous waste generator licenses

41.1 may be issued for a term not to exceed five years. No local government unit shall set
 41.2 standards of hazardous waste control which are in conflict or inconsistent with those set by
 41.3 the Pollution Control Agency.

41.4 (e) A person who generates less than 100 kilograms of hazardous waste per month is
 41.5 exempt from the following agency hazardous waste rules:

41.6 (1) rules relating to transportation, manifesting, storage, and labeling for photographic
 41.7 fixer and x-ray negative wastes that are hazardous solely because of silver content; and

41.8 (2) any rule requiring the generator to send to the agency or commissioner a copy of
 41.9 each manifest for the transportation of hazardous waste for off-site treatment, storage, or
 41.10 disposal, except that counties within the metropolitan area may require generators to provide
 41.11 manifests.

41.12 Nothing in this paragraph exempts the generator from the agency's rules relating to on-site
 41.13 accumulation or outdoor storage. A political subdivision or other local unit of government
 41.14 may not adopt management requirements that are more restrictive than this paragraph.

41.15 (f) In any rulemaking proceeding under chapter 14 to adopt standards for air quality,
 41.16 solid waste, or hazardous waste under this chapter, or standards for water quality under
 41.17 chapter 115, the statement of need and reasonableness must include:

41.18 (1) an assessment of any differences between the proposed rule and:

41.19 (i) existing federal standards adopted under the Clean Air Act, United States Code, title
 41.20 42, section 7412(b)(2); the Clean Water Act, United States Code, title 33, sections 1312(a)
 41.21 and 1313(c)(4); and the Resource Conservation and Recovery Act, United States Code, title
 41.22 42, section 6921(b)(1);

41.23 (ii) similar standards in states bordering Minnesota; and

41.24 (iii) similar standards in states within the Environmental Protection Agency Region 5;
 41.25 and

41.26 (2) a specific analysis of the need and reasonableness of each difference.

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

41.28 Sec. 67. Minnesota Statutes 2018, section 116.07, subdivision 4d, is amended to read:

41.29 Subd. 4d. **Permit fees.** (a) The agency may collect permit fees in amounts not greater
 41.30 than those necessary to cover the reasonable costs of developing, reviewing, and acting
 41.31 upon applications for agency permits and implementing and enforcing the conditions of the

42.1 permits pursuant to agency rules. Permit fees ~~shall~~ must not include the costs of litigation.
42.2 The fee schedule must reflect reasonable and routine direct and indirect costs associated
42.3 with permitting, implementation, and enforcement. The agency may impose an additional
42.4 enforcement fee to be collected for a ~~period of~~ up to two years to cover the reasonable costs
42.5 of implementing and enforcing the conditions of a permit under the rules of the agency.
42.6 Water fees under this paragraph are subject to legislative approval under section 16A.1283.
42.7 Any money collected under this paragraph ~~shall~~ must be deposited in the environmental
42.8 fund.

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

42.24 (c) The agency shall set fees that:

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

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

43.1 (3) shall collect, in the aggregate, from the sources listed in paragraph (b), the amount
43.2 needed to match grant funds received by the state under United States Code, title 42, section
43.3 7405 (section 105 of the federal Clean Air Act).

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

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

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

43.22 (f) Permit applicants who wish to construct, reconstruct, or modify a project may offer
43.23 to reimburse the agency for the costs of staff time or consultant services needed to expedite
43.24 the preapplication process and permit development process through the final decision on
43.25 the permit, including the analysis of environmental review documents. The reimbursement
43.26 ~~shall be~~ is in addition to permit application fees imposed by law. When the agency determines
43.27 that it needs additional resources to develop the permit application in an expedited manner,
43.28 and that expediting the development is consistent with permitting program priorities, the
43.29 agency may accept the reimbursement. The commissioner must give the applicant an estimate
43.30 of costs to be incurred by the commissioner. The estimate must include a brief description
43.31 of the tasks to be performed, a schedule for completing the tasks, and the estimated cost for
43.32 each task. The applicant and the commissioner must enter into a written agreement detailing
43.33 the estimated costs for the expedited permit decision-making process to be incurred by the
43.34 agency. The agreement must also identify staff anticipated to be assigned to the project.
43.35 The commissioner must not issue a permit until the applicant has paid all fees in full. The

44.1 commissioner must refund any unobligated balance of fees paid. Reimbursements accepted
 44.2 by the agency are appropriated to the agency for the purpose of developing the permit or
 44.3 analyzing environmental review documents. Reimbursement by a permit applicant ~~shall~~
 44.4 must precede and not be contingent upon issuance of a permit; ~~shall~~ must not affect the
 44.5 agency's decision on whether to issue or deny a permit, what conditions are included in a
 44.6 permit, or the application of state and federal statutes and rules governing permit
 44.7 determinations; and ~~shall~~ must not affect final decisions regarding environmental review.

44.8 (g) The fees under this subdivision are exempt from section 16A.1285.

44.9 Sec. 68. [116.2025] SALT APPLICATORS; VOLUNTARY CERTIFICATION
 44.10 PROGRAM.

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

44.13 (1) "certified commercial applicator" means an individual who applies deicer, completed
 44.14 training on snow and ice removal and deicer application approved by the commissioner,
 44.15 and passed an examination after completing the training;

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

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

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

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

44.29 (b) The commissioner must provide additional training under this section for certified
 44.30 commercial applicators renewing their certification after their initial training and certification.

44.31 (c) The commissioner must provide the training and testing module at locations statewide
 44.32 and may make the recertification training available online.

