

1.1 CONFERENCE COMMITTEE REPORT ON H. F. No. 2164

1.2 A bill for an act

1.3 relating to natural resources; providing for apprentice riders; modifying aquatic
1.4 invasive species provisions; modifying local government trail authority;
1.5 modifying enforcement provisions; modifying certain bait provisions; modifying
1.6 prior appropriations; modifying and eliminating certain reporting, plan, and
1.7 meeting requirements; eliminating loan program; modifying La Salle Lake
1.8 State Recreation Area administration; prohibiting commissioner of natural
1.9 resources from purchasing land at more than 20 percent above estimated
1.10 market value; modifying waste management provisions; clarifying certain
1.11 environmental review; eliminating certain fees; modifying toxic pollution
1.12 prevention requirements; modifying certain standards for stationary sources;
1.13 extending prohibition on new open air swine basins; modifying local water
1.14 management; modifying acid deposition control requirements; modifying
1.15 sewage sludge management; modifying Wetland Conservation Act; providing
1.16 for continued operation of the Minnesota Zoological Garden, and state parks
1.17 and recreation areas when biennial appropriations have not been enacted;
1.18 requiring the availability of game and fish licenses by electronic transaction;
1.19 creating citizen's board; authorizing and clarifying the use of general permits;
1.20 modifying mineral lease provisions; modifying authority of Executive Council;
1.21 modifying provisions for Three Rivers Park District; prohibiting sale of
1.22 children's products containing formaldehyde; modifying state park permit
1.23 provisions; authorizing rulemaking; appropriating money; amending Minnesota
1.24 Statutes 2010, sections 9.071; 84.027, subdivision 15; 84.0272, subdivision 1;
1.25 84.0895, subdivision 7; 84.631; 84.67; 84.91, subdivision 1; 84D.05, subdivision
1.26 1; 85.018, subdivision 2; 85.052, subdivision 3; 85.053, subdivision 7; 85.055,
1.27 subdivision 2; 85.20, subdivision 1; 85.46, subdivision 1; 85A.04, subdivision
1.28 1; 86B.331, subdivision 1; 90.031, subdivision 4; 92.45; 92.50, subdivision 1;
1.29 93.17, subdivision 3; 93.1925, subdivision 1; 93.20, subdivisions 2, 30, 38;
1.30 93.2236; 93.25, subdivision 2, by adding a subdivision; 97A.401, subdivision 1;
1.31 97A.421, subdivision 4a; 103A.43; 103B.101, subdivisions 2, 7, 10, by adding
1.32 subdivisions; 103B.311, subdivision 4; 103B.3363, by adding a subdivision;
1.33 103B.3369; 103B.355; 103G.2241, subdivision 9; 103G.2242, subdivision 3;
1.34 103G.245, subdivision 3; 103G.271, subdivision 1; 103G.301, subdivisions 2,
1.35 4, 5, 5a; 103G.611, by adding a subdivision; 103H.175, subdivision 3; 115.01,
1.36 by adding a subdivision; 115.06, subdivision 4; 115.073; 115.42; 115A.15,
1.37 subdivision 5; 115A.411; 115A.551, subdivisions 2a, 4; 115A.557, subdivision
1.38 4; 115D.08; 116.011; 116.02, subdivisions 1, 2, 3, 4, 6; 116.03, subdivision 1;
1.39 116.06, subdivision 22; 116.0714; 116.10; 116C.833, subdivision 2; 116D.04, by
1.40 adding a subdivision; 216C.055; 216H.07, subdivision 3; 383B.68, subdivisions
1.41 1, 4, by adding a subdivision; 473.149, subdivisions 1, 6; 473.846; Minnesota
1.42 Statutes 2011 Supplement, sections 84.027, subdivision 14a; 84D.01, subdivision
1.43 15a; 84D.03, subdivision 3; 84D.09, subdivision 2; 84D.10, subdivisions 1, 4;

2.1 84D.105, subdivision 2; 84D.13, subdivision 5; 97C.341; 103G.222, subdivision
2.2 1; 103G.615, subdivisions 1, 2; 115A.1320, subdivision 1; 116.03, subdivision
2.3 2b; 116D.04, subdivision 2a; Laws 2007, chapter 57, article 1, section 4,
2.4 subdivision 2, as amended; Laws 2010, chapter 362, section 2, subdivision 7;
2.5 Laws 2011, First Special Session chapter 2, article 1, section 4, subdivision 7;
2.6 Laws 2011, First Special Session chapter 6, article 3, section 8, subdivision
2.7 3; proposing coding for new law in Minnesota Statutes, chapters 84; 86B;
2.8 92; 103B; 103G; 115; 115A; 116; 161; 574; repealing Minnesota Statutes
2.9 2010, sections 84.946, subdivision 3; 86A.12, subdivision 5; 89.06; 90.042;
2.10 97A.4742, subdivision 4; 103G.705; 115.447; 115A.07, subdivision 2; 115A.965,
2.11 subdivision 7; 116.02, subdivisions 7, 8; 216H.07, subdivision 4; 383B.68,
2.12 subdivisions 2, 3; Minnesota Statutes 2011 Supplement, sections 86B.508;
2.13 86B.811, subdivision 1a; Laws 2011, chapter 107, section 105; Minnesota Rules,
2.14 parts 7002.0025, subpart 2a; 7011.7030; 7021.0010, subpart 3; 7021.0050,
2.15 subparts 1, 2, 3; 7041.0500, subparts 5, 6, 7.

2.16 April 26, 2012

2.17 The Honorable Kurt Zellers
2.18 Speaker of the House of Representatives

2.19 The Honorable Michelle L. Fischbach
2.20 President of the Senate

2.21 We, the undersigned conferees for H. F. No. 2164 report that we have agreed upon
2.22 the items in dispute and recommend as follows:

2.23 That the Senate recede from its amendments and that H. F. No. 2164 be further
2.24 amended as follows:

2.25 Delete everything after the enacting clause and insert:

2.26 "Section 1. [15.985] ADVISORY INSPECTIONS.

2.27 (a) Upon the voluntary request of a person to a state agency for an advisory
2.28 inspection for the purpose of complying with state law, the agency must, except as
2.29 provided in paragraphs (f) and (g), conduct an advisory inspection. An agency is not
2.30 required to conduct an advisory inspection if the agency has a regularly scheduled
2.31 inspection that would occur within 90 days after the request for the advisory inspection,
2.32 or if before an advisory inspection is requested, the agency has notified the person that
2.33 it will be conducting an inspection within 45 days. If an advisory inspection results in
2.34 findings that potentially could make a person subject to a fine or other penalty imposed
2.35 by the agency, the agency must notify the person in writing of those findings within ten
2.36 days of the inspection.

2.37 (1) Except as provided in clause (2), if within 60 days of receiving notice, the person
2.38 notifies the agency that it has corrected the situation that made the person potentially
2.39 subject to the fine or penalty, and the agency later determines that the situation is
2.40 corrected, the agency may not impose a fine or penalty as a result of the findings in the
2.41 advisory inspection.

3.1 (2) For violations of chapter 177, if the person notifies the agency within the time
3.2 period for remedying violations required under the applicable section of chapter 177 that it
3.3 has corrected the situation that made the person potentially subject to the fine or penalty,
3.4 and the agency later determines that the situation is corrected, the agency may not impose
3.5 a fine or penalty as a result of the finding in the advisory inspection.

3.6 (3) A person may not request more than one advisory inspection from the same
3.7 agency in a calendar year. A person may not request an advisory inspection after an
3.8 inspection resulting in a fine or other penalty has been determined and the violator notified
3.9 of the amount to be paid, until fines or penalties have been paid or settled.

3.10 (b) For purposes of this section:

3.11 (1) "inspection" includes an examination of real or personal property or an audit or
3.12 other examination of financial or other documents;

3.13 (2) "penalty" includes a civil or administrative fine or other financial sanction;

3.14 (3) "person" includes a real person and businesses, including corporations,
3.15 partnerships, limited liability companies, and unincorporated associations; and

3.16 (4) "state agency" means a department, agency, board, commission, constitutional
3.17 office, or other group in the executive branch of state government.

3.18 (c) If an agency revises, amends, extends, or adds additional violations to a notice,
3.19 the person has 60 days from the date of those changes to correct the situation without fine
3.20 or penalty. For violations of chapter 177, the person has the time period for remedying
3.21 violations under the applicable section of chapter 177 to correct the situation without
3.22 fine or penalty.

3.23 (d) An agency conducting an inspection under this section may impose and collect
3.24 from the person requesting the inspection a fee equal to the costs incurred by the agency
3.25 related to the inspection. Fees under this section shall be considered charges for goods
3.26 and services provided for the direct and primary use of a private individual, business, or
3.27 other entity under section 16A.1283, paragraph (b), clause (3). Fee revenue collected
3.28 under this section must be deposited in an appropriate fund other than the general fund
3.29 and is appropriated from that fund to the agency collecting the fee for the purpose of
3.30 conducting inspections under this section.

3.31 (e) Nothing in this section shall prohibit or interfere with an agency offering similar
3.32 programs that allow independent audits or inspections, including the environmental
3.33 improvement program under chapter 114C. If a person conducts a self-audit under chapter
3.34 114C, the terms and conditions of this section do not apply. For advisory inspections
3.35 conducted by the Pollution Control Agency, terms and conditions of sections 114C.20 to
3.36 144C.28 shall be used instead of those in paragraphs (a) to (c) and (g).

4.1 (f) If agency staff resources are limited, an agency must give higher priority to
4.2 the agency's regular inspections over advisory inspections under this section. Insofar as
4.3 conducting advisory inspections reduces an agency's costs, the savings must be reflected
4.4 in the charges for advisory inspections. Before hiring additional staff complement for
4.5 purposes of this section, an agency must report to the chairs and ranking minority members
4.6 of the legislative budget committees with jurisdiction over the agency documenting: (1)
4.7 the demand for advisory inspections and why additional staff complement is needed to
4.8 meet the demand; and (2) that the revenue generated by advisory inspections will cover the
4.9 expenses of the additional staff complement. If a person requests an advisory inspection,
4.10 but the agency does not have staff resources necessary to conduct the advisory inspection
4.11 before a regular inspection is conducted, and the regular inspection results in findings that
4.12 could make a person subject to a fine or penalty, the agency must take into account the
4.13 person's request for an advisory inspection and the person's desire to take corrective action
4.14 before taking any enforcement action against the person.

4.15 (g) This section does not apply to:

4.16 (1) criminal penalties;

4.17 (2) situations in which implementation of this section is prohibited by federal
4.18 law or would result in loss of federal funding or in other federal sanctions or in which
4.19 implementation would interfere with multistate agreements, international agreements, or
4.20 agreements between state and federal regulatory agencies;

4.21 (3) conduct constituting fraud;

4.22 (4) violations in a manner that endangers human life or presents significant risk of
4.23 major injury or severe emotional harm to humans;

4.24 (5) violations that are part of a pattern that has occurred repeatedly and shows
4.25 willful intent;

4.26 (6) violations for which it may be demonstrated that the alternative inspections
4.27 process is being used to avoid enforcement;

4.28 (7) violations that occur within three years of violating an applicable law;

4.29 (8) the Department of Revenue;

4.30 (9) the Workers' Compensation Division at the Department of Labor and Industry;

4.31 (10) violations of vehicle size weight limits under sections 169.80 to 169.88;

4.32 (11) commercial motor vehicle inspections under section 169.781 and motor carrier
4.33 regulations under chapter 221;

4.34 (12) the Dairy and Food Inspection Division of the Department of Agriculture, if the
4.35 division provides free inspections similar to those under this section;

5.1 (13) state inspections or surveys of hospitals, nursing homes, outpatient surgical
5.2 centers, supervised living facilities, board and lodging with special services, home care,
5.3 housing with services and assisted living settings, hospice, and supplemental nursing
5.4 services agencies;

5.5 (14) examinations of health maintenance organizations or county-based purchasing
5.6 entities regulated under chapter 62D;

5.7 (15) special transportation services under section 174.30; and

5.8 (16) entities regulated by the Department of Commerce's Financial Institutions and
5.9 Insurance Divisions for purposes of regulatory requirements of those divisions.

5.10 If an agency determines that this section does not apply due to situations specified in
5.11 clause (2), the agency must report the basis for that determination to the chairs and ranking
5.12 minority members of the legislative committees with jurisdiction over the agency.

5.13 (h) An agency may terminate an advisory inspection and proceed as if an inspection
5.14 were a regular inspection if, in the process of conducting an advisory inspection, the
5.15 agency finds a situation that the agency determines: could lead to criminal penalties;
5.16 endangers human life or presents significant risk of major injury or severe emotional
5.17 harm to humans; presents a severe and imminent threat to animals, food, feed, crops,
5.18 commodities, or the environment; or evidences a pattern of willful violations.

5.19 **EFFECTIVE DATE.** This section is effective July 1, 2012.

5.20 Sec. 2. Minnesota Statutes 2010, section 84.0895, subdivision 7, is amended to read:

5.21 Subd. 7. **General exceptions.** (a) The commissioner may issue permits and
5.22 prescribe conditions for an act otherwise prohibited by subdivision 1 if:

5.23 (1) the act is for the purpose of zoological, educational, or scientific study;

5.24 (2) the act enhances the propagation or survival of the affected species;

5.25 (3) the act prevents injury to persons or property; or

5.26 (4) the social and economic benefits of the act outweigh the harm caused by it.

5.27 (b) The commissioner may issue a general permit to a governmental subdivision or
5.28 to the general public to conduct one or more acts described in paragraph (a).

5.29 (c) A member of an endangered species may not be destroyed under paragraph (a),
5.30 clause (3) or (4), until all alternatives, including live trapping and transplantation, have
5.31 been evaluated and rejected. The commissioner may prescribe conditions to propagate
5.32 a species or subspecies.

5.33 ~~(e)~~ (d) A person may capture or destroy a member of an endangered species, without
5.34 permit, to avoid an immediate and demonstrable threat to human life or property.

6.1 ~~(d)~~ (e) The commissioner must give approval under this subdivision for forest
6.2 management, including permit, sale, or lease of land for timber harvesting.

