CHAPTER 5--H.F.No. 91

An act relating to environment; prioritizing expenditures from dry cleaner environmental response and reimbursement account; banning perchloroethylene; canceling a prior appropriation; appropriating money for a cost-share program and for environmental response costs; amending Minnesota Statutes 2020, section 115B.49, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 325E.

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

Section 1. Minnesota Statutes 2020, section 115B.49, subdivision 3, is amended to read:

Subd. 3. **Expenditures.** (a) Money in the account may be used:

(1) for environmental response costs incurred by the commissioner under section 115B.50, subdivision 1;

(2) for reimbursement of amounts spent by the commissioner from the remediation fund for expenses described in clause (1);

(3) for reimbursements under section 115B.50, subdivision 2; and

(4) for administrative costs of the commissioner of revenue.

(b) Money in the account is appropriated to the commissioner for the purposes of this subdivision. The commissioner shall transfer funds to the commissioner of revenue sufficient to cover administrative costs pursuant to paragraph (a), clause (4).

(c) In making reimbursements from the account, the commissioner must give priority to the following cases, in descending order:

(1) reimbursements for amounts spent on response actions by a person who meets the conditions of section 115B.48, subdivision 10, clause (2); and

(2) reimbursements for expenditures made by the commissioner under paragraph (a), clause (1) or (2), on behalf of owners or operators when the owner or operator failed to complete the requested response action and the commissioner undertook the response action to remediate the property.

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

Sec. 2. **[325E.381] PERCHLOROETHYLENE PROHIBITION.**

After December 31, 2025, using perchloroethylene as a dry cleaning solvent is prohibited.

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

Sec. 3. **CANCELLATION.**

The transfer of any unexpended funds under Laws 2019, First Special Session chapter 4, article 1, section 2, subdivision 10, paragraph (c), estimated to be $255,000, is canceled.

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

Sec. 4. **APPROPRIATIONS.**

(a) $355,000 in fiscal year 2021 is appropriated from the remediation fund to the commissioner of the Pollution Control Agency for a cost-share program to reimburse owners or operators of dry cleaning facilities for the costs of transitioning from perchloroethylene to alternative solvents that are technically viable and environmentally preferred, as determined by the commissioner. The commissioner must reimburse an owner's or operator's transition expenses up to $20,000. This is a onetime appropriation and is available until June 30, 2024.

(b) Notwithstanding Minnesota Statutes, section 115B.49, subdivision 3, paragraph (b), $213,000 in fiscal year 2021 is appropriated from the dry cleaner environmental response and reimbursement account in the remediation fund to the commissioner of the Pollution Control Agency for the purposes of Minnesota Statutes, section 115B.49. In reimbursing persons with funds appropriated under this paragraph, the commissioner must give priority to persons who meet the definition in Minnesota Statutes, section 115B.48, subdivision 10, clause (2), and who have made a request to the commissioner under Minnesota Statutes, section 115B.50, subdivision 2. This is a onetime appropriation and is available until June 30, 2022.

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

Presented to the governor March 22, 2021