45.1 (d) The commissioner must annually post the best management practices and a list of
 45.2 certified commercial applicators on the agency's website.

45.3 Subd. 3. **Record keeping.** A certified commercial applicator must maintain the following
 45.4 records as part of the best management practices approved by the commissioner:

45.5 (1) a copy of the applicator's certification approved by the commissioner and any
 45.6 recertification;

45.7 (2) evidence of passing the examination approved by the commissioner;

45.8 (3) copies of the winter maintenance assessment tool requirements developed by the
 45.9 commissioner; and

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

45.14 Subd. 4. **Relation to other law.** Nothing in this section affects municipal liability under
 45.15 section 466.03.

45.16 Sec. 69. Minnesota Statutes 2018, section 116G.07, is amended by adding a subdivision
 45.17 to read:

45.18 Subd. 4. **Exemption; Mississippi River Corridor Critical Area.** Plans and regulations
 45.19 of local units of government within the Mississippi River Corridor Critical Area are exempt
 45.20 from subdivisions 1 to 3 and are subject to section 116G.15, subdivision 8.

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

45.22 Sec. 70. Minnesota Statutes 2018, section 116G.15, is amended by adding a subdivision
 45.23 to read:

45.24 Subd. 8. **Reviewing and approving local plans and regulations.** (a) In the Mississippi
 45.25 River Corridor Critical Area, the commissioner of natural resources is responsible for
 45.26 carrying out the duties of the board and the Metropolitan Council is responsible for carrying
 45.27 out the duties of the regional development commission under sections 116G.07 to 116G.10.
 45.28 Notwithstanding sections 116G.07, subdivisions 2 and 3, and 116G.10, subdivision 3, the
 45.29 responsibilities and procedures for reviewing and approving local plans and regulations in
 45.30 the Mississippi River Corridor Critical Area, and amendments thereto, are subject to this
 45.31 subdivision.

46.1 (b) Within 60 days of receiving a draft plan from a local unit of government, the
46.2 commissioner, in coordination with the Metropolitan Council, must review the plan to
46.3 determine the plan's consistency with:

46.4 (1) this section;

46.5 (2) Minnesota Rules, chapter 6106; and

46.6 (3) the local unit of government's comprehensive plan.

46.7 (c) Within 60 days of receiving draft regulations from a local unit of government, the
46.8 commissioner must review the regulations to determine the regulations' consistency with:

46.9 (1) Minnesota Rules, chapter 6106; and

46.10 (2) the commissioner-approved plan adopted by the local unit of government under
46.11 paragraph (b).

46.12 (d) Upon review of a draft plan and regulations under paragraphs (b) and (c), the
46.13 commissioner must:

46.14 (1) conditionally approve the draft plan and regulations by written decision; or

46.15 (2) return the draft plan and regulations to the local unit of government for modification,
46.16 along with a written explanation of the need for modification.

46.17 (i) When the commissioner returns a draft plan and regulations to the local unit of
46.18 government for modification, the local unit of government must revise the draft plan and
46.19 regulations within 60 days after receiving the commissioner's written explanation and must
46.20 resubmit the revised draft plan and regulations to the commissioner.

46.21 (ii) The Metropolitan Council and the commissioner must review the revised draft plan
46.22 and regulations upon receipt from the local unit of government as provided under paragraphs
46.23 (b) and (c).

46.24 (iii) If the local unit of government or the Metropolitan Council requests a meeting, a
46.25 final revision need not be made until a meeting is held with the commissioner on the draft
46.26 plan and regulations. The request extends the 60-day time limit specified in item (i) until
46.27 after the meeting is held.

46.28 (e) Only plans and regulations receiving final approval from the commissioner have the
46.29 force and effect of law. The commissioner must grant final approval under this section only
46.30 if:

47.1 (1) the plan is an element of a comprehensive plan that is authorized by the Metropolitan
 47.2 Council according to sections 473.175 and 473.858; and

47.3 (2) the local unit of government adopts a plan and regulations that are consistent with
 47.4 the draft plan and regulations conditionally approved under paragraph (d).

47.5 (f) The local unit of government must implement and enforce the commissioner-approved
 47.6 plan and regulations after the plan and regulations take effect.

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

47.8 Sec. 71. Minnesota Statutes 2018, section 216G.01, subdivision 3, is amended to read:

47.9 Subd. 3. **Pipeline.** "Pipeline" means a pipeline owned or operated by a condemning
 47.10 authority, as defined in section 117.025, subdivision 4, located in this state ~~which~~ that is
 47.11 used to transport natural or synthetic gas at a pressure of more than 90 pounds per square
 47.12 inch, or to transport crude petroleum or petroleum fuels or oil or their derivatives, coal,
 47.13 anhydrous ammonia or any mineral slurry to a distribution center or storage facility ~~which~~
 47.14 that is located within or outside of this state. "Pipeline" does not include a pipeline owned
 47.15 or operated by a natural gas public utility as defined in section 216B.02, subdivision 4.

47.16 Sec. 72. Minnesota Statutes 2018, section 473.844, subdivision 1a, is amended to read:

47.17 Subd. 1a. **Use of funds.** (a) The money in the account may be spent only for the following
 47.18 purposes:

47.19 (1) assistance to any person for resource recovery projects funded under subdivision 4
 47.20 or projects to develop and coordinate markets for reusable or recyclable waste materials,
 47.21 including related public education, planning, and technical assistance;

47.22 (2) grants to counties under section 473.8441;

47.23 (3) program administration;

47.24 (4) public education on solid waste reduction and recycling;

47.25 (5) solid waste research; and

47.26 (6) grants to multicounty groups for regionwide planning for solid waste management
 47.27 system operations and use of management capacity.