6.3 Sec. 3. Minnesota Statutes 2010, section 84.67, is amended to read:

6.4 **84.67 FORESTS FOR THE FUTURE REVOLVING ACCOUNT.**

6.5 A forests for the future revolving account is created in the natural resources fund.
6.6 Money in the account is appropriated to the commissioner of natural resources for the
6.7 acquisition of forest lands that meet the eligibility criteria in section 84.66, subdivision 4.
6.8 The commissioner shall sell the lands acquired under this section, subject to an easement
6.9 as provided in section 84.66. Money received from the sale of forest lands acquired
6.10 under this section and interest earned on the account shall be deposited into the account.
6.11 ~~The commissioner must file a report to the house of representatives Ways and Means~~
6.12 ~~and the senate Finance Committees and the environment and natural resources finance~~
6.13 ~~committees or divisions of the senate and house of representatives by October 1 of each~~
6.14 ~~year indicating all purchases of forest land using money from this account and sales of~~
6.15 ~~forest land for which revenue is deposited into this account.~~

6.16 Sec. 4. **84.76] APPRENTICE RIDER VALIDATION.**

6.17 Subdivision 1. **Definition.** For the purpose of this section, "accompanied by" means
6.18 within a distance of another person that permits uninterrupted visual contact and verbal
6.19 communication.

6.20 Subd. 2. **Apprentice rider requirements.** Notwithstanding sections 84.793,
6.21 84.862, 84.925, and 84.9256, a person who is age 12 or over and who does not possess a
6.22 required safety certificate may participate in up to two trail-riding events sponsored by the
6.23 commissioner in state parks, state trails, state recreation areas, and state forests that are
6.24 designed to involve apprentice riders. The person must be accompanied by an adult with a
6.25 valid safety certificate. All vehicles must be properly registered for use in Minnesota.

6.26 Sec. 5. Minnesota Statutes 2010, section 84.91, subdivision 1, is amended to read:

6.27 Subdivision 1. **Acts prohibited.** (a) No owner or other person having charge or
6.28 control of any snowmobile or all-terrain vehicle shall authorize or permit any individual
6.29 the person knows or has reason to believe is under the influence of alcohol or a controlled
6.30 substance or other substance to operate the snowmobile or all-terrain vehicle anywhere in
6.31 this state or on the ice of any boundary water of this state.

6.32 (b) No owner or other person having charge or control of any snowmobile or
6.33 all-terrain vehicle shall knowingly authorize or permit any person, who by reason of

7.1 any physical or mental disability is incapable of operating the vehicle, to operate the
7.2 snowmobile or all-terrain vehicle anywhere in this state or on the ice of any boundary
7.3 water of this state.

7.4 (c) A person who operates or is in physical control of a snowmobile or all-terrain
7.5 vehicle anywhere in this state or on the ice of any boundary water of this state is subject
7.6 to chapter 169A. In addition to the applicable sanctions under chapter 169A, a person
7.7 who is convicted of violating section 169A.20 or an ordinance in conformity with it
7.8 while operating a snowmobile or all-terrain vehicle, or who refuses to comply with a
7.9 lawful request to submit to testing under sections 169A.50 to 169A.53 or an ordinance
7.10 in conformity with it, shall be prohibited from operating ~~the~~ a snowmobile or all-terrain
7.11 vehicle for a period of one year. The commissioner shall notify the person of the time
7.12 period during which the person is prohibited from operating a snowmobile or all-terrain
7.13 vehicle.

7.14 (d) Administrative and judicial review of the operating privileges prohibition is
7.15 governed by section 97B.066, subdivisions 7 to 9, if the person does not have a prior
7.16 impaired driving conviction or prior license revocation, as defined in section 169A.03.
7.17 Otherwise, administrative and judicial review of the prohibition is governed by section
7.18 169A.53.

7.19 (e) The court shall promptly forward to the commissioner and the Department of
7.20 Public Safety copies of all convictions and criminal and civil sanctions imposed under this
7.21 section and chapters 169 and 169A relating to snowmobiles and all-terrain vehicles.

7.22 (f) A person who violates paragraph (a) or (b), or an ordinance in conformity with
7.23 either of them, is guilty of a misdemeanor. A person who operates a snowmobile or
7.24 all-terrain vehicle during the time period the person is prohibited from operating a vehicle
7.25 under paragraph (c) is guilty of a misdemeanor.

7.26 Sec. 6. **[84.972] PRAIRIE AND GRASSLANDS PUBLIC GRAZING PROGRAM.**

7.27 The commissioner of natural resources shall establish a prairie and grasslands public
7.28 grazing program. The commissioner shall enter into cooperative farming agreements
7.29 or lease agreements with livestock owners to annually graze prairie and grasslands
7.30 administered by the commissioner where grazing will enhance wildlife habitat. The
7.31 commissioner shall maintain a list of lands grazed under the program describing the
7.32 location, acreage, and years grazed. The program shall have a goal of being financially
7.33 self-sufficient. Unless otherwise provided by law, revenues received under this section
7.34 shall be deposited in the game and fish fund and are appropriated to the commissioner for
7.35 purposes of the program.

8.1 Sec. 7. Minnesota Statutes 2011 Supplement, section 84D.01, subdivision 15a, is
8.2 amended to read:

8.3 Subd. 15a. **Service provider.** "Service provider" means an individual who or entity
8.4 that installs or removes water-related equipment or structures from waters of the state
8.5 for hire or as a service provided as a benefit of membership in a yacht club, boat club,
8.6 marina, or similar organization. Service provider does not include a person working
8.7 under the supervision of an individual with a valid service provider permit issued under
8.8 section 84D.108.

8.9 Sec. 8. Minnesota Statutes 2011 Supplement, section 84D.03, subdivision 3, is
8.10 amended to read:

8.11 Subd. 3. **Bait harvest from infested waters.** (a) Taking wild animals from infested
8.12 waters for bait or aquatic farm purposes is prohibited, except as provided in paragraph
8.13 (b) and section 97C.341.

8.14 (b) In waters that are designated as infested waters, except those designated because
8.15 they contain prohibited invasive species of fish or certifiable diseases of fish, as defined
8.16 under section 17.4982, subdivision 6, taking wild animals may be permitted for:

8.17 (1) commercial taking of wild animals for bait and aquatic farm purposes according
8.18 to a permit issued under section 84D.11, subject to rules adopted by the commissioner; ~~and~~

8.19 (2) bait purposes for noncommercial personal use in waters that contain Eurasian
8.20 water milfoil, when the infested waters are designated solely because they contain
8.21 Eurasian water milfoil and if the equipment for taking is limited to cylindrical minnow
8.22 traps not exceeding 16 inches in diameter and 32 inches in length; and

8.23 (3) harvest of bullheads, goldeyes, mooneyes, sheepshead (freshwater drum), and
8.24 suckers for bait from streams or rivers designated as infested waters, by hook and line for
8.25 noncommercial personal use. Other provisions that apply to this clause are:

8.26 (i) fish taken under this clause must be used on the same body of water where caught
8.27 and while still on that water body;

8.28 (ii) fish taken under this clause may not be transported live from or off the water
8.29 body;

8.30 (iii) fish harvested under this clause may only be used in accordance with this section;

8.31 (iv) any other use of wild animals used for bait from infested waters is prohibited;

8.32 (v) fish taken under this clause must meet all other size restrictions and requirements
8.33 as established in rules; and

8.34 (vi) all species listed under this clause shall be included in the person's daily limit as
8.35 established in rules, if applicable.

9.1 (c) Equipment authorized for minnow harvest in a designated infested water by
9.2 permit issued under paragraph (b) may not be transported to, or used in, any waters other
9.3 than waters specified in the permit.

9.4 Sec. 9. Minnesota Statutes 2010, section 84D.05, subdivision 1, is amended to read:

9.5 Subdivision 1. **Prohibited activities.** A person may not possess, import, purchase,
9.6 sell, propagate, transport, or introduce a prohibited invasive species, except:

9.7 (1) under a permit issued by the commissioner under section 84D.11;

9.8 (2) in the case of purple loosestrife, as provided by sections 18.75 to 18.88;

9.9 (3) under a restricted species permit issued under section 17.457;

9.10 (4) when being transported to the department, or another destination as the
9.11 commissioner may direct, in a sealed container for purposes of identifying the species
9.12 or reporting the presence of the species;

9.13 (5) when being transported for disposal as part of a harvest or control activity
9.14 when specifically authorized under a permit issued by the commissioner according to
9.15 section 103G.615, when being transported for disposal as specified under a commercial
9.16 fishing license issued by the commissioner according to section 97A.418, 97C.801,
9.17 97C.811, 97C.825, 97C.831, or 97C.835, or when being transported as specified by the
9.18 commissioner;

9.19 (6) when the specimen has been lawfully acquired dead and, in the case of plant
9.20 species, all seeds are removed or are otherwise secured in a sealed container;

9.21 (7) in the form of herbaria or other preserved specimens;

9.22 (8) when being removed from watercraft and equipment, or caught while angling,
9.23 and immediately returned to the water from which they came; or

9.24 (9) as the commissioner may otherwise prescribe by rule.

9.25 Sec. 10. Minnesota Statutes 2011 Supplement, section 84D.09, subdivision 2, is
9.26 amended to read:

9.27 Subd. 2. **Exceptions.** Unless otherwise prohibited by law, a person may transport
9.28 aquatic macrophytes:

9.29 (1) that are duckweeds in the family Lemnaceae;

9.30 (2) for disposal as part of a harvest or control activity ~~conducted~~ when specifically
9.31 authorized under an aquatic plant management permit pursuant to section 103G.615, under
9.32 permit pursuant to section 84D.11, or as specified by the commissioner;

10.1 (3) for purposes of constructing shooting or observation blinds in amounts sufficient
10.2 for that purpose, provided that the aquatic macrophytes are emergent and cut above the
10.3 waterline;

10.4 (4) when legally purchased or traded by or from commercial or hobbyist sources for
10.5 aquarium, wetland or lakeshore restoration, or ornamental purposes;

10.6 (5) when harvested for personal or commercial use if in a motor vehicle;

10.7 (6) to the department, or another destination as the commissioner may direct, in a
10.8 sealed container for purposes of identifying a species or reporting the presence of a species;

10.9 (7) when transporting commercial aquatic plant harvesting or control equipment to a
10.10 suitable location for purposes of cleaning any remaining aquatic macrophytes;

10.11 (8) that are wild rice harvested under section 84.091;

10.12 (9) in the form of fragments of emergent aquatic macrophytes incidentally
10.13 transported in or on watercraft or decoys used for waterfowl hunting during the waterfowl
10.14 season; or

10.15 (10) when removing water-related equipment from waters of the state for purposes
10.16 of cleaning off aquatic macrophytes before leaving a water access site.

10.17 Sec. 11. Minnesota Statutes 2011 Supplement, section 84D.10, subdivision 1, is
10.18 amended to read:

10.19 Subdivision 1. **Launching prohibited.** A person may not place or attempt to place
10.20 into waters of the state ~~a watercraft, a trailer, or water-related equipment, including~~ aquatic
10.21 plant harvesting or control equipment that has aquatic macrophytes, zebra mussels, or
10.22 prohibited invasive species attached except as provided in this section.

10.23 Sec. 12. Minnesota Statutes 2011 Supplement, section 84D.10, subdivision 4, is
10.24 amended to read:

10.25 Subd. 4. **Persons transporting water-related equipment.** (a) When leaving waters
10.26 of the state a person must drain water-related equipment holding water and live wells and
10.27 bilges by removing the drain plug before transporting the water-related equipment off
10.28 the water access site or riparian property.

10.29 (b) Drain plugs, bailers, valves, or other devices used to control the draining of water
10.30 from ballast tanks, bilges, and live wells must be removed or opened while transporting
10.31 water-related equipment.

10.32 (c) Emergency response vehicles and equipment may be transported on a public road
10.33 with the drain plug or other similar device replaced only after all water has been drained
10.34 from the equipment upon leaving the water body.

11.1 (d) Portable bait containers used by licensed aquatic farms, portable bait containers
11.2 when fishing through the ice except on waters designated infested for viral hemorrhagic
11.3 septicemia, and marine sanitary systems are exempt from this subdivision.

11.4 (e) A person must not dispose of bait in waters of the state.

11.5 (f) A boat lift, dock, swim raft, or associated equipment that has been removed
11.6 from any water body may not be placed in another water body until a minimum of 21
11.7 days have passed.

11.8 Sec. 13. Minnesota Statutes 2011 Supplement, section 84D.105, subdivision 2, is
11.9 amended to read:

11.10 Subd. 2. **Inspector authority.** (a) The commissioner shall train and authorize
11.11 individuals to inspect water-related equipment for aquatic macrophytes, aquatic invasive
11.12 species, and water. The commissioner may enter into a delegation agreement with a
11.13 tribal or local government where inspection authority as provided under paragraphs (b),
11.14 (g), and (h) is delegated to tribal and local governments that assume all legal, financial,
11.15 and administrative responsibilities for inspection programs on some or all public waters
11.16 within their jurisdiction.

11.17 (b) Inspectors may visually and tactilely inspect watercraft and water-related
11.18 equipment to determine whether aquatic invasive species, aquatic macrophytes, or water
11.19 is present. If a person transporting watercraft or water-related equipment refuses to
11.20 take required corrective actions or fails to comply with an order under section 84D.10,
11.21 subdivision 3, an inspector who is not a licensed peace officer shall refer the violation
11.22 to a conservation officer or other licensed peace officer.

11.23 (c) In addition to paragraph (b), a conservation officer or other licensed peace officer
11.24 may inspect any watercraft or water-related equipment that is stopped at a water access
11.25 site, any other public location in the state, or a private location where the watercraft or
11.26 water-related equipment is in plain view, if the officer determines there is reason to believe
11.27 that aquatic invasive species, aquatic macrophytes, or water is present on the watercraft or
11.28 water-related equipment.

11.29 (d) Conservation officers or other licensed peace officers may utilize check stations
11.30 in locations, or in proximity to locations, where watercraft or other water-related
11.31 equipment is placed into or removed from waters of the state. Any check stations shall be
11.32 operated in a manner that minimizes delays to vehicles, equipment, and their occupants.

11.33 (e) Conservation officers or other licensed peace officers may order water-related
11.34 equipment to be removed from a water body if the commissioner determines such action is
11.35 needed to implement aquatic invasive species control measures.