47.28 (b) The commissioner shall allocate at least ~~50~~ 95 percent of the annual revenue received
 47.29 by the account for grants to counties under section 473.8441.

47.30 **EFFECTIVE DATE.** This section is effective July 1, 2020.

48.1 Sec. 73. Laws 2016, chapter 154, section 16, is amended to read:

48.2 Sec. 16. **EXCHANGE OF STATE LAND; AITKIN, BELTRAMI, AND**
48.3 **KOOCHICHING COUNTIES.**

48.4 (a) Notwithstanding the riparian restrictions in Minnesota Statutes, section 94.342,
48.5 subdivision 3, and subject to the valuation restrictions described in paragraph (c), the
48.6 commissioner of natural resources may, with the approval of the Land Exchange Board as
48.7 required under the Minnesota Constitution, article XI, section 10, and according to the
48.8 remaining provisions of Minnesota Statutes, sections 94.342 to 94.347, exchange the
48.9 state-owned land leased for farming wild rice described in paragraph (b).

48.10 (b) The state land that may be exchanged is held under the following state leases for
48.11 farming of wild rice:

48.12 (1) Lease LAGR001305, covering 175.1 acres in Aitkin County;

48.13 (2) Lease LMIS010040, covering 107.1 acres in Beltrami County;

48.14 (3) Lease LMIS010096, covering 137.4 acres in Beltrami County; and

48.15 (4) Lease LAGR001295, covering 264.40 acres in Koochiching County.

48.16 (c) For the appraisal of the land, no improvements paid for by the lessee shall be included
48.17 in the estimate of market value.

48.18 (d) Additional adjoining state lands may be added to the exchanges if mutually agreed
48.19 upon by the commissioner and the exchange partner to avoid leaving unmanageable parcels
48.20 of land in state ownership after an exchange or to meet county zoning standards or other
48.21 regulatory needs for the wild rice farming operations.

48.22 (e) The state land administered by the commissioner of natural resources in Koochiching
48.23 County borders the Lost River. The lands to be exchanged are not required to provide at
48.24 least equal opportunity for access to waters by the public, but the lands must be at least
48.25 equal in value and have the potential to generate revenue for the school trust lands.

48.26 (f) Notwithstanding Minnesota Statutes, section 94.343, subdivision 8a, lessees must
48.27 pay to the commissioner all costs, as determined by the commissioner, that are associated
48.28 with each exchange transaction, including valuation expenses; legal fees; survey expenses;
48.29 costs of title work, advertising, and public hearings; transactional staff costs; and closing
48.30 costs.

49.1 Sec. 74. Laws 2019, First Special Session chapter 4, article 1, section 2, subdivision 10,
49.2 is amended to read:

49.3 **Subd. 10. Transfers**

49.4 (a) The commissioner must transfer up to
49.5 \$44,000,000 from the environmental fund to
49.6 the remediation fund for purposes of the
49.7 remediation fund under Minnesota Statutes,
49.8 section 116.155, subdivision 2.

49.9 (b) \$600,000 the first year is transferred from
49.10 the remediation fund to the dry cleaner
49.11 environmental response and reimbursement
49.12 account for purposes of Minnesota Statutes,
49.13 section 115B.49, with reimbursement
49.14 prioritized to persons who meet the definition
49.15 in Minnesota Statutes, section 115B.48,
49.16 subdivision 10, clause (2), and who have made
49.17 a request to the commissioner, as required
49.18 under Minnesota Statutes, section 115B.50,
49.19 subdivision 2.

49.20 (c) Notwithstanding Minnesota Statutes,
49.21 section 115B.49, subdivision 3, paragraph (a),
49.22 \$600,000 the first year is transferred from the
49.23 remediation fund to the dry cleaner
49.24 environmental response and reimbursement
49.25 account for the commissioner for preparing to
49.26 prepare a report to the chairs and ranking
49.27 minority members of the legislative
49.28 committees and divisions with jurisdiction
49.29 over environment and natural resources
49.30 finance that includes an assessment of the
49.31 possibility of recovering environmental
49.32 response costs from insurance held by dry
49.33 cleaning facilities and an analysis of the
49.34 long-term expected revenues and expenditures
49.35 that would be incurred by the account under

50.1 current law. The report must also include
 50.2 recommendations for other possible revenue
 50.3 sources for the account that would cover the
 50.4 ongoing and future environmental response
 50.5 costs related to dry cleaning facilities. The
 50.6 commissioner must work with owners and
 50.7 operators of dry cleaning facilities and
 50.8 representative associations in preparing the
 50.9 report. The report must be submitted by
 50.10 January 15, 2021.

50.11 (d) \$600,000 the second year is transferred
 50.12 from the remediation fund to the dry cleaner
 50.13 environmental response and reimbursement
 50.14 account for purposes of Minnesota Statutes,
 50.15 section 115B.49, if legislation is enacted in
 50.16 the 2020 legislative session to address the
 50.17 insolvency of the dry cleaner environmental
 50.18 response and reimbursement account.

50.19 **EFFECTIVE DATE.** This section is effective retroactively from July 1, 2019.

50.20 Sec. 75. Laws 2019, First Special Session chapter 4, article 3, section 109, is amended to
 50.21 read:

50.22 Sec. 109. **APPLYING STORM WATER RULES TO CITIES AND TOWNSHIPS.**

50.23 Until the Pollution Control Agency amends rules for storm water, Minnesota Rules, part
 50.24 7090.1010, subpart 1, item B, subitem (1), applies only to the portions of a city, ~~a town,~~
 50.25 ~~and unorganized areas of counties~~ or township that are designated as urbanized under Code
 50.26 of Federal Regulations, title 40, section 122.26 ~~(2)(9)(i)(A)~~ (a)(9)(i)(A), and other platted
 50.27 areas within ~~that jurisdiction~~ those jurisdictions.

50.28 Sec. 76. **2019 APPROPRIATION MODIFICATION.**

50.29 The Lower Minnesota River Watershed District may use up to \$111,000 from money
 50.30 appropriated in fiscal year 2021 under Laws 2019, First Special Session chapter 4, article
 50.31 1, section 4, paragraph (j), to reimburse the district for money the district owed the city of
 50.32 Chaska to stabilize the Seminary Fen.

51.1 **Sec. 77. ANALYSIS OF WISCONSIN'S GREEN TIER PROGRAM.**

51.2 The commissioner of the Pollution Control Agency must conduct an analysis of the
51.3 Green Tier Program operated in Wisconsin under Wisconsin Statutes, section 299.83, which
51.4 recognizes and rewards environmental performance that voluntarily exceeds legal
51.5 requirements related to health, safety, and the environment resulting in continuous
51.6 improvement in Wisconsin's environment, economy, and quality of life. By February 1,
51.7 2021, the commissioner must report the results of the analysis to the chairs and ranking
51.8 minority members of the house of representatives and senate committees and divisions with
51.9 jurisdiction over environment and natural resources. The report must include:

51.10 (1) an overview of how the program operates in Wisconsin;

51.11 (2) an assessment of benefits and challenges that would likely accompany the adoption
51.12 of a similar program in Minnesota;

51.13 (3) a comparison of the program with the Minnesota XL permit project operated under
51.14 Minnesota Statutes, sections 114C.10 to 114C.19;

51.15 (4) an assessment of what policy changes, legal changes, and funding would be required
51.16 to successfully implement a similar program in Minnesota; and

51.17 (5) any other related matters deemed relevant by the commissioner.

51.18 **Sec. 78. STATE IMPLEMENTATION PLAN REVISIONS.**

51.19 (a) The commissioner of the Pollution Control Agency must seek approval from the
51.20 federal Environmental Protection Agency for revisions to the state's federal Clean Air Act
51.21 state implementation plan so that under the revised plan, the Pollution Control Agency is
51.22 prohibited from applying a national or state ambient air quality standard in a permit issued
51.23 solely to authorize operations to continue at an existing facility with unmodified emissions
51.24 levels. Nothing in this section shall be construed to require the commissioner to apply for
51.25 a revision that would prohibit the agency from applying a national or state ambient air
51.26 quality standard in a permit that authorizes an increase in emissions due to construction of
51.27 a new facility or in a permit that authorizes changes to existing facilities that result in a
51.28 significant net emissions increase of a regulated NSR pollutant, as defined in Code of Federal
51.29 Regulations, title 40, section 52.21(b)(50).

51.30 (b) The commissioner of the Pollution Control Agency must report quarterly to the chairs
51.31 and ranking minority members of the house of representatives and senate committees and
51.32 divisions with jurisdiction over environment and natural resources policy on the status of

52.1 efforts to implement paragraph (a) until the revisions required by paragraph (a) have been
 52.2 either approved or denied.

52.3 Sec. 79. ADDITION TO STATE PARK.

52.4 [85.012] [Subd. 18.] Fort Snelling State Park, Dakota County. The following areas
 52.5 are added to Fort Snelling State Park, Dakota County:

52.6 (1) that part of Section 28, Township 28 North, Range 23 West, Dakota County,
 52.7 Minnesota, bounded by the Dakota County line along the Minnesota River and the following
 52.8 described lines:

52.9 Beginning at the intersection of the south line of Lot 18 of Auditor's Subdivision Number
 52.10 29 of Mendota, according to the plat on file in the Office of the Dakota County Recorder,
 52.11 with the westerly right-of-way line of the existing Sibley Memorial Highway; thence
 52.12 northerly along said westerly right-of-way line to the north line of said Lot 18; thence
 52.13 westerly along the north line of said Lot 18 to the easterly right-of-way line of the
 52.14 Chicago and Northwestern Railroad; thence northerly and northeasterly along said
 52.15 easterly right-of-way to the east line of said Section 28;

52.16 (2) that part of Section 33, Township 28 North, Range 23 West, Dakota County,
 52.17 Minnesota, lying westerly of the easterly right-of-way of the Chicago and Northwestern
 52.18 Railroad;

52.19 (3) that part of Government Lot 6 of Section 33, Township 28 North, Range 23 West,
 52.20 Dakota County, Minnesota, lying East of the easterly right-of-way of the Chicago and
 52.21 Northwestern Railroad and West of the westerly right-of-way of Sibley Memorial Highway
 52.22 and North of the South 752 feet of said Government Lot 6;

52.23 (4) the North 152 feet of the South 752 feet of that part of Government Lot 6 of Section
 52.24 33, Township 28 North, Range 23 West, Dakota County, Minnesota, lying East of the
 52.25 easterly right-of-way of the Chicago and Northwestern Railroad and West of the westerly
 52.26 right-of-way of Sibley Memorial Highway;