12.1 (f) The commissioner may require mandatory inspections of water-related equipment
12.2 before a person places or removes water-related equipment into or out of a water body.
12.3 Inspection stations may be located at or near public water accesses or in locations that
12.4 allow for servicing multiple water bodies. The commissioner shall ensure that inspection
12.5 stations:

12.6 (1) have adequate staffing to minimize delays to vehicles and their occupants;

12.7 (2) allow for reasonable travel times between public accesses and inspection stations
12.8 if inspection is required before placing water-related equipment into a water body;

12.9 (3) are located so as not to create traffic delays or public safety issues;

12.10 (4) have decontamination equipment available to bring water-related equipment
12.11 into compliance; and

12.12 (5) do not reduce the capacity or hours of operation of public water accesses.

12.13 (g) The commissioner may authorize tribal and local governments that enter into
12.14 a delegation agreement with the commissioner to conduct mandatory inspections of
12.15 water-related equipment at specified locations within a defined area before a person
12.16 places or removes water-related equipment into or out of a water body. Tribal and local
12.17 governments that are authorized to conduct inspections under this paragraph must:

12.18 (1) assume all legal, financial, and administrative responsibilities for implementing
12.19 the mandatory inspections, alone or in agreement with other tribal or local governments;

12.20 (2) employ inspectors that have been trained and authorized by the commissioner;

12.21 (3) conduct inspections and decontamination measures in accordance with guidelines
12.22 approved by the commissioner;

12.23 (4) have decontamination equipment available at inspection stations or identify
12.24 alternative decontamination equipment locations within a reasonable distance of the
12.25 inspection station that can bring water-related equipment into compliance;

12.26 (5) provide for inspection station locations that do not create traffic delays or public
12.27 safety issues; and

12.28 (6) submit a plan approved by the commissioner according to paragraph (h).

12.29 (h) Plans required under paragraph (g) must address:

12.30 (1) no reduction in capacity or hours of operation of public accesses and fees that
12.31 do not discourage or limit use;

12.32 (2) reasonable travel times between public accesses and inspection stations;

12.33 (3) adequate staffing to minimize wait times and provide adequate hours of operation
12.34 at inspection stations and public accesses;

12.35 (4) adequate enforcement capacity;

13.1 (5) measures to address inspections of water-related equipment at public water
13.2 accesses for commercial entities and private riparian land owners; and

13.3 (6) other elements as required by the commissioner to ensure statewide consistency,
13.4 appropriate inspection and decontamination protocols, and protection of the state's
13.5 resources, public safety, and access to public waters.

13.6 (i) A government unit authorized to conduct inspections under this subdivision must
13.7 submit an annual report to the commissioner summarizing the results and issues related
13.8 to implementing the inspection program.

13.9 (j) The commissioner may waive the plan requirement in paragraph (g) for inspection
13.10 programs where authorized inspectors are placed directly at one or more water access
13.11 sites, with no requirement for a person to travel from the water access for inspection
13.12 or decontamination, and no local ordinance or other regulation requiring a mandatory
13.13 inspection before placing watercraft or water-related equipment into a water body or after
13.14 watercraft or water-related equipment are removed from a water body.

13.15 Sec. 14. Minnesota Statutes 2011 Supplement, section 84D.108, subdivision 1, is
13.16 amended to read:

13.17 Subdivision 1. **Service provider permit required.** (a) Service providers must apply
13.18 for and obtain a permit from the commissioner before providing any services described in
13.19 section 84D.01, subdivision 15a.

13.20 (b) Service providers must have a valid permit in possession while providing
13.21 services described in section 84D.01, subdivision 15a.

13.22 (c) Service providers must display the service provider permit decal issued with
13.23 their permit. The decal must be completely affixed by its own adhesive on the inside of
13.24 the extreme lower corner of the driver's windshield of the vehicle being operated while
13.25 providing services described in section 84D.01, subdivision 15a.

13.26 Sec. 15. Minnesota Statutes 2011 Supplement, section 84D.13, subdivision 5, is
13.27 amended to read:

13.28 Subd. 5. **Civil penalties.** (a) A civil citation issued under this section must impose
13.29 the following penalty amounts:

13.30 (1) for transporting aquatic macrophytes in violation of section 84D.09, ~~\$50~~ \$100;

13.31 (2) for placing or attempting to place into waters of the state water-related equipment
13.32 that has aquatic macrophytes attached, ~~\$100~~ \$200;

13.33 (3) for unlawfully possessing or transporting a prohibited invasive species other
13.34 than an aquatic macrophyte, ~~\$250~~ \$500;

14.1 (4) for placing or attempting to place into waters of the state water-related equipment
14.2 that has prohibited invasive species attached when the waters are not designated by the
14.3 commissioner as being infested with that invasive species, \$500 for the first offense and
14.4 ~~\$1,000 for each subsequent offense;~~

14.5 (5) for intentionally damaging, moving, removing, or sinking a buoy marking, as
14.6 prescribed by rule, Eurasian water milfoil, \$100;

14.7 (6) for failing to have drain plugs or similar devices removed or opened while
14.8 transporting water-related equipment or for failing to remove plugs, open valves, and
14.9 drain water from water-related equipment, other than marine sanitary systems, before
14.10 leaving waters of the state, ~~\$50~~ \$100; and

14.11 (7) for transporting infested water off riparian property without a permit as required
14.12 by rule, \$200.

14.13 (b) A civil citation that is issued to a person who has one or more prior convictions
14.14 or final orders for violations of this chapter is subject to twice the penalty amounts listed
14.15 in paragraph (a).

14.16 Sec. 16. Minnesota Statutes 2010, section 85.018, subdivision 2, is amended to read:

14.17 Subd. 2. **Authority of local government.** (a) A local government unit that receives
14.18 state grants-in-aid for any trail, with the concurrence of the commissioner, and the
14.19 landowner or land lessee, may:

14.20 (1) designate the trail for use by snowmobiles or for nonmotorized use from
14.21 December 1 to April 1 of any year; and

14.22 (2) issue any permit required under subdivisions 3 to 5.

14.23 (b) A local government unit that receives state grants-in-aid under section 84.794,
14.24 subdivision 2, 84.803, subdivision 2, or 84.927, subdivision 2, for any trail, with the
14.25 concurrence of the commissioner, and landowner or land lessee, may:

14.26 (1) designate the trail specifically for use at various times of the year by all-terrain or
14.27 off-road vehicles or off-highway motorcycles, for nonmotorized use such as ski touring,
14.28 snowshoeing, and hiking, and for multiple use, ~~but not for motorized and nonmotorized~~
14.29 ~~use at the same time;~~ and

14.30 (2) issue any permit required under subdivisions 3 to 5.

14.31 (c) A local unit of government that receives state grants-in-aid for any trail, with the
14.32 concurrence of the commissioner and landowner or land lessee, may designate certain trails
14.33 for joint use by snowmobiles, off-highway motorcycles, all-terrain and off-road vehicles.

14.34 Sec. 17. Minnesota Statutes 2010, section 85.052, subdivision 3, is amended to read:

15.1 Subd. 3. **Fee for certain parking and campsite use.** (a) An individual using spaces
15.2 in state parks under subdivision 1, clause (2), shall be charged daily rates determined and
15.3 set by the commissioner in a manner and amount consistent with the type of facility
15.4 provided for the accommodation of guests in a particular park and with similar facilities
15.5 offered for tourist camping and similar use in the area.

15.6 (b) The fee for special parking spurs, campgrounds for automobiles, sites for tent
15.7 camping, and special auto trailer coach parking spaces is one-half of the fee set in
15.8 paragraph (a) on Sunday through Thursday of each week for a physically disabled person:

15.9 (1) with a motor vehicle that has disability plates issued under section 168.021,
15.10 subdivision 1; ~~or~~

15.11 (2) who possesses a certificate issued under section 169.345; or

15.12 (3) who possesses an interagency access pass for state residents with permanent
15.13 disabilities, issued by the federal government under the Federal Lands Recreation
15.14 Enhancement Act.

15.15 Sec. 18. Minnesota Statutes 2010, section 85.053, subdivision 7, is amended to read:

15.16 Subd. 7. **Disabled persons.** (a) The commissioner shall prescribe and issue special
15.17 state park permits for:

15.18 (1) a physically disabled person with a motor vehicle (i) that has disability plates
15.19 issued under section 168.021, subdivision 1, or (ii) who has a permanent disability
15.20 certificate issued under section 169.345 and who can demonstrate proof of ownership of
15.21 the vehicle for which the state park permit is being purchased or proof of a leasehold
15.22 interest in the vehicle for a term at least as long as the term of the permit; ~~and~~

15.23 (2) a physically disabled person who: (i) does not own or operate a motor vehicle;
15.24 (ii) possesses a statement certified under section 169.345, subdivision 2a; and (iii) applies
15.25 to the commissioner in writing; and

15.26 (3) a permanently disabled person who possesses an interagency access pass for
15.27 people with permanent disabilities, issued by the federal government under the Federal
15.28 Lands Recreation Enhancement Act.

15.29 (b) ~~Except~~ For vehicles permitted under paragraph (a), clause ~~(2)~~ (1), the permit or
15.30 the decal issued under this subdivision is valid only when displayed on a vehicle owned
15.31 and occupied by the person to whom the permit is issued.

15.32 Sec. 19. Minnesota Statutes 2010, section 85.20, subdivision 1, is amended to read:

15.33 Subdivision 1. **Violation of rules.** (a) Any person who, within the limits of any state
15.34 park, state monument, state recreation area, state wayside, or area of state land reserved

16.1 ~~from sale, as provided by Laws 1923, chapter 430~~ outdoor recreation unit established in
16.2 chapter 86A, shall willfully cut, injure, or destroy any live tree, shrub, timber, evergreen,
16.3 or ornamental plant of any kind, or who shall willfully injure, remove, destroy, deface,
16.4 or mutilate any guideboard, guidepost, furniture, fixture, improvement, monument,
16.5 tablet, or other property of the state of any kind, or who shall willfully violate, or fail
16.6 to comply with, any rule of the commissioner adopted and promulgated in accordance
16.7 with the provisions of Laws 1923, chapter 430, shall be according to section 86A.06, is
16.8 guilty of a petty misdemeanor.

16.9 (b) Violations under paragraph (a) adopted for wildlife management areas described
16.10 in section 86A.05, subdivision 8, are misdemeanors, consistent with game and fish law
16.11 penalties defined in section 97A.301, subdivision 1, clause (6).

16.12 (c) If a different penalty is provided in another section of law for the violation and
16.13 the person is charged under that section of law, the penalty specified for the violation
16.14 will control over the penalty specified in paragraphs (a) and (b). Violations relating to
16.15 the taking of wild animals are subject to the penalties as specified in the game and fish
16.16 laws described in section 97A.011.

16.17 Sec. 20. Minnesota Statutes 2010, section 85.46, subdivision 1, is amended to read:

16.18 Subdivision 1. **Pass in possession.** (a) Except as provided in paragraph (b), while
16.19 riding, leading, or driving a horse on lands administered by the commissioner, except
16.20 forest roads and forest roads rights-of-way, a person 16 years of age or over shall carry in
16.21 immediate possession a valid horse pass. The pass must be available for inspection by a
16.22 peace officer, a conservation officer, or an employee designated under section 84.0835. A
16.23 person who violates any provision of this subdivision is guilty of a petty misdemeanor.

16.24 (b) A valid horse pass is not required under this section for a person riding, leading,
16.25 or driving a horse on property that is owned by the person or the person's spouse, child,
16.26 parent, or guardian.

16.27 Sec. 21. **[86B.13] AQUATIC INVASIVE SPECIES PREVENTION PROGRAM.**

16.28 Subdivision 1. **Establishment.** The commissioner shall establish a statewide course
16.29 in preventing the spread of aquatic invasive species. The commissioner must develop an
16.30 educational course and testing program that address identification of aquatic invasive
16.31 species and best practices to prevent the spread of aquatic invasive species when moving
16.32 water-related equipment, as defined under section 84D.01, subdivision 18a.

17.1 Subd. 2. **Aquatic invasive species trailer decal.** The commissioner shall issue an
17.2 aquatic invasive species trailer decal for each trailer owned by a person that satisfactorily
17.3 completes the required course of instruction.

17.4 Subd. 3. **Contracting for services.** The commissioner may contract for services to
17.5 provide training and testing services under this section.

17.6 Subd. 4. **Aquatic invasive species trailer decal display required.** (a) A person
17.7 may not transport watercraft or water-related equipment, as defined under section 84D.01,
17.8 subdivision 18a, with a trailer unless the person has an aquatic invasive species trailer
17.9 decal issued under this section. Temporary authorizations valid for seven days can be
17.10 requested by persons that have not completed the required course of instruction.

17.11 (b) Aquatic invasive species trailer decals are valid for three years.

17.12 (c) The aquatic invasive species trailer decal must be adhered to the side of the trailer
17.13 frame tongue near the hitch in a manner that it is readily visible and does not interfere with
17.14 the display of any registration requirements under section 169.79.

17.15 (d) Aquatic invasive species trailer decals are not transferable.

17.16 (e) Violation of this section shall not result in a penalty, but is punishable only
17.17 by a warning.

17.18 **EFFECTIVE DATE.** Subdivision 4 is effective July 1, 2015.

17.19 Sec. 22. Minnesota Statutes 2010, section 86B.331, subdivision 1, is amended to read:

17.20 Subdivision 1. **Acts prohibited.** (a) An owner or other person having charge or
17.21 control of a motorboat may not authorize or allow an individual the person knows or has
17.22 reason to believe is under the influence of alcohol or a controlled or other substance to
17.23 operate the motorboat in operation on the waters of this state.

17.24 (b) An owner or other person having charge or control of a motorboat may not
17.25 knowingly authorize or allow a person, who by reason of a physical or mental disability
17.26 is incapable of operating the motorboat, to operate the motorboat in operation on the
17.27 waters of this state.

17.28 (c) A person who operates or is in physical control of a motorboat on the waters
17.29 of this state is subject to chapter 169A. In addition to the applicable sanctions under
17.30 chapter 169A, a person who is convicted of violating section 169A.20 or an ordinance
17.31 in conformity with it while operating a motorboat, shall be prohibited from operating
17.32 ~~the~~ a motorboat on the waters of this state for a period of 90 days between May 1 and
17.33 October 31, extending over two consecutive years if necessary. If the person operating the
17.34 motorboat refuses to comply with a lawful demand to submit to testing under sections
17.35 169A.50 to 169A.53 or an ordinance in conformity with it, the person shall be prohibited

18.1 from operating ~~the~~ a motorboat for a period of one year. The commissioner shall notify
18.2 the person of the period during which the person is prohibited from operating a motorboat.