52.27 (5) the North 270 feet of the South 600 feet of that part of Government Lot 6 lying
 52.28 between the westerly right-of-way of Sibley Memorial Highway and the easterly right-of-way
 52.29 of the Chicago and Northwestern Railroad in Section 33, Township 28 North, Range 23
 52.30 West, Dakota County, Minnesota;

52.31 (6) that part of the South 20 rods of Government Lot 6 of Section 33, Township 28
 52.32 North, Range 23 West, Dakota County, Minnesota, lying East of the easterly right-of-way

53.1 of the Chicago and Northwestern Railroad and West of the westerly right-of-way of Sibley
53.2 Memorial Highway, excepting therefrom that part described as follows:

53.3 Commencing at the southeast corner of said Government Lot 6; thence North 89 degrees
53.4 56 minutes 54 seconds West assumed bearing along the south line of said Government
53.5 Lot 6 a distance of 260.31 feet to the point of beginning of the property to be described;
53.6 thence continue North 89 degrees 56 minutes 54 seconds West a distance of 71.17 feet;
53.7 thence northwesterly a distance of 37.25 feet along a nontangential curve concave to
53.8 the East having a radius of 4,098.00 feet and a central angle of 00 degrees 31 minutes
53.9 15 seconds the chord of said curve bears North 23 degrees 31 minutes 27 seconds West;
53.10 thence northerly a distance of 127.39 feet along a compound curve concave to the East
53.11 having a radius of 2,005.98 feet and a central angle of 03 degrees 38 minutes 19 seconds;
53.12 thence North 70 degrees 22 minutes 29 seconds East not tangent to said curve a distance
53.13 of 65.00 feet; thence southerly a distance of 123.26 feet along a nontangential curve
53.14 concave to the East having a radius of 1,940.98 feet and a central angle of 03 degrees
53.15 38 minutes 19 seconds the chord of said curve bears South 21 degrees 26 minutes 40
53.16 seconds East; thence southerly a distance of 65.42 feet to the point of beginning along
53.17 a compound curve concave to the East having a radius of 4,033.00 feet and a central
53.18 angle of 00 degrees 55 minutes 46 seconds;

53.19 (7) that part of Government Lot 5 of Section 33, Township 28 North, Range 23 West,
53.20 Dakota County, Minnesota, lying East of the easterly right-of-way of the Chicago and
53.21 Northwestern Railroad and West of the westerly right-of-way of Sibley Memorial Highway,
53.22 excepting therefrom that part described as follows:

53.23 Commencing at the southeast corner of said Government Lot 5; thence North 89 degrees
53.24 56 minutes 18 seconds West assumed bearing along the south line of said Government
53.25 Lot 5 a distance of 70.48 feet to the point of beginning of the property to be described;
53.26 thence continue North 89 degrees 56 minutes 18 seconds West along said south line of
53.27 Government Lot 5 a distance of 40.01 feet; thence North 01 degree 30 minutes 25 seconds
53.28 East a distance of 6.08 feet; thence northerly a distance of 185.58 feet along a tangential
53.29 curve concave to the West having a radius of 4,427.00 feet and a central angle of 02
53.30 degrees 24 minutes 07 seconds; thence South 89 degrees 06 minutes 18 seconds West
53.31 not tangent to said curve a distance of 25.00 feet; thence North 00 degrees 53 minutes
53.32 42 seconds West a distance of 539.13 feet; thence northerly a distance of 103.77 feet
53.33 along a tangential curve concave to the West having a radius of 1,524.65 feet and a
53.34 central angle of 03 degrees 53 minutes 59 seconds; thence northerly a distance of 159.33
53.35 feet along a compound curve concave to the West having a radius of 522.45 feet and a

54.1 central angle of 17 degrees 28 minutes 23 seconds; thence northwesterly a distance of
54.2 86.78 feet along a tangential curve concave to the West having a radius of 1,240.87 feet
54.3 and a central angle of 04 degrees 00 minutes 25 seconds; thence North 26 degrees 16
54.4 minutes 30 seconds West tangent to said curve a distance of 92.39 feet; thence
54.5 northwesterly a distance of 178.12 feet along a tangential curve concave to the East
54.6 having a radius of 4,098.00 feet and a central angle of 02 degrees 29 minutes 25 seconds
54.7 to a point on the north line of said Government Lot 5 which is 331.48 feet from the
54.8 northeast corner thereof as measured along said north line; thence South 89 degrees 56
54.9 minutes 54 seconds East along said north line of Government Lot 5 a distance of 71.17
54.10 feet; thence southeasterly a distance of 146.53 feet along a nontangential curve concave
54.11 to the East having a radius of 4,033.00 feet and a central angle of 02 degrees 04 minutes
54.12 54 seconds the chord of said curve bears South 25 degrees 14 minutes 03 seconds East;
54.13 thence South 26 degrees 16 minutes 30 seconds East tangent to said curve a distance of
54.14 92.39 feet; thence southerly a distance of 91.33 feet along a tangential curve concave
54.15 to the West having a radius of 1,305.87 feet and a central angle of 04 degrees 00 minutes
54.16 25 seconds; thence southerly a distance of 179.15 feet along a tangential curve concave
54.17 to the West having a radius of 587.45 feet and a central angle of 17 degrees 28 minutes
54.18 23 seconds; thence southerly a distance of 108.20 feet along a compound curve concave
54.19 to the West having a radius of 1,589.65 feet and a central angle of 03 degrees 53 minutes
54.20 59 seconds; thence South 00 degrees 53 minutes 42 seconds East tangent to said curve
54.21 a distance of 539.13 feet; thence southerly a distance of 187.26 feet along a tangential
54.22 curve concave to the West having a radius of 4,467.00 feet and a central angle of 02
54.23 degrees 24 minutes 07 seconds; thence South 01 degree 30 minutes 25 seconds West
54.24 tangent to said curve a distance of 5.07 feet to the point of beginning; and

54.25 (8) that part of Government Lot 4 of Section 33, Township 28 North, Range 23 West,
54.26 Dakota County, Minnesota, lying East of the easterly right-of-way of the Chicago and
54.27 Northwestern Railroad and northerly of the following described line:

54.28 Commencing at the southeast corner of said Government Lot 4; thence North 89 degrees
54.29 55 minutes 42 seconds West assumed bearing along the south line of said Government
54.30 Lot 4 a distance of 312.44 feet to corner B205, MNDOT Right-of-Way Plat No. 19-93,
54.31 according to the recorded map thereof; thence continue North 89 degrees 55 minutes 42
54.32 seconds West along said south line of Government Lot 4 a distance of 318.00 feet to the
54.33 easterly right-of-way of Chicago and Northwestern Railroad; thence northerly along
54.34 said railroad right-of-way a distance of 387.97 feet along a nontangential curve concave
54.35 to the West having a radius of 2,963.54 feet and a central angle of 07 degrees 30 minutes

55.1 03 seconds, the chord of said curve bears North 00 degrees 42 minutes 41 seconds East;
 55.2 thence North 03 degrees 02 minutes 21 seconds West tangent to said curve along said
 55.3 railroad right-of-way a distance of 619.45 feet to the point of beginning of the line to
 55.4 be described; thence North 89 degrees 35 minutes 27 seconds East a distance of 417.92
 55.5 feet; thence North 18 degrees 18 minutes 58 seconds East a distance of 317.52 feet to a
 55.6 point on the north line of said Government Lot 4 which is 135.00 feet from the northeast
 55.7 corner thereof as measured along said north line and there terminating.

55.8 **Sec. 80. ADDITION TO STATE RECREATION AREA.**

55.9 **[85.013] [Subd. 12a.] Iron Range Off-Highway Vehicle Recreation Area, St. Louis**
 55.10 **County.** The following area is added to Iron Range Off-Highway Vehicle Recreation Area,
 55.11 St. Louis County: that part of the South Half of the Northwest Quarter of Section 15,
 55.12 Township 58 North, Range 17 West, St. Louis County, Minnesota, lying northerly of the
 55.13 following described line:

55.14 Commencing at the West quarter corner of said Section 15; thence North 01 degree 24
 55.15 minutes 27 seconds West, bearing assumed, along the west line of said South Half of
 55.16 the Northwest Quarter a distance of 1,034.09 feet to a 3/4-inch rebar with plastic cap
 55.17 stamped "MN DNR LS 44974" (DM) and the point of beginning; thence South 62 degrees
 55.18 44 minutes 07 seconds East 405.24 feet to a DM; thence South 82 degrees 05 minutes
 55.19 24 seconds East 314.95 feet to a DM; thence South 86 degrees 18 minutes 01 second
 55.20 East 269.23 feet to a DM; thence North 81 degrees 41 minutes 24 seconds East 243.61
 55.21 feet to a DM; thence North 71 degrees 48 minutes 05 seconds East 478.17 feet to a DM;
 55.22 thence North 60 degrees 53 minutes 38 seconds East 257.32 feet to a DM; thence South
 55.23 09 degrees 16 minutes 07 seconds East 179.09 feet to a DM; thence South 49 degrees
 55.24 16 minutes 00 seconds East 127.27 feet to a DM; thence South 50 degrees 16 minutes
 55.25 11 seconds East 187.13 feet to a DM; thence South 67 degrees 11 minutes 35 seconds
 55.26 East 189.33 feet to a DM; thence South 67 degrees 13 minutes 16 seconds East 209.43
 55.27 feet to a DM; thence South 80 degrees 39 minutes 19 seconds East 167.59 feet to a DM
 55.28 on the east line of said South Half of the Northwest Quarter, and there terminating.

55.29 **Sec. 81. DELETIONS FROM STATE PARKS.**

55.30 **Subdivision 1. [85.012] [Subd. 18.] Fort Snelling State Park, Dakota County.** The
 55.31 following areas are deleted from Fort Snelling State Park, Dakota County:

55.32 (1) all of Section 33, Township 28 North, Range 23 West of the 4th Principal Meridian
 55.33 lying westerly of the westerly right-of-way line of the existing Minnesota Trunk Highway

56.1 No. 13, excepting the right-of-way owned by the Chicago and Northwestern railway
 56.2 company; and

56.3 (2) all of Section 28, Township 28 North, Range 23 West of the 4th Principal Meridian
 56.4 bounded by the Dakota County line along the Minnesota River and the following described
 56.5 lines: Beginning at the south line of said Section 28 at its intersection with the westerly
 56.6 right-of-way line of the existing Minnesota Trunk Highway No. 13; thence northerly along
 56.7 the said westerly right-of-way line of existing Minnesota Trunk Highway No. 13 to the
 56.8 southerly right-of-way line of existing Minnesota Trunk Highway Nos. 55 and 100; thence
 56.9 along the existing southerly right-of-way line of Minnesota Trunk Highway Nos. 55 and
 56.10 100 to the westerly right-of-way line owned by the Chicago and Northwestern railway
 56.11 company; thence northeasterly along the said westerly right-of-way line of the Chicago and
 56.12 Northwestern railway to the east line of said Section 28, excepting therefrom the right-of-way
 56.13 owned by the Chicago and Northwestern railway company.