18.3 (d) Administrative and judicial review of the operating privileges prohibition is
18.4 governed by section 97B.066, subdivisions 7 to 9, if the person does not have a prior
18.5 impaired driving conviction or prior license revocation, as defined in section 169A.03.
18.6 Otherwise, administrative and judicial review of the prohibition is governed by section
18.7 169A.53.

18.8 (e) The court shall promptly forward to the commissioner and the Department of
18.9 Public Safety copies of all convictions and criminal and civil sanctions imposed under this
18.10 section and chapters 169 and 169A relating to motorboats.

18.11 (f) A person who violates paragraph (a) or (b), or an ordinance in conformity with
18.12 either of them, is guilty of a misdemeanor.

18.13 (g) For purposes of this subdivision, a motorboat "in operation" does not include a
18.14 motorboat that is anchored, beached, or securely fastened to a dock or other permanent
18.15 mooring, or a motorboat that is being rowed or propelled by other than mechanical means.

18.16 Sec. 23. Minnesota Statutes 2010, section 93.2236, is amended to read:

18.17 **93.2236 MINERALS MANAGEMENT ACCOUNT.**

18.18 (a) The minerals management account is created as an account in the natural
18.19 resources fund. Interest earned on money in the account accrues to the account. Money in
18.20 the account may be spent or distributed only as provided in paragraphs (b) and (c).

18.21 (b) If the balance in the minerals management account exceeds \$3,000,000 on June
18.22 30, the amount exceeding \$3,000,000 must be distributed to the permanent school fund
18.23 ~~and~~, the permanent university fund, and taxing districts as provided in section 93.22,
18.24 subdivision 1, paragraph (c). The amount distributed to each fund must be in the same
18.25 proportion as the total mineral lease revenue received in the previous biennium from school
18.26 trust lands ~~and~~, university lands, and lands held by the state in trust for taxing districts.

18.27 (c) Subject to appropriation by the legislature, money in the minerals management
18.28 account may be spent by the commissioner of natural resources for mineral resource
18.29 management and projects to enhance future mineral income and promote new mineral
18.30 resource opportunities.

18.31 Sec. 24. Minnesota Statutes 2010, section 97A.401, subdivision 1, is amended to read:

18.32 Subdivision 1. **Commissioner's authority.** The commissioner may issue special
18.33 permits for the activities in this section. A special permit may be issued in the form of a

19.1 general permit to a governmental subdivision or to the general public to conduct one or
19.2 more activities under subdivisions 2 to 7.

19.3 Sec. 25. Minnesota Statutes 2010, section 97A.421, subdivision 4a, is amended to read:

19.4 Subd. 4a. **Suspension for failure to appear in court or pay a fine or surcharge.**

19.5 When a court reports to the commissioner that a person: (1) has failed to appear in court
19.6 ~~under the summons issued~~ in response to a notice to appear or fails to comply with other
19.7 orders of the court regarding the appearance or proceedings for a violation of the game
19.8 and fish laws; or (2) has been convicted of violating a provision of the game and fish
19.9 laws, has been sentenced to the payment of a fine or had a surcharge levied against them,
19.10 and refused or failed to comply with that sentence or to pay the fine or surcharge, the
19.11 commissioner shall suspend the game and fish license and permit privileges of the person
19.12 until notified by the court that the person has appeared in court under clause (1) or that any
19.13 fine or surcharge due the court has been paid under clause (2).

19.14 Sec. 26. Minnesota Statutes 2011 Supplement, section 97C.341, is amended to read:

19.15 **97C.341 CERTAIN AQUATIC LIFE PROHIBITED FOR BAIT.**

19.16 (a) A person may not use live minnows imported from outside of the state, game
19.17 fish, goldfish, or carp for bait. The commissioner may, by written order published in
19.18 the State Register, authorize use of game fish eggs as bait and prescribe restrictions on
19.19 their use. The order is exempt from the rulemaking provisions of chapter 14 and section
19.20 14.386 does not apply.

19.21 (b) A person may not import or possess live, frozen, or processed bait from known
19.22 waters where viral hemorrhagic septicemia has been identified as being present; (1)
19.23 unless the bait has been processed to inactivate viral hemorrhagic septicemia in a manner
19.24 prescribed by rules adopted by the commissioner; or (2) except as provided in paragraph

19.25 (c). For purposes of this paragraph, "bait" includes fish, aquatic worms, amphibians,
19.26 invertebrates, and insects used for taking wild animals in waters of the state.

19.27 (c) Cisco and rainbow smelt taken under rules adopted by the commissioner may
19.28 be used as:

19.29 (1) fresh or frozen bait only on Lake Superior; or

19.30 (2) bait that has been processed to inactivate viral hemorrhagic septicemia in a
19.31 manner prescribed by rules adopted by the commissioner.

19.32 (d) To ensure that frozen or dead fish being brought into the state are not in violation
19.33 of paragraph (b), the following paperwork must accompany the shipment. Documents
19.34 must be open for inspection by the commissioner at any reasonable time. All documents

20.1 must be available to purchasers of these bait items. Each container or package of frozen or
20.2 dead fish must have the following information:

- 20.3 (1) water body source;
- 20.4 (2) lot number;
- 20.5 (3) company contact including name, phone, and address;
- 20.6 (4) date of packaging and labeling; and
- 20.7 (5) valid negative fish health certification from the source water body.

20.8 Sec. 27. Minnesota Statutes 2010, section 103A.43, is amended to read:

20.9 **103A.43 WATER ASSESSMENTS AND REPORTS.**

20.10 (a) The Environmental Quality Board shall consolidate the assessments required
20.11 in paragraphs (b) and (c) with the policy report in section 103A.204 and submit a single
20.12 report to the house of representatives and senate committees with jurisdiction over the
20.13 environment, natural resources, and agriculture and the Legislative-Citizen Commission
20.14 on Minnesota Resources by September 15, 2010, and every five years thereafter.

20.15 (b) The Pollution Control Agency and the Department of Agriculture shall provide a
20.16 ~~biennial~~ an assessment and analysis of water quality, groundwater degradation trends, and
20.17 efforts to reduce, prevent, minimize, and eliminate degradation of water. The assessment
20.18 and analysis must include an analysis of relevant monitoring data.

20.19 (c) The Department of Natural Resources shall provide an assessment and analysis
20.20 of the quantity of surface and ground water in the state and the availability of water to
20.21 meet the state's needs.

20.22 Sec. 28. Minnesota Statutes 2010, section 103B.101, subdivision 2, is amended to read:

20.23 Subd. 2. **Voting members.** (a) The members are:

- 20.24 (1) three county commissioners;
- 20.25 (2) three soil and water conservation district supervisors;
- 20.26 (3) three watershed district or watershed management organization representatives;
- 20.27 (4) three citizens who are not employed by, or the appointed or elected officials of, a
20.28 state governmental office, board, or agency;
- 20.29 (5) one township officer;
- 20.30 (6) two elected city officials, one of whom must be from a city located in the
20.31 metropolitan area, as defined under section 473.121, subdivision 2;
- 20.32 (7) the commissioner of agriculture;
- 20.33 (8) the commissioner of health;
- 20.34 (9) the commissioner of natural resources;

21.1 (10) the commissioner of the Pollution Control Agency; and

21.2 (11) the director of the University of Minnesota Extension Service.

21.3 (b) Members in paragraph (a), clauses (1) to (6), must be distributed across the state
21.4 with at least four members but not more than six members from the metropolitan area,
21.5 as defined by section 473.121, subdivision 2; ~~and one from each of the current soil and~~
21.6 ~~water conservation administrative regions.~~

21.7 (c) Members in paragraph (a), clauses (1) to (6), are appointed by the governor.
21.8 In making the appointments, the governor may consider persons recommended by
21.9 the Association of Minnesota Counties, the Minnesota Association of Townships, the
21.10 League of Minnesota Cities, the Minnesota Association of Soil and Water Conservation
21.11 Districts, and the Minnesota Association of Watershed Districts. The list submitted by an
21.12 association must contain at least three nominees for each position to be filled.

21.13 (d) The membership terms, compensation, removal of members and filling of
21.14 vacancies on the board for members in paragraph (a), clauses (1) to (6), are as provided
21.15 in section 15.0575.

21.16 Sec. 29. Minnesota Statutes 2010, section 103B.101, subdivision 7, is amended to read:

21.17 Subd. 7. **Hearings, orders, and rulemaking.** The board may hold public hearings
21.18 and adopt rules and orders necessary to execute its duties.

21.19 Sec. 30. Minnesota Statutes 2010, section 103B.101, is amended by adding a
21.20 subdivision to read:

21.21 Subd. 8a. **Bylaws and conflict of interest.** The board shall adopt bylaws that
21.22 include provisions to prevent or address conflict of interest.

21.23 Sec. 31. Minnesota Statutes 2010, section 103B.101, subdivision 10, is amended to
21.24 read:

21.25 Subd. 10. **Committee for dispute resolution.** A committee of the board is
21.26 established to hear and resolve disputes, appeals, and interventions under sections
21.27 103A.301 to 103A.341; 103B.101; 103B.231; 103B.345; 103D.535; 103D.537; and
21.28 103G.2242, subdivision 9. ~~The committee consists of two of the three citizen members;~~
21.29 ~~one county commissioner member; one soil and water conservation district supervisor~~
21.30 ~~member; and one watershed district or watershed management organization representative~~
21.31 ~~member.~~ The committee is appointed by the board chair. The board shall adopt bylaws
21.32 governing committee membership and duties.

22.1 Sec. 32. Minnesota Statutes 2010, section 103B.101, is amended by adding a
22.2 subdivision to read:

22.3 Subd. 14. **Local water management coordination.** (a) The board may adopt
22.4 resolutions, policies, or orders that allow a comprehensive plan, local water management
22.5 plan, or watershed management plan, developed or amended, approved and adopted,
22.6 according to chapter 103B, 103C, or 103D to serve as substitutes for one another or be
22.7 replaced with a comprehensive watershed management plan. The board may also develop
22.8 criteria for incorporating or coordinating the elements of metropolitan county groundwater
22.9 plans in accordance with section 103B.255. The board shall, to the extent practicable,
22.10 incorporate a watershed approach when adopting the resolutions, policies, or orders, and
22.11 shall establish a suggested watershed boundary framework for development, approval,
22.12 adoption, and coordination of plans.

22.13 (b) The board shall work with local government stakeholders and others to foster
22.14 mutual understanding and develop recommendations for local water management and
22.15 related state water management policy and programs. The board may convene informal
22.16 working groups or work teams to develop information, education, and recommendations.
22.17 Local government units may develop and carry out TMDL implementation plans, or their
22.18 equivalent, as provided in chapter 114D, as part of the local water management plans and
22.19 responsibilities under chapters 103B, 103C, and 103D.

22.20 Sec. 33. Minnesota Statutes 2010, section 103B.101, is amended by adding a
22.21 subdivision to read:

22.22 Subd. 15. **Local water management boundary and plan determinations and**
22.23 **appeals.** (a) Local government units may either submit a request for a plan boundary
22.24 determination as part of a plan approval request or apply separately for a plan boundary
22.25 determination from the board before requesting plan approval. Local government units
22.26 must provide written documentation of the rationale and justification for the proposed
22.27 boundary. The board may request additional information needed to make a plan boundary
22.28 determination.

22.29 (b) Local government units may appeal a board decision to deny approval of a plan
22.30 or the establishment of a plan boundary. An appeal of a board decision may be taken to the
22.31 state Court of Appeals and must be considered an appeal from a contested case decision
22.32 for purposes of judicial review under sections 14.63 to 14.69. Local government units
22.33 may request the board's dispute resolution committee or executive director to hear and
22.34 make recommendations to resolve boundary and plan implementation disputes.

23.1 Sec. 34. Minnesota Statutes 2010, section 103B.311, subdivision 4, is amended to read:

23.2 Subd. 4. **Water plan requirements.** (a) A local water management plan must:

23.3 (1) cover the entire area within a county;

23.4 (2) address water problems in the context of watershed units and groundwater
23.5 systems;

23.6 (3) be based upon principles of sound hydrologic management of water, effective
23.7 environmental protection, and efficient management;

23.8 (4) be consistent with local water management plans prepared by counties and
23.9 watershed management organizations wholly or partially within a single watershed unit or
23.10 groundwater system; and

23.11 (5) the local water management plan must specify the period covered by the local
23.12 water management plan and must extend at least five years but no more than ten years from
23.13 the date the board approves the local water management plan. Local water management
23.14 plans that contain revision dates inconsistent with this section must comply with that date,
23.15 provided it is not more than ten years beyond the date of board approval. ~~A two-year
23.16 extension of the revision date of a local water management plan may be granted by the
23.17 board, provided no projects are ordered or commenced during the period of the extension.~~

23.18 (b) Existing water and related land resources plans, including plans related to
23.19 agricultural land preservation programs developed pursuant to chapter 40A, must be
23.20 fully utilized in preparing the local water management plan. Duplication of the existing
23.21 plans is not required.

23.22 Sec. 35. Minnesota Statutes 2010, section 103B.3363, is amended by adding a
23.23 subdivision to read:

23.24 Subd. 3a. **Comprehensive watershed management plan.** "Comprehensive
23.25 watershed management plan" means a plan to manage the water and related natural
23.26 resources of a watershed that consists of the plans listed in subdivision 3 or a separate
23.27 plan that has been approved as a substitute by the board and adopted by local units
23.28 of government for the same or additional purposes. The comprehensive watershed
23.29 management plan shall be consistent with the goals of section 103A.212 and may address
23.30 the goals in sections 103A.201 to 103A.211, and chapter 114D.

23.31 Sec. 36. **[103B.3367] WATER PLAN EXTENSIONS.**

23.32 The board may grant extensions with or without conditions of the revision date of a
23.33 comprehensive local water management plan or a comprehensive watershed management
23.34 plan.

24.1 Sec. 37. Minnesota Statutes 2010, section 103B.3369, is amended to read:

24.2 **103B.3369 LOCAL WATER RESOURCES RESTORATION, PROTECTION,**
24.3 **AND MANAGEMENT PROGRAM.**

24.4 Subdivision 1. **Assistance priorities.** State agencies may give priority to local
24.5 government unit requests that are part of or responsive to a comprehensive plan, local
24.6 water management plan, watershed management plan, or comprehensive watershed
24.7 management plan, developed or amended, approved and adopted, according to chapter
24.8 103B, 103C, 103D, or 114D, when administering programs for water-related financial
24.9 and technical assistance.

24.10 Subd. 2. **Establishment.** A local water resources restoration, protection, and
24.11 management program is established. The board may provide financial assistance to local
24.12 units of government for activities that restore, protect, or manage water and related land
24.13 quality. The activities include planning, zoning, official controls, best management
24.14 practices, capital projects, and other activities to implement a comprehensive plan, local
24.15 water management plans plan, or watershed management plan, developed or amended,
24.16 adopted and approved, according to chapter 103B, 103C, or 103D.

24.17 Subd. 4. **Contracts.** A local unit of government may contract to implement
24.18 programs. An explanation of the program responsibilities proposed to be contracted must
24.19 accompany grant requests. A local unit of government that contracts is responsible for
24.20 ensuring that state funds are properly expended and for providing an annual report to the
24.21 board describing expenditures of funds and program accomplishments.

24.22 Subd. 5. **Financial assistance.** A base grant may be awarded to a county that
24.23 provides a match utilizing a water implementation tax or other local source. A water
24.24 implementation tax that a county intends to use as a match to the base grant must be levied
24.25 at a rate determined by the board. ~~The minimum amount of the water implementation tax~~
24.26 ~~shall be a tax rate times the adjusted net tax capacity of the county for the preceding year.~~
24.27 ~~The rate shall be the rate, rounded to the nearest .001 of a percent, that, when applied~~
24.28 ~~to the adjusted net tax capacity for all counties, raises the amount of \$1,500,000. The~~
24.29 ~~base grant will be in an amount equal to \$37,500 less the amount raised by the local~~
24.30 ~~match. If the amount necessary to implement the local water plan for the county is less~~
24.31 ~~than \$37,500, the amount of the base grant shall be the amount that, when added to the~~
24.32 ~~match amount, equals the amount required to implement the plan. For counties where~~
24.33 ~~the tax rate generates an amount equal to or greater than \$18,750, the base grant shall~~
24.34 ~~be in an amount equal to \$18,750.~~ The board may award performance-based grants to
24.35 local units of government that are responsible for implementing elements of applicable
24.36 portions of watershed management plans, comprehensive plans, local water management

25.1 plans, or comprehensive watershed management plans, developed or amended, adopted
25.2 and approved, according to chapter 103B, 103C, or 103D. Upon request by a local
25.3 government unit, the board may also award performance-based grants to local units of
25.4 government to carry out TMDL implementation plans as provided in chapter 114D, if the
25.5 TMDL implementation plan has been incorporated into the local water management plan
25.6 according to the procedures for approving comprehensive plans, watershed management
25.7 plans, local water management plans, or comprehensive watershed management plans
25.8 under chapter 103B, 103C, or 103D, or if the TMDL implementation plan has undergone
25.9 a public review process. Notwithstanding section 16A.41, the board may award
25.10 performance-based grants on an advanced basis.

25.11 Subd. 6. **Limitations Conditions.** (a) Grants provided to implement programs
25.12 under this section must be reviewed by the state agency having statutory program authority
25.13 to assure compliance with minimum state standards. At the request of the state agency
25.14 commissioner, the board shall revoke the portion of a grant used to support a program
25.15 not in compliance.

25.16 (b) Grants may be provided to develop or revise, amend, or implement local water
25.17 management plans ~~may not be awarded for a time longer than two years,~~ comprehensive
25.18 plans, watershed management plans, or comprehensive watershed management plans,
25.19 approved and adopted, according to chapter 103B, 103C, 103D, or 114D.

25.20 (c) A local unit of government may not request or be awarded grants for project
25.21 implementation unless a comprehensive plan, local water management ~~water~~ plan ~~has~~
25.22 ~~been adopted,~~ watershed management plan, or comprehensive watershed management
25.23 plan has been developed or amended, adopted and approved, according to chapter 103B,
25.24 103C, or 103D.

25.25 Subd. 7. **Performance criteria.** The board shall develop and utilize
25.26 performance-based criteria for local water resources restoration, protection, and
25.27 management programs and projects. The criteria may include, but are not limited to,
25.28 science-based assessments, organizational capacity, priority resource issues, community
25.29 outreach and support, partnership potential, potential for multiple benefits, and program
25.30 and project delivery efficiency and effectiveness.

25.31 Sec. 38. Minnesota Statutes 2010, section 103B.355, is amended to read:

25.32 **103B.355 APPLICATION.**

25.33 Sections 103B.301 to 103B.335 and 103B.341 to 103B.355 do not apply in areas
25.34 subject to the requirements of sections 103B.201 to 103B.255 under section 103B.231,

26.1 subdivision 1, and in areas covered by an agreement under section 103B.231, subdivision
26.2 2, except as otherwise provided in section 103B.311, subdivision 4, clause (4).

26.3 Sec. 39. Minnesota Statutes 2010, section 103F.211, is amended by adding a
26.4 subdivision to read:

26.5 Subd. 4. **Removal of logs; dead trees and branches.** The removal of logs and dead
26.6 trees and branches from the shoreland is exempt from any permit requirements, unless
26.7 required by a local government unit. Before a person removes logs or dead trees and
26.8 branches from publicly owned land or land owned by another, the person must obtain
26.9 permission from the land owner or manager. Public entities are encouraged to allow for
26.10 the removal of logs and dead trees and branches that present a safety hazard on land
26.11 managed by the public entity.

26.12 Sec. 40. Minnesota Statutes 2010, section 103F.321, is amended by adding a
26.13 subdivision to read:

26.14 Subd. 4. **Removal of logs; dead trees and branches.** The removal of logs and dead
26.15 trees and branches from the shoreland is exempt from any permit requirements when
26.16 the logs or dead trees and branches present safety hazards, unless required by a local
26.17 government unit. Before a person removes logs or dead trees and branches from publicly
26.18 owned land or land owned by another, the person must obtain permission from the land
26.19 owner or manager. Public entities are encouraged to allow for the removal of logs and
26.20 dead trees and branches that present a safety hazard on land managed by the public entity.

26.21 Sec. 41. Minnesota Statutes 2011 Supplement, section 103G.222, subdivision 1,
26.22 is amended to read:

26.23 Subdivision 1. **Requirements.** (a) Wetlands must not be drained or filled, wholly or
26.24 partially, unless replaced by restoring or creating wetland areas of at least equal public
26.25 value under a replacement plan approved as provided in section 103G.2242, a replacement
26.26 plan under a local governmental unit's comprehensive wetland protection and management
26.27 plan approved by the board under section 103G.2243, or, if a permit to mine is required
26.28 under section 93.481, under a mining reclamation plan approved by the commissioner
26.29 under the permit to mine. For project-specific wetland replacement completed prior to
26.30 wetland impacts authorized or conducted under a permit to mine within the Great Lakes
26.31 and Rainy River watershed basins, those basins shall be considered a single watershed
26.32 for purposes of determining wetland replacement ratios. Mining reclamation plans shall
26.33 apply the same principles and standards for replacing wetlands by restoration or creation

27.1 of wetland areas that are applicable to mitigation plans approved as provided in section
27.2 103G.2242. Public value must be determined in accordance with section 103B.3355 or
27.3 a comprehensive wetland protection and management plan established under section
27.4 103G.2243. Sections 103G.221 to 103G.2372 also apply to excavation in permanently
27.5 and semipermanently flooded areas of types 3, 4, and 5 wetlands.

27.6 (b) Replacement must be guided by the following principles in descending order
27.7 of priority:

27.8 (1) avoiding the direct or indirect impact of the activity that may destroy or diminish
27.9 the wetland;

27.10 (2) minimizing the impact by limiting the degree or magnitude of the wetland
27.11 activity and its implementation;

27.12 (3) rectifying the impact by repairing, rehabilitating, or restoring the affected
27.13 wetland environment;

27.14 (4) reducing or eliminating the impact over time by preservation and maintenance
27.15 operations during the life of the activity;

27.16 (5) compensating for the impact by restoring a wetland; and

27.17 (6) compensating for the impact by replacing or providing substitute wetland
27.18 resources or environments.

27.19 For a project involving the draining or filling of wetlands in an amount not exceeding
27.20 10,000 square feet more than the applicable amount in section 103G.2241, subdivision 9,
27.21 paragraph (a), the local government unit may make an on-site sequencing determination
27.22 without a written alternatives analysis from the applicant.

27.23 (c) If a wetland is located in a cultivated field, then replacement must be
27.24 accomplished through restoration only without regard to the priority order in paragraph
27.25 (b), provided that ~~a deed restriction is placed on the altered wetland prohibiting~~ is not
27.26 converted to a nonagricultural use for at least ten years.

27.27 (d) If a wetland is replaced under paragraph (c), or drained under section 103G.2241,
27.28 subdivision 2, ~~paragraphs~~ paragraph (b) and or (e), the local government unit may require
27.29 a deed restriction that prohibits nonagricultural use for at least ten years ~~unless the drained~~
27.30 ~~wetland is replaced as provided under this section.~~ The local government unit may require
27.31 the deed restriction if it determines the wetland area drained is at risk of conversion to
27.32 a nonagricultural use within ten years based on the zoning classification, proximity to a
27.33 municipality or full service road, or other criteria as determined by the local government
27.34 unit.

27.35 (e) Restoration and replacement of wetlands must be accomplished in accordance
27.36 with the ecology of the landscape area affected and ponds that are created primarily to

28.1 fulfill storm water management, and water quality treatment requirements may not be
28.2 used to satisfy replacement requirements under this chapter unless the design includes
28.3 pretreatment of runoff and the pond is functioning as a wetland.

28.4 (f) Except as provided in paragraph (g), for a wetland or public waters wetland
28.5 located on nonagricultural land, replacement must be in the ratio of two acres of replaced
28.6 wetland for each acre of drained or filled wetland.

28.7 (g) For a wetland or public waters wetland located on agricultural land or in a greater
28.8 than 80 percent area, replacement must be in the ratio of one acre of replaced wetland
28.9 for each acre of drained or filled wetland.

28.10 (h) Wetlands that are restored or created as a result of an approved replacement plan
28.11 are subject to the provisions of this section for any subsequent drainage or filling.

28.12 (i) Except in a greater than 80 percent area, only wetlands that have been restored
28.13 from previously drained or filled wetlands, wetlands created by excavation in nonwetlands,
28.14 wetlands created by dikes or dams along public or private drainage ditches, or wetlands
28.15 created by dikes or dams associated with the restoration of previously drained or filled
28.16 wetlands may be used in a statewide banking program established in rules adopted under
28.17 section 103G.2242, subdivision 1. Modification or conversion of nondegraded naturally
28.18 occurring wetlands from one type to another are not eligible for enrollment in a statewide
28.19 wetlands bank.

28.20 (j) The Technical Evaluation Panel established under section 103G.2242, subdivision
28.21 2, shall ensure that sufficient time has occurred for the wetland to develop wetland
28.22 characteristics of soils, vegetation, and hydrology before recommending that the wetland
28.23 be deposited in the statewide wetland bank. If the Technical Evaluation Panel has reason
28.24 to believe that the wetland characteristics may change substantially, the panel shall
28.25 postpone its recommendation until the wetland has stabilized.

28.26 (k) This section and sections 103G.223 to 103G.2242, 103G.2364, and 103G.2365
28.27 apply to the state and its departments and agencies.

28.28 (l) For projects involving draining or filling of wetlands associated with a new public
28.29 transportation project, and for projects expanded solely for additional traffic capacity,
28.30 public transportation authorities may purchase credits from the board at the cost to the
28.31 board to establish credits. Proceeds from the sale of credits provided under this paragraph
28.32 are appropriated to the board for the purposes of this paragraph. For the purposes of this
28.33 paragraph, "transportation project" does not include an airport project.

28.34 (m) A replacement plan for wetlands is not required for individual projects that
28.35 result in the filling or draining of wetlands for the repair, rehabilitation, reconstruction,
28.36 or replacement of a currently serviceable existing state, city, county, or town public road

29.1 necessary, as determined by the public transportation authority, to meet state or federal
29.2 design or safety standards or requirements, excluding new roads or roads expanded solely
29.3 for additional traffic capacity lanes. This paragraph only applies to authorities for public
29.4 transportation projects that:

29.5 (1) minimize the amount of wetland filling or draining associated with the project
29.6 and consider mitigating important site-specific wetland functions on site;

29.7 (2) except as provided in clause (3), submit project-specific reports to the board, the
29.8 Technical Evaluation Panel, the commissioner of natural resources, and members of the
29.9 public requesting a copy at least 30 days prior to construction that indicate the location,
29.10 amount, and type of wetlands to be filled or drained by the project or, alternatively,
29.11 convene an annual meeting of the parties required to receive notice to review projects to
29.12 be commenced during the upcoming year; and

29.13 (3) for minor and emergency maintenance work impacting less than 10,000 square
29.14 feet, submit project-specific reports, within 30 days of commencing the activity, to the
29.15 board that indicate the location, amount, and type of wetlands that have been filled
29.16 or drained.

29.17 Those required to receive notice of public transportation projects may appeal
29.18 minimization, delineation, and on-site mitigation decisions made by the public
29.19 transportation authority to the board according to the provisions of section 103G.2242,
29.20 subdivision 9. The Technical Evaluation Panel shall review minimization and delineation
29.21 decisions made by the public transportation authority and provide recommendations
29.22 regarding on-site mitigation if requested to do so by the local government unit, a
29.23 contiguous landowner, or a member of the Technical Evaluation Panel.

29.24 Except for state public transportation projects, for which the state Department of
29.25 Transportation is responsible, the board must replace the wetlands, and wetland areas of
29.26 public waters if authorized by the commissioner or a delegated authority, drained or filled
29.27 by public transportation projects on existing roads.

29.28 Public transportation authorities at their discretion may deviate from federal and
29.29 state design standards on existing road projects when practical and reasonable to avoid
29.30 wetland filling or draining, provided that public safety is not unreasonably compromised.
29.31 The local road authority and its officers and employees are exempt from liability for
29.32 any tort claim for injury to persons or property arising from travel on the highway and
29.33 related to the deviation from the design standards for construction or reconstruction under
29.34 this paragraph. This paragraph does not preclude an action for damages arising from
29.35 negligence in construction or maintenance on a highway.