56.14 Subd. 2. [85.012] [Subd. 60.] William O'Brien State Park, Washington County. The
 56.15 following areas are deleted from William O'Brien State Park, Washington County:

56.16 (1) those parts of Section 25, Township 32 North, Range 20 West, Washington County,
 56.17 Minnesota, described as follows:

56.18 The West two rods of the Southwest Quarter of the Northeast Quarter, the West two
 56.19 rods of the North two rods of the Northwest Quarter of the Southeast Quarter, and the
 56.20 East two rods of the Southeast Quarter of the Northwest Quarter; and

56.21 (2) the East two rods over and across the Northeast Quarter of the Northwest Quarter,
 56.22 excepting therefrom the North 200 feet of said Northeast Quarter of the Northwest Quarter.
 56.23 Also, the West 2 rods of the Northwest Quarter of the Northeast Quarter, excepting therefrom
 56.24 the North 266 feet of said Northwest Quarter of the Northeast Quarter. Also, the South 66
 56.25 feet of the North 266 feet of that part of said Northwest Quarter of the Northeast Quarter
 56.26 lying southwesterly of the existing public road known as 199th Street North.

56.27 Sec. 82. PRIVATE SALE OF SURPLUS STATE LAND; ST. LOUIS COUNTY.

56.28 (a) Notwithstanding Minnesota Statutes, sections 94.09 to 94.16, the commissioner of
 56.29 natural resources may convey the surplus land that is described in paragraph (c) to a local
 56.30 unit of government for no consideration.

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

57.1 (c) The land to be conveyed is located in St. Louis County and is described as: that part
 57.2 of the Southwest Quarter of the Northwest Quarter of Section 27, Township 52 North, Range
 57.3 17 West, St. Louis County, Minnesota, described as follows:

57.4 Commencing at the quarter corner between Sections 27 and 28 of said Township 52
 57.5 North, Range 17 West; thence running East 624 feet; thence North 629 feet to the point
 57.6 of beginning; thence North 418 feet; thence East 208 feet; thence South 418 feet; thence
 57.7 West 208 feet to the point of beginning.

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

57.11 **Sec. 83. PRIVATE SALE OF TAX-FORFEITED LANDS; ST. LOUIS COUNTY.**

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

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

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

57.18 (1) Lot 5, Block 9, including part of vacated Seafield Street adjacent, Bristol Beach 1st
 57.19 Division, Duluth (parcel 010-0300-01030); and

57.20 (2) that part of the Southeast Quarter of the Northwest Quarter, Township 58, Range
 57.21 15, Section 5, lying northerly of the northerly right-of-way line of the town of White road
 57.22 running in an east-west direction connecting County Road No. 138 with State Highway No.
 57.23 135 and lying westerly of the following described line: commencing at the northeast corner
 57.24 of Government Lot 3; thence South 89 degrees 46 minutes 22 seconds West along the north
 57.25 line of Government Lot 3 558.28 feet; thence South 27 degrees 50 minutes 01 second West
 57.26 102.75 feet; thence South 41 degrees 51 minutes 46 seconds West 452.29 feet; thence South
 57.27 28 degrees 19 minutes 22 seconds West 422.74 feet; thence South 30 degrees 55 minutes
 57.28 42 seconds West 133.79 feet; thence southwesterly 210.75 feet along a tangential curve
 57.29 concave to the southeast having a radius of 300 feet and a central angle of 40 degrees 15
 57.30 minutes 00 seconds; thence South 09 degrees 19 minutes 19 seconds East tangent to said
 57.31 curve 100.30 feet, more or less, to the north line of said Southeast Quarter of the Northwest
 57.32 Quarter; thence North 89 degrees 09 minutes 31 seconds East along said north line 40.44
 57.33 feet to the point of beginning of the line; thence South 09 degrees 19 minutes 19 seconds

58.1 East 148 feet, more or less, to said right-of way line and said line there terminating. Surface
 58.2 only (parcel 570-0021-00112).

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

58.5 **Sec. 84. ACCESSIBILITY OF WILDLIFE MANAGEMENT AREAS.**

58.6 The commissioner of natural resources, in conjunction with the Council on Disability,
 58.7 other interested stakeholders, and the general public, must develop recommendations and
 58.8 draft legislative language designed to increase access to wildlife management areas for
 58.9 hunting and other natural-resource-based recreational opportunities. The recommendations
 58.10 must focus on reducing the barriers to accessing wildlife management areas, including
 58.11 increasing opportunities for persons with disabilities to use motorized vehicles or other
 58.12 mobility aids, improving infrastructure, and publicizing and communicating access
 58.13 opportunities. By February 15, 2021, the commissioner must submit the recommendations
 58.14 to the chairs and ranking minority members of the house of representatives and senate
 58.15 committees and divisions with jurisdiction over environment and natural resources and the
 58.16 outdoor heritage fund. The commissioner of natural resources, in conjunction with the
 58.17 Council on Disability, must pilot accessibility projects on at least one wildlife management
 58.18 area by October 1, 2020. The pilot projects must focus on reducing the barriers to accessing
 58.19 wildlife management areas.