30.1 (n) If a landowner seeks approval of a replacement plan after the proposed project
30.2 has already affected the wetland, the local government unit may require the landowner to
30.3 replace the affected wetland at a ratio not to exceed twice the replacement ratio otherwise
30.4 required.

30.5 (o) A local government unit may request the board to reclassify a county or
30.6 watershed on the basis of its percentage of presettlement wetlands remaining. After
30.7 receipt of satisfactory documentation from the local government, the board shall change
30.8 the classification of a county or watershed. If requested by the local government unit,
30.9 the board must assist in developing the documentation. Within 30 days of its action to
30.10 approve a change of wetland classifications, the board shall publish a notice of the change
30.11 in the Environmental Quality Board Monitor.

30.12 (p) One hundred citizens who reside within the jurisdiction of the local government
30.13 unit may request the local government unit to reclassify a county or watershed on the basis
30.14 of its percentage of presettlement wetlands remaining. In support of their petition, the
30.15 citizens shall provide satisfactory documentation to the local government unit. The local
30.16 government unit shall consider the petition and forward the request to the board under
30.17 paragraph (o) or provide a reason why the petition is denied.

30.18 Sec. 42. Minnesota Statutes 2010, section 103G.2241, subdivision 1, is amended to
30.19 read:

30.20 Subdivision 1. **Agricultural activities.** A replacement plan for wetlands is not
30.21 required for:

30.22 (1) activities in a wetland that was planted with annually seeded crops, was in a crop
30.23 rotation seeding of pasture grass or legumes, or was required to be set aside to receive
30.24 price support or other payments under United States Code, title 7, sections 1421 to 1469,
30.25 in six of the last ten years prior to January 1, 1991;

30.26 (2) activities in a type 1 wetland on agricultural pasture land that remains in the
30.27 same use, except for bottomland hardwood type 1 wetlands, and activities in a type 2
30.28 or type 6 wetland that is less than two acres in size and located on agricultural pasture
30.29 land that remains in the same use;

30.30 (3) activities in a wetland conducted as part of normal farming practices. For
30.31 purposes of this clause, "normal farming practices" means farming, silvicultural, grazing,
30.32 and ranching activities such as plowing, seeding, cultivating, and harvesting for the
30.33 production of feed, food, and fiber products, but does not include activities that result in
30.34 the draining of wetlands;

31.1 (4) soil and water conservation practices approved by the soil and water conservation
31.2 district, after review by the Technical Evaluation Panel;

31.3 (5) aquaculture activities including pond excavation and construction and
31.4 maintenance of associated access roads and dikes authorized under, and conducted in
31.5 accordance with, a permit issued by the United States Army Corps of Engineers under
31.6 section 404 of the federal Clean Water Act, United States Code, title 33, section 1344,
31.7 but not including construction or expansion of buildings;

31.8 (6) wild rice production activities, including necessary diking and other activities
31.9 authorized under a permit issued by the United States Army Corps of Engineers under
31.10 section 404 of the federal Clean Water Act, United States Code, title 33, section 1344; or

31.11 (7) agricultural activities on agricultural land that is subject to the swampbuster
31.12 provisions of the federal farm program restrictions that meet minimum state standards
31.13 under this chapter and sections 103A.202 and 103B.3355 and that have been approved
31.14 by the Board of Water and Soil Resources, the commissioners of natural resources
31.15 and agriculture, and the Pollution Control Agency consistent with a memorandum of
31.16 understanding and related agreements between the board and the United States Department
31.17 of Agriculture, Natural Resources Conservation Service.

31.18 Sec. 43. Minnesota Statutes 2010, section 103G.2241, subdivision 9, is amended to
31.19 read:

31.20 Subd. 9. **De minimis.** (a) Except as provided in paragraphs ~~(b) and (c)~~ (d), (e), (f),
31.21 (g), (h), and (i), a replacement plan for wetlands is not required for draining or filling
31.22 the following amounts of wetlands as part of a project outside of the shoreland wetland
31.23 protection zone:

31.24 (1) 10,000 square feet of type 1, 2, 6, or 7 wetland, excluding white cedar and
31.25 tamarack wetlands, ~~outside of the shoreland wetland protection zone~~ in a greater than
31.26 80 percent area;

31.27 (2) 5,000 square feet of type 1, 2, 6, or 7 wetland, excluding white cedar and
31.28 tamarack wetlands, ~~outside of the shoreland wetland protection zone~~ in a 50 to 80 percent
31.29 area, except within the 11-county metropolitan area;

31.30 (3) 2,000 square feet of type 1, 2, ~~or 6, or 7~~ wetland, outside of the shoreland wetland
31.31 protection zone excluding white cedar and tamarack wetlands, in a less than 50 percent
31.32 area, except within the 11-county metropolitan area; or

31.33 (4) 100 square feet of type 3, 4, 5, or 8 wetland or white cedar and tamarack wetland
31.34 types not listed in clauses (1) to (3) outside of the building setback zone of the shoreland
31.35 wetland protection zones in all counties;

32.1 (b) Except as provided in paragraphs (e), (f), (g), (h), and (i), a replacement plan
32.2 for wetlands is not required for draining or filling the following amounts of wetlands
32.3 as part of a project within the shoreland wetland protection zone beyond the shoreland
32.4 building setback zone:

32.5 ~~(5) (1) 400 square feet of type 1, 2, 6, or 7 wetland types listed in clauses (1) to~~
32.6 ~~(3), beyond the building setback zone, as defined in the local shoreland management~~
32.7 ~~ordinance, but within the shoreland wetland protection zone.; or~~

32.8 (2) 100 square feet of type 3, 4, 5, or 8 wetland or white cedar and tamarack wetland.

32.9 In a greater than 80 percent area, ~~the local government unit may increase the de~~
32.10 ~~minimis amount allowed under clause (1) may be increased up to 1,000 square feet if the~~
32.11 ~~wetland is isolated and is determined to have no direct surficial connection to the public~~
32.12 ~~water or if permanent water runoff retention or infiltration measures are established in~~
32.13 ~~proximity as approved by the shoreland management authority.~~

32.14 (c) Except as provided in paragraphs (e), (f), (g), (h), and (i), a replacement plan
32.15 for wetlands is not required for draining or filling up to 20 square feet of wetland as part
32.16 of a project within the shoreland building setback zone, as defined in the local shoreland
32.17 management ordinance. The amount in this paragraph may be increased to 100 square feet
32.18 if permanent water runoff retention or infiltration measures are established in proximity as
32.19 approved by the shoreland management authority.

32.20 ~~To the extent that a local shoreland management ordinance is more restrictive than~~
32.21 ~~this provision, the local shoreland ordinance applies;~~

32.22 ~~(6) up to 20 square feet of wetland, regardless of type or location;~~

32.23 (d) Except as provided in paragraphs (b), (c), (e), (f), (g), (h), and (i), a replacement
32.24 plan is not required for draining or filling amounts of wetlands as part of a project:

32.25 ~~(7) (1) 2,500 square feet of type 1, 2, 6, or 7 wetland, excluding white cedar and~~
32.26 ~~tamarack wetlands, outside of the shoreland wetland protection zone in a 50 to 80 percent~~
32.27 ~~area within the 11-county metropolitan area; or~~

32.28 ~~(8) (2) 1,000 square feet of type 1, 2, or 6 wetland, outside of the shoreland wetland~~
32.29 ~~protection zone in a less than 50 percent area within the 11-county metropolitan area.~~

32.30 For purposes of this ~~paragraph subdivision~~, the 11-county metropolitan area consists
32.31 of the counties of Anoka, Carver, Chisago, Dakota, Hennepin, Isanti, Ramsey, Scott,
32.32 Sherburne, Washington, and Wright.

32.33 ~~(b) (e)~~ The amounts listed in paragraph paragraphs (a), clauses (1) to (8), (b), and (c)
32.34 may not be combined on a project.

33.1 ~~(e)~~ (f) This exemption no longer applies to a landowner's portion of a wetland when
33.2 the cumulative area drained or filled of the landowner's portion since January 1, 1992, is
33.3 the greatest of:

33.4 (1) the applicable area listed in paragraph (a), (b), or (c), if the landowner owns
33.5 the entire wetland;

33.6 (2) five percent of the landowner's portion of the wetland; or

33.7 (3) 400 square feet.

33.8 ~~(d)~~ (g) This exemption may not be combined with another exemption in this section
33.9 on a project.

33.10 ~~(e)~~ (h) Property may not be divided to increase the amounts listed in paragraph (a).

33.11 (i) If a local ordinance or similar local control is more restrictive than this
33.12 subdivision, the local standard applies.

33.13 Sec. 44. Minnesota Statutes 2010, section 103G.2242, subdivision 3, is amended to
33.14 read:

33.15 Subd. 3. **Replacement completion.** Replacement of wetland values must be
33.16 completed prior to or concurrent with the actual draining or filling of a wetland, ~~or~~ unless
33.17 an irrevocable bank letter of credit or other security acceptable to the local government
33.18 unit ~~must be~~ or the board is given to the local government unit or the board to guarantee
33.19 the successful completion of the replacement. The board may establish, sponsor, or
33.20 administer a wetland banking program, which may include provisions allowing monetary
33.21 payment to the wetland bank for impacts to wetlands on agricultural land, for impacts
33.22 that occur in greater than 80 percent areas, and for public road projects. The board shall
33.23 coordinate the establishment and operation of a wetland bank with the United States
33.24 Army Corps of Engineers, the Natural Resources Conservation Service of the United
33.25 States Department of Agriculture, and the commissioners of natural resources, agriculture,
33.26 and the Pollution Control Agency.

33.27 Sec. 45. **[103G.2375] ASSUMPTION OF SECTION 404 OF FEDERAL CLEAN**
33.28 **WATER ACT.**

33.29 Notwithstanding any other law to the contrary, the Board of Water and Soil
33.30 Resources, in consultation with the commissioners of natural resources, agriculture,
33.31 and the Pollution Control Agency, may adopt or amend rules establishing a program
33.32 for regulating the discharge of dredged and fill material into the waters of the state as
33.33 necessary to obtain approval from the United States Environmental Protection Agency to
33.34 administer, in whole or part, the permitting and wetland banking programs under section

34.1 404 of the federal Clean Water Act, United States Code, title 33, section 1344. The rules
34.2 may not be more restrictive than the program under section 404 or state law.

34.3 Sec. 46. Minnesota Statutes 2010, section 103G.245, subdivision 2, is amended to read:

34.4 Subd. 2. **Exceptions.** A public waters work permit is not required for:

34.5 (1) work in altered natural watercourses that are part of drainage systems established
34.6 under chapter 103D or 103E if the work in the waters is undertaken according to chapter
34.7 103D or 103E; ~~or~~

34.8 (2) a drainage project for a drainage system established under chapter 103E that does
34.9 not substantially affect public waters; or

34.10 (3) removal of debris, including logs that are at or near the water surface, dead
34.11 trees and branches, and trash, that does not alter the original alignment, slope, or cross
34.12 section of the waters.

34.13 Sec. 47. Minnesota Statutes 2010, section 103G.245, subdivision 3, is amended to read:

34.14 Subd. 3. **Permit application.** Application for a public waters work permit must
34.15 be in writing to the commissioner on forms prescribed by the commissioner. The
34.16 commissioner may issue a state general permit to a governmental subdivision or to the
34.17 general public ~~for classes of activities having minimal impact upon public waters~~ under
34.18 which more than one project may be conducted under a single permit.

34.19 Sec. 48. Minnesota Statutes 2010, section 103G.261, is amended to read:

34.20 **103G.261 WATER ALLOCATION PRIORITIES.**

34.21 (a) The commissioner shall adopt rules for allocation of waters based on the
34.22 following priorities for the consumptive appropriation and use of water:

34.23 (1) first priority, domestic water supply, excluding industrial and commercial uses of
34.24 municipal water supply, and use for power production that meets the contingency planning
34.25 provisions of section 103G.285, subdivision 6;

34.26 (2) second priority, a use of water that involves consumption of less than 10,000
34.27 gallons of water per day;

34.28 (3) third priority, agricultural irrigation, and processing of agricultural products
34.29 involving consumption in excess of 10,000 gallons per day;

34.30 (4) fourth priority, power production in excess of the use provided for in the
34.31 contingency plan developed under section 103G.285, subdivision 6;

35.1 (5) fifth priority, uses, other than agricultural irrigation, processing of agricultural
35.2 products, and power production, involving consumption in excess of 10,000 gallons per
35.3 day; and

35.4 (6) sixth priority, nonessential uses.

35.5 (b) For the purposes of this section, "consumption" means water withdrawn from a
35.6 supply that is lost for immediate further use in the area.

35.7 (c) Appropriation and use of surface water from streams during periods of flood
35.8 flows and high water levels must be encouraged subject to consideration of the purposes
35.9 for use, quantities to be used, and the number of persons appropriating water.

35.10 (d) Appropriation and use of surface water from lakes of less than 500 acres in
35.11 surface area must be discouraged.

35.12 (e) The treatment and reuse of water for nonconsumptive uses shall be encouraged.

35.13 ~~(f) Diversions of water from the state for use in other states or regions of the United~~
35.14 ~~States or Canada must be discouraged.~~

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

35.16 Sec. 49. Minnesota Statutes 2010, section 103G.265, is amended by adding a
35.17 subdivision to read:

35.18 **Subd. 2a. Legislative approval for diversion.** Legislative approval required in
35.19 subdivision 2, clause (2), shall be based on the following considerations:

35.20 (1) the requested diversion of waters of the state is reasonable;

35.21 (2) the diversion is not contrary to the conservation and use of waters of the state; and

35.22 (3) the diversion is not otherwise detrimental to the public welfare.

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

35.24 Sec. 50. Minnesota Statutes 2010, section 103G.271, subdivision 1, is amended to read:

35.25 Subdivision 1. **Permit required.** (a) Except as provided in paragraph (b), the state,
35.26 a person, partnership, or association, private or public corporation, county, municipality,
35.27 or other political subdivision of the state may not appropriate or use waters of the state
35.28 without a water use permit from the commissioner.

35.29 (b) This section does not apply to use for a water supply by less than 25 persons for
35.30 domestic purposes.

35.31 (c) The commissioner may issue a state general permit for appropriation of water
35.32 to a governmental subdivision or to the general public ~~for classes of activities that have~~
35.33 ~~minimal impact upon waters of the state.~~ The general permit may authorize more than

36.1 one project and the appropriation or use of more than one source of water. Water use
36.2 permit processing fees and reports required under subdivision 6 and section 103G.281,
36.3 subdivision 3, are required for each project or water source that is included under a
36.4 general permit, except that no fee is required for uses totaling less than 15,000,000 gallons
36.5 annually.

36.6 Sec. 51. Minnesota Statutes 2010, section 103G.282, subdivision 1, is amended to read:

36.7 Subdivision 1. **Monitoring equipment.** The commissioner may require the
36.8 installation and maintenance of monitoring equipment to evaluate water resource impacts
36.9 from permitted appropriations and proposed projects that require a permit. Monitoring for
36.10 water resources that supply more than one appropriator must be designed to minimize
36.11 costs to individual appropriators. The cost of drilling additional monitoring wells must
36.12 be shared proportionally by all permit holders that are directly affecting a particular
36.13 water resources feature.

36.14 Sec. 52. Minnesota Statutes 2010, section 103G.301, subdivision 2, is amended to read:

36.15 Subd. 2. **Permit application and notification fees.** (a) A ~~permit application~~ fee
36.16 to defray the costs of receiving, recording, and processing ~~the application~~ must be paid
36.17 for a permit application authorized under this chapter ~~and~~, except for a general permit
36.18 application, for each request to amend or transfer an existing permit, and for a notification
36.19 to request authorization to conduct a project under a general permit. Fees established
36.20 under this subdivision, unless specified in paragraph (c), shall be compliant with section
36.21 16A.1285.

36.22 (b) Proposed projects that require water in excess of 100 million gallons per year
36.23 must be assessed fees to recover the costs incurred to evaluate the project and the costs
36.24 incurred for environmental review. Fees collected under this paragraph must be credited
36.25 to an account in the natural resources fund and are appropriated to the commissioner.

36.26 (c) The fee to apply for a permit to appropriate water, in addition to any fee under
36.27 paragraph (b), ~~and for a permit to construct or repair a dam that is subject to dam safety~~
36.28 ~~inspection, or a state general permit~~ is \$150. The application fee for a permit to work in
36.29 public waters or to divert waters for mining must be at least \$150, but not more than
36.30 \$1,000. The fee for a notification to request authorization to conduct a project under a
36.31 general permit is \$100.

36.32 Sec. 53. Minnesota Statutes 2010, section 103G.301, subdivision 4, is amended to read:

37.1 Subd. 4. **Refund of fees prohibited.** A permit application, general permit
37.2 notification, or field inspection fee may not be refunded for any reason, even if the
37.3 application or request is denied or withdrawn.

37.4 Sec. 54. Minnesota Statutes 2010, section 103G.301, subdivision 5, is amended to read:

37.5 Subd. 5. **State and federal agencies exempt from fee.** A permit application,
37.6 general permit notification, or field inspection fee may not be imposed on any state agency,
37.7 as defined in section 16B.01, or federal governmental agency applying for a permit.

37.8 Sec. 55. Minnesota Statutes 2010, section 103G.301, subdivision 5a, is amended to
37.9 read:

37.10 Subd. 5a. **Town fees limited.** Notwithstanding this section or any other law, no
37.11 permit application, general permit notification, or field inspection fee charged to a town
37.12 in connection with the construction or alteration of a town road, bridge, or culvert shall
37.13 exceed \$100.

37.14 Sec. 56. Minnesota Statutes 2010, section 103G.611, is amended by adding a
37.15 subdivision to read:

37.16 Subd. 1a. **General permits.** The commissioner may issue a general permit to
37.17 a governmental subdivision or to the general public to conduct one or more projects
37.18 described in subdivision 1. A fee of \$100 may be charged for each aeration system used
37.19 under a general permit.

37.20 Sec. 57. Minnesota Statutes 2011 Supplement, section 103G.615, subdivision 1,
37.21 is amended to read:

37.22 Subdivision 1. **Issuance; validity.** (a) The commissioner may issue a state general
37.23 permit to a governmental subdivision or to the general public to conduct one or more
37.24 projects described in this subdivision. The commissioner may issue permits, with or
37.25 without a fee, to:

37.26 (1) gather or harvest aquatic plants, or plant parts, other than wild rice from public
37.27 waters;

37.28 (2) transplant aquatic plants into public waters;

37.29 (3) destroy harmful or undesirable aquatic vegetation or organisms in public waters
37.30 under prescribed conditions to protect the waters, desirable species of fish, vegetation,
37.31 other forms of aquatic life, and the public.

38.1 (b) Application for a permit and a notification to request authorization to conduct a
38.2 project under a general permit must be accompanied by a ~~permit~~ fee, if required.

38.3 (c) An aquatic plant management permit is valid for one growing season and expires
38.4 on December 31 of the year it is issued unless the commissioner stipulates a different
38.5 expiration date in rule or in the permit.

38.6 (d) A general permit may authorize a project for more than one growing season.

38.7 Sec. 58. Minnesota Statutes 2011 Supplement, section 103G.615, subdivision 2,
38.8 is amended to read:

38.9 Subd. 2. **Fees.** (a) The commissioner shall establish a fee schedule for permits to
38.10 control or harvest aquatic plants other than wild rice. The fees must be set by rule, and
38.11 section 16A.1283 does not apply, but the rule must not take effect until 45 legislative
38.12 days after it has been reported to the legislature. The fees shall not exceed \$2,500 per
38.13 permit and shall be based upon the cost of receiving, processing, analyzing, and issuing
38.14 the permit, and additional costs incurred after the application to inspect and monitor
38.15 the activities authorized by the permit, and enforce aquatic plant management rules and
38.16 permit requirements.

38.17 (b) A fee for a permit for the control of rooted aquatic vegetation for each contiguous
38.18 parcel of shoreline owned by an owner may be charged. This fee may not be charged for
38.19 permits issued in connection with purple loosestrife control or lakewide Eurasian water
38.20 milfoil control programs.

38.21 (c) A fee may not be charged to the state or a federal governmental agency applying
38.22 for a permit.

38.23 (d) A fee for a permit for the control of rooted aquatic vegetation in a public
38.24 water basin that is 20 acres or less in size shall be one-half of the fee established under
38.25 paragraph (a).

38.26 (e) The money received for the permits under this subdivision shall be deposited in
38.27 the treasury and credited to the water recreation account.

38.28 (f) The fee for processing a notification to request authorization for work under a
38.29 general permit is \$30, until the commissioner establishes a fee by rule as provided under
38.30 this subdivision.

38.31 Sec. 59. Minnesota Statutes 2010, section 103H.175, subdivision 3, is amended to read:

38.32 Subd. 3. **Report.** ~~In each even-numbered year~~ Every five years, the Pollution
38.33 Control Agency, in cooperation with other agencies participating in the monitoring of
38.34 water resources, shall provide a draft report on the status of groundwater monitoring to

39.1 the Environmental Quality Board for review and then to the house of representatives
39.2 and senate committees with jurisdiction over the environment, natural resources, and
39.3 agriculture as part of the report in section 103A.204.

39.4 Sec. 60. Minnesota Statutes 2010, section 115.06, subdivision 4, is amended to read:

39.5 Subd. 4. **Citizen monitoring of water quality.** (a) The agency may encourage
39.6 citizen monitoring of ambient water quality for public waters by:

39.7 (1) providing technical assistance to citizen and local group water quality monitoring
39.8 efforts;

39.9 (2) integrating citizen monitoring data into water quality assessments and agency
39.10 programs, provided that the data adheres to agency quality assurance and quality control
39.11 protocols; and

39.12 (3) seeking public and private funds to:

39.13 (i) collaboratively develop clear guidelines for water quality monitoring procedures
39.14 and data management practices for specific data and information uses;

39.15 (ii) distribute the guidelines to citizens, local governments, and other interested
39.16 parties;

39.17 (iii) improve and expand water quality monitoring activities carried out by the
39.18 agency; and

39.19 (iv) continue to improve electronic and Web access to water quality data and
39.20 information about public waters that have been either fully or partially assessed.

39.21 (b) This subdivision does not authorize a citizen to enter onto private property
39.22 for any purpose.

39.23 (c) By January 15 ~~of each odd-numbered year, 2017, and every four years thereafter,~~
39.24 the commissioner shall report to the senate and house of representatives committees with
39.25 jurisdiction over environmental policy and finance on activities under this section.

39.26 Sec. 61. Minnesota Statutes 2010, section 115.42, is amended to read:

39.27 **115.42 POLICY; LONG-RANGE PLAN; PURPOSE.**

39.28 It is the policy of the state to provide for the prevention, control, and abatement
39.29 of pollution of all waters of the state, so far as feasible and practical, in furtherance
39.30 of conservation of such waters and protection of the public health and in furtherance
39.31 of the development of the economic welfare of the state. The agency shall prepare a
39.32 long-range plan and program for the effectuation of said policy, ~~and shall make a report of~~
39.33 ~~progress thereon to the legislature by November 15 of each even-numbered year, with~~
39.34 ~~recommendations for action in furtherance of such program during the ensuing biennium.~~

40.1 It is the purpose of sections 115.41 to 115.53 to safeguard the waters of the state from
40.2 pollution by: (a) preventing any new pollution; and (b) abating pollution existing
40.3 when sections 115.41 to 115.53 become effective, under a program consistent with the
40.4 declaration of policy above stated.

40.5 Sec. 62. Minnesota Statutes 2010, section 115.55, subdivision 7, is amended to read:

40.6 Subd. 7. **Local standards.** (a) **Existing systems.** Counties may adopt by ordinance
40.7 local standards that are less restrictive than the agency's rules in order to define an
40.8 acceptable existing system. The local standards may include soil separation, soil
40.9 classification, vegetation, system use, localized well placement and construction, localized
40.10 density of systems and wells, extent of area to be covered by local standards, groundwater
40.11 flow patterns, and existing natural or artificial drainage systems. The local standards
40.12 and criteria shall be submitted to the commissioner for comment prior to adoption to
40.13 demonstrate that, based on local circumstances in that jurisdiction, they adequately protect
40.14 public health and the environment.

40.15 (b) **New or replacement systems.** Counties, after providing documentation of
40.16 conditions listed in this paragraph to the commissioner, may adopt by ordinance local
40.17 standards that are less restrictive than the agency's rules for new system construction or
40.18 replacement in areas of sustained and projected low population density where conditions
40.19 render conformance to applicable requirements difficult or otherwise inappropriate.
40.20 Documentation may include a map delineating the area of the county to be served by the
40.21 local standards, a description of the hardship that would result from strict adherence to the
40.22 agency's rules, and evidence of sustained and projected low population density. The local
40.23 standards must protect human health and the environment and be based on considerations
40.24 that may include, but need not be limited to, soil separation, soil classification, vegetation,
40.25 system use, localized well placement and construction, localized density of systems
40.26 and wells, extent of area to be covered by local standards, groundwater flow patterns,
40.27 and existing natural or artificial drainage systems. The local standards must provide
40.28 cost-effective and long-term treatment alternatives. The draft ordinance incorporating the
40.29 local standards must be submitted with justification to the commissioner 30 days before
40.30 adoption for review and comment.

40.31 (c) **New or replacement systems; local ordinances.** A local unit of government
40.32 may adopt and enforce ordinances or rules affecting new or replacement subsurface
40.33 sewage treatment systems that are more restrictive than the agency's rules. A local unit
40.34 of government may not adopt or enforce an ordinance or rule if its effect is to prevent or

41.1 delay recording with the county recorder or registrar of titles of a deed or other instrument
41.2 that is otherwise entitled to be recorded.

41.3 (d) **Local standards; conflict with state law.** Local standards adopted under
41.4 paragraph (a) or (b) must not conflict with any requirements under other state laws or rules
41.5 or local ordinances, including, but not limited to, requirements for:

41.6 (1) systems in shoreland areas, regulated under sections 103F.201 to 103F.221;

41.7 (2) well construction and location, regulated under chapter 103I; and

41.8 (3) systems used in connection with food, beverage, and lodging establishments,
41.9 regulated under chapter 157.

41.10 Alternative local standards for new or replacement residential systems with flow of
41.11 2,500 gallons per day or less may be applied to systems listed in clause (1), provided the
41.12 alternative standards are no less stringent than provisions of Minnesota Rules, chapter
41.13 7080, that went into effect on April 3, 2006. In addition, alternative local standards for
41.14 new or replacement systems with flow of 2,500 gallons per day or less may be applied to
41.15 systems listed in clause (3), provided the alternative standards are no less stringent than
41.16 provisions of Minnesota Rules, chapter 7080, that went into effect on April 3, 2006,
41.17 except that the waste strength must meet the standards established in Minnesota Rules,
41.18 part 7080.2150, subpart 3, item K. If additional treatment of waste is needed to meet this
41.19 standard, the treatment must be in accordance with Minnesota Rules, part 7080.2150,
41.20 subpart 3, item A. The local standards must include references to applicable requirements
41.21 under other state laws or rules or local ordinances. Nothing in this paragraph prevents
41.22 a local subsurface sewage treatment system ordinance from including provisions of the
41.23 current rule as part of the alternative local standards.

41.24 Sec. 63. **[115A.121] TOXICS AND POLLUTION PREVENTION EVALUATION;**
41.25 **CONSOLIDATED REPORT.**

41.26 The commissioner shall prepare and adopt a report on pollution prevention activities
41.27 required in chapters 115A, 115D, and 325E. The report must include activities required
41.28 under section 115A.1320. The commissioner must submit the report to the senate and
41.29 house of representatives committees having jurisdiction over environment and natural
41.30 resources by December 31, 2013, and every four years thereafter.

41.31 Sec. 64. Minnesota Statutes 2011 Supplement, section 115A.1320, subdivision 1,
41.32 is amended to read:

41.33 Subdivision 1. **Duties of the agency.** (a) The agency shall administer sections
41.34 115A.1310 to 115A.1330.

42.1 (b) The agency shall establish procedures for:

42.2 (1) receipt and maintenance of the registration statements and certifications filed
42.3 with the agency under section 115A.1312; and

42.4 (2) making the statements and certifications easily available to manufacturers,
42.5 retailers, and members of the public.