58.20 **Sec. 85. REVISOR INSTRUCTION.**

58.21 In each section of Minnesota Statutes referred to in column A, the revisor of statutes
 58.22 must delete the reference in column B and insert the reference in column C.

58.23	<u>Column A</u>	<u>Column B</u>	<u>Column C</u>
58.24	<u>13.7411, subdivision 5</u>	<u>115B.49, subdivision 4</u>	<u>115B.49, subdivision 4c</u>
58.25		<u>115B.49, subdivision 4,</u>	<u>115B.49, subdivision 4c,</u>
58.26	<u>115B.491, subdivision 1</u>	<u>paragraph (b)</u>	<u>paragraph (c)</u>
58.27	<u>115B.491, subdivision 2</u>	<u>115B.49, subdivision 4,</u>	<u>115B.49, subdivision 4c,</u>
58.28		<u>paragraph (b)</u>	<u>paragraph (c)</u>
58.29	<u>115B.491, subdivision 2</u>	<u>115B.49, subdivision 4,</u>	<u>115B.49, subdivision 4c,</u>
58.30		<u>paragraph (c)</u>	<u>paragraph (d)</u>
58.31	<u>115B.491, subdivision 3</u>	<u>115B.49, subdivision 4,</u>	<u>115B.49, subdivision 4c,</u>
58.32		<u>paragraph (c)</u>	<u>paragraph (d)</u>
58.33	<u>270B.14, subdivision 15</u>	<u>115B.49, subdivision 4</u>	<u>115B.49, subdivision 4c</u>

59.1 Sec. 86. **REPEALER.**

59.2 (a) Minnesota Statutes 2018, sections 85.0505, subdivision 3; 85.0507; 85.054,
59.3 subdivision 19; and 115B.49, subdivisions 4 and 4b, are repealed.

59.4 (b) Laws 2013, chapter 121, section 53, is repealed.

59.5 (c) Minnesota Rules, part 6232.0350, is repealed.

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

85.0505 FOOD AND BEVERAGE SERVICE IN STATE PARKS.

Subd. 3. **Fort Ridgely State Park.** The commissioner of public safety, with the approval of the commissioner of natural resources, may issue to a concessionaire, lessee, or person holding a contract with the Department of Natural Resources an on-sale license for the sale of intoxicating liquor at the Fort Ridgely State Park golf course. The annual fee for the license issued pursuant to this subdivision shall be set by the commissioner of public safety at an amount comparable to the fee charged by the surrounding counties for a similar license. All provisions of chapter 340A not inconsistent with this subdivision shall apply to the sale of intoxicating liquor at the Fort Ridgely State Park golf course.

85.0507 FORT RIDGELY GOLF COURSE; GOLF CARTS.

The commissioner may by contract, concession agreement, or lease authorize the use of golf carts on the golf course at Fort Ridgely State Park.

85.054 STATE PARK PERMIT EXEMPTIONS.

Subd. 19. **Fort Ridgely golf course.** The commissioner may by contract, concession agreement, or lease waive a state park permit and associated fee for motor vehicle entry or parking for persons playing golf at the Fort Ridgely State Park golf course provided that the contract, concession agreement, or lease payment to the state is set, in part, to compensate the state park system for the loss of the state park fees.

115B.49 DRY CLEANER ENVIRONMENTAL RESPONSE AND REIMBURSEMENT ACCOUNT.

Subd. 4. **Registration; fees.** (a) The owner or operator of a dry cleaning facility shall register on or before October 1 of each year with the commissioner of revenue in a manner prescribed by the commissioner of revenue and pay a registration fee for the facility. The amount of the fee is:

- (1) \$500, for facilities with a full-time equivalence of fewer than five;
- (2) \$1,000, for facilities with a full-time equivalence of five to ten; and
- (3) \$1,500, for facilities with a full-time equivalence of more than ten.

The registration fee must be paid on or before October 18 or the owner or operator of a dry cleaning facility may elect to pay the fee in equal installments. Installment payments must be paid on or before October 18, on or before January 18, on or before April 18, and on or before June 18. All payments made after October 18 bear interest at the rate specified in section 270C.40.

(b) A person who sells dry cleaning solvents for use by dry cleaning facilities in the state shall collect and remit to the commissioner of revenue in the same manner prescribed by the commissioner of revenue, for the taxes imposed under chapter 297A, a fee of:

- (1) \$3.50 for each gallon of perchloroethylene sold for use by dry cleaning facilities in the state;
- (2) 70 cents for each gallon of hydrocarbon-based dry cleaning solvent sold for use by dry cleaning facilities in the state; and
- (3) 35 cents for each gallon of other nonaqueous solvents sold for use by dry cleaning facilities in the state.

(c) The audit, assessment, appeal, collection, enforcement, and administrative provisions of chapters 270C and 289A apply to the fee imposed by this subdivision. To enforce this subdivision, the commissioner of revenue may grant extensions to file returns and pay fees, impose penalties and interest on the annual registration fee under paragraph (a) and the monthly fee under paragraph (b), and abate penalties and interest in the manner provided in chapters 270C and 289A. The penalties and interest imposed on taxes under chapter 297A apply to the fees imposed under this subdivision. Disclosure of data collected by the commissioner of revenue under this subdivision is governed by chapter 270B.

Subd. 4b. **Fee adjustment.** Notwithstanding section 16A.1285, each fiscal year the commissioner shall adjust the fees in subdivision 4 as necessary to maintain an annual income to the account of \$650,000.

Laws 2013, chapter 121, section 53

Sec. 53. ANTLER POINT RESTRICTIONS.

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

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

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