42.6 (c) The agency shall annually review the value of the following variables that are
42.7 part of the formula used to calculate a manufacturer's annual registration fee under section
42.8 115A.1314, subdivision 1:

42.9 (1) the proportion of sales of video display devices sold to households that
42.10 manufacturers are required to recycle;

42.11 (2) the estimated per-pound price of recycling covered electronic devices sold to
42.12 households;

42.13 (3) the base registration fee; and

42.14 (4) the multiplier established for the weight of covered electronic devices collected
42.15 in section 115A.1314, subdivision 1, paragraph (d). If the agency determines that any of
42.16 these values must be changed in order to improve the efficiency or effectiveness of the
42.17 activities regulated under sections 115A.1312 to 115A.1330, the agency shall submit
42.18 recommended changes and the reasons for them to the chairs of the senate and house of
42.19 representatives committees with jurisdiction over solid waste policy.

42.20 (d) By January 15 each year, beginning in 2008, the agency shall calculate estimated
42.21 sales of video display devices sold to households by each manufacturer during the
42.22 preceding program year, based on national sales data, and forward the estimates to the
42.23 department.

42.24 (e) ~~On or before December 1, 2010, and each year thereafter,~~ The agency shall
42.25 provide a report to the governor and the legislature on the implementation of sections
42.26 115A.1310 to 115A.1330. For each program year, the report must discuss the total weight
42.27 of covered electronic devices recycled and a summary of information in the reports
42.28 submitted by manufacturers and recyclers under section 115A.1316. The report must
42.29 also discuss the various collection programs used by manufacturers to collect covered
42.30 electronic devices; information regarding covered electronic devices that are being
42.31 collected by persons other than registered manufacturers, collectors, and recyclers; and
42.32 information about covered electronic devices, if any, being disposed of in landfills in
42.33 this state. The report must include a description of enforcement actions under sections
42.34 115A.1310 to 115A.1330. The agency may include in its report other information received
42.35 by the agency regarding the implementation of sections 115A.1312 to 115A.1330. The
42.36 report must be done in conjunction with the report required under section 115D.10.

43.1 (f) The agency shall promote public participation in the activities regulated under
43.2 sections 115A.1312 to 115A.1330 through public education and outreach efforts.

43.3 (g) The agency shall enforce sections 115A.1310 to 115A.1330 in the manner
43.4 provided by sections 115.071, subdivisions 1, 3, 4, 5, and 6; and 116.072, except for those
43.5 provisions enforced by the department, as provided in subdivision 2. The agency may
43.6 revoke a registration of a collector or recycler found to have violated sections 115A.1310
43.7 to 115A.1330.

43.8 (h) The agency shall facilitate communication between counties, collection and
43.9 recycling centers, and manufacturers to ensure that manufacturers are aware of video
43.10 display devices available for recycling.

43.11 (i) The agency shall develop a form retailers must use to report information to
43.12 manufacturers under section 115A.1318 and post it on the agency's Web site.

43.13 (j) The agency shall post on its Web site the contact information provided by each
43.14 manufacturer under section 115A.1318, paragraph (e).

43.15 Sec. 65. Minnesota Statutes 2010, section 115A.15, subdivision 5, is amended to read:

43.16 Subd. 5. **Reports.** ~~(a)~~ By January 1 of each odd-numbered year, the commissioner
43.17 of administration shall submit a report to the governor and to the senate and house of
43.18 representatives committees having jurisdiction over environment and natural resources
43.19 and environment and natural resources finance summarizing past activities and proposed
43.20 goals of the program for the following biennium. The report shall include at least:

43.21 (1) a summary list of product and commodity purchases that contain recycled
43.22 materials;

43.23 (2) the results of any performance tests conducted on recycled products and agencies'
43.24 experience with recycled products used;

43.25 (3) a list of all organizations participating in and using the cooperative purchasing
43.26 program; and

43.27 (4) a list of products and commodities purchased for their recyclability and of
43.28 recycled products reviewed for purchase.

43.29 ~~(b) By July 1 of each even-numbered year, the commissioner of the Pollution~~
43.30 ~~Control Agency and the commissioner of commerce through the State Energy Office shall~~
43.31 ~~submit recommendations to the commissioner regarding the operation of the program.~~

43.32 Sec. 66. Minnesota Statutes 2010, section 115A.411, is amended to read:

43.33 **115A.411 SOLID WASTE MANAGEMENT POLICY; CONSOLIDATED**
43.34 **REPORT.**

44.1 Subdivision 1. **Authority; purpose.** The commissioner shall prepare and adopt a
44.2 report on solid waste management policy and activities under this chapter. The report must
44.3 be submitted by the commissioner to the senate and house of representatives committees
44.4 having jurisdiction over environment and natural resources ~~and environment and natural~~
44.5 ~~resources finance~~ by December ~~1 of each odd-numbered year~~ 31, 2015, and every four
44.6 years thereafter and shall include reports required under sections ~~115A.55, subdivision 4,~~
44.7 ~~paragraph (b); 115A.551, subdivision 4; 115A.557, subdivision 4; 473.149, subdivision~~
44.8 ~~6; 473.846; and 473.848, subdivision 4.~~

44.9 Subd. 2. **Contents.** (a) The report ~~must~~ may also include:

44.10 (1) a summary of the current status of solid waste management, including the amount
44.11 of solid waste generated and reduced, the manner in which it is collected, processed, and
44.12 disposed, the extent of separation, recycling, reuse, and recovery of solid waste, and the
44.13 facilities available or under development to manage the waste;

44.14 (2) an evaluation of the extent and effectiveness of implementation ~~and of section~~
44.15 115A.02, including an assessment of progress in accomplishing state policies, goals, and
44.16 objectives, including those listed in paragraph (b);

44.17 (3) identification of issues requiring further research, study, and action, the
44.18 appropriate scope of the research, study, or action, the state agency or political subdivision
44.19 that should implement the research, study, or action, and a schedule for completion
44.20 of the activity; and

44.21 (4) recommendations for establishing or modifying state solid waste management
44.22 policies, authorities, responsibilities, and programs; and

44.23 ~~(b) (5) a report on progress made toward implementation of the objectives of~~
44.24 ~~Beginning in 1997, and every sixth year thereafter, the report shall be expanded to include~~
44.25 ~~the metropolitan area solid waste policy plan as required in section 473.149, subdivision~~
44.26 ~~1, and strategies for the agency to advance the goals of this chapter, to manage waste as a~~
44.27 ~~resource, to further reduce the need for expenditures on resource recovery and disposal~~
44.28 ~~facilities, and to further reduce long-term environmental and financial liabilities~~ 6.

44.29 (b) The ~~expanded~~ report must include strategies for:

44.30 (1) achieving the maximum feasible reduction in waste generation;

44.31 (2) encouraging manufacturers to design products that eliminate or reduce the
44.32 adverse environmental impacts of resource extraction, manufacturing, use, and waste
44.33 processing and disposal;

44.34 (3) educating businesses, public entities, and other consumers about the need to
44.35 consider the potential environmental and financial impacts of purchasing products that

45.1 may create a liability or that may be expensive to recycle or manage as waste, due to the
45.2 presence of toxic or hazardous components;

45.3 (4) eliminating or reducing toxic or hazardous components in compost from
45.4 municipal solid waste composting facilities, in ash from municipal solid waste incinerators,
45.5 and in leachate and air emissions from municipal solid waste landfills, in order to reduce
45.6 the potential liability of waste generators, facility owners and operators, and taxpayers;

45.7 (5) encouraging the source separation of materials to the extent practicable, so that
45.8 the materials are most appropriately managed and to ensure that resources that can be
45.9 reused or recycled are not disposed of or destroyed; and

45.10 (6) maximizing the efficiency of the waste management system by managing waste
45.11 and recyclables close to the point of generation, taking into account the characteristics of
45.12 the resources to be recovered from the waste and the type and capacity of local facilities.

45.13 Sec. 67. Minnesota Statutes 2010, section 115A.551, subdivision 2a, is amended to
45.14 read:

45.15 Subd. 2a. **Supplementary recycling goals.** ~~(a)~~ By December 31, 1996, each county
45.16 will have as a goal to recycle the following amounts:

45.17 (1) for a county outside of the metropolitan area, 35 percent by weight of total
45.18 solid waste generation;

45.19 (2) for a metropolitan county, 50 percent by weight of total solid waste generation.

45.20 Each county will develop and implement or require political subdivisions within the
45.21 county to develop and implement programs, practices, or methods designed to meet its
45.22 recycling goal. Nothing in this section or in any other law may be construed to prohibit a
45.23 county from establishing a higher recycling goal.

45.24 ~~(b) For a county that, by January 1, 1995, is implementing a solid waste reduction~~
45.25 ~~program that is approved by the commissioner, the commissioner shall apply up to three~~
45.26 ~~percentage points toward achievement of the recycling goals in this subdivision. In~~
45.27 ~~addition, the commissioner shall apply demonstrated waste reduction that exceeds three~~
45.28 ~~percent reduction toward achievement of the goals in this subdivision.~~

45.29 ~~(c) No more than five percentage points may be applied toward achievement of the~~
45.30 ~~recycling goals in this subdivision for management of yard waste. The five percentage~~
45.31 ~~points must be applied as provided in this paragraph. The commissioner shall apply three~~
45.32 ~~percentage points for a county in which residents, by January 1, 1996, are provided with:~~

45.33 ~~(1) an ongoing comprehensive education program under which they are informed~~
45.34 ~~about how to manage yard waste and are notified of the prohibition in section 115A.931;~~
45.35 ~~and~~

46.1 ~~(2) the opportunity to drop off yard waste at specified sites or participate in curbside~~
46.2 ~~yard waste collection.~~

46.3 ~~The commissioner shall apply up to an additional two percentage points toward~~
46.4 ~~achievement of the recycling goals in this subdivision for additional activities approved~~
46.5 ~~by the commissioner that are likely to reduce the amount of yard waste generated and to~~
46.6 ~~increase the on-site composting of yard waste.~~

46.7 Sec. 68. Minnesota Statutes 2010, section 115A.551, subdivision 4, is amended to read:

46.8 Subd. 4. **Interim monitoring.** The commissioner shall monitor the progress of each
46.9 county toward meeting the recycling goals in subdivisions 2 and 2a. The commissioner
46.10 shall report to the senate and house of representatives committees having jurisdiction over
46.11 environment and natural resources ~~and environment and natural resources finance on the~~
46.12 ~~progress of the counties by July 1 of each odd-numbered year~~ as part of the report required
46.13 under section 115A.411. If the commissioner finds that a county is not progressing toward
46.14 the goals in subdivisions 2 and 2a, the commissioner shall negotiate with the county to
46.15 develop and implement solid waste management techniques designed to assist the county
46.16 in meeting the goals, such as organized collection, curbside collection of source-separated
46.17 materials, and volume-based pricing.

46.18 ~~The progress report shall be included in the report required under section 115A.411.~~

46.19 Sec. 69. Minnesota Statutes 2010, section 115A.557, subdivision 4, is amended to read:

46.20 Subd. 4. **Report.** ~~By July 1 of each odd-numbered year,~~ The commissioner
46.21 shall report on how the money was spent and the resulting statewide improvements in
46.22 solid waste management to the senate and house of representatives committees having
46.23 jurisdiction over ways and means, finance, environment and natural resources, and
46.24 environment and natural resources finance. The report shall be included in the report
46.25 required under section 115A.411.

46.26 Sec. 70. Minnesota Statutes 2010, section 115A.904, is amended to read:

46.27 **115A.904 LAND DISPOSAL PROHIBITED.**

46.28 The disposal of waste tires in the land is prohibited after July 1, 1985, except for
46.29 beneficial uses of tire-derived products designated by the commissioner. This does not
46.30 prohibit the storage of unprocessed waste tires at a collection or processing facility.

46.31 Sec. 71. Minnesota Statutes 2010, section 115D.08, is amended to read:

46.32 **115D.08 PROGRESS REPORTS.**

47.1 Subdivision 1. **Requirement to submit progress report.** (a) All persons required to
47.2 prepare a toxic pollution prevention plan under section 115D.07 shall submit an annual
47.3 progress report to the commissioner of public safety that may be drafted in a manner that
47.4 does not disclose proprietary information. Progress reports are due on ~~October~~ July 1 of
47.5 each year. The first progress reports are due in 1992.

47.6 (b) At a minimum, each progress report must include:

47.7 (1) a summary of each objective established in the plan, including the base year for
47.8 any objective stated in numeric terms, and the schedule for meeting each objective;

47.9 (2) a summary of progress made during the past year, if any, toward meeting each
47.10 objective established in the plan including the quantity of each toxic pollutant eliminated
47.11 or reduced;

47.12 (3) a statement of the methods through which elimination or reduction has been
47.13 achieved;

47.14 (4) if necessary, an explanation of the reasons objectives were not achieved during
47.15 the previous year, including identification of any technological, economic, or other
47.16 impediments the facility faced in its efforts to achieve its objectives; and

47.17 (5) a certification, signed and dated by the facility manager and an officer of the
47.18 company under penalty of section 609.63, attesting that a plan meeting the requirements
47.19 of section 115D.07 has been prepared and also attesting to the accuracy of the information
47.20 in the progress report.

47.21 Subd. 2. **Review of progress reports.** (a) The commissioner of public safety shall
47.22 review all progress reports to determine if they meet the requirements of subdivision 1.
47.23 If the commissioner of public safety determines that a progress report does not meet the
47.24 requirements, the commissioner of public safety shall notify the facility in writing and
47.25 shall identify specific deficiencies and specify a reasonable time period of not less than 90
47.26 days for the facility to modify the progress report.

47.27 (b) The commissioner of public safety shall be given access to a facility plan
47.28 required under section 115D.07 if the commissioner of public safety determines that
47.29 the progress report for that facility does not meet the requirements of subdivision 1.
47.30 Twenty-five or more persons living within ten miles of the facility may submit a petition
47.31 to the commissioner of public safety that identifies specific deficiencies in the progress
47.32 report and requests the commissioner of public safety to review the facility plan. Within
47.33 30 days after receipt of the petition, the commissioner of public safety shall respond in
47.34 writing. If the commissioner of public safety agrees that the progress report does not meet
47.35 requirements of subdivision 1, the commissioner of public safety shall be given access
47.36 to the facility plan.

48.1 (c) After reviewing the plan and the progress report with any modifications
48.2 submitted, the commissioner of public safety shall state in writing whether the progress
48.3 report meets the requirements of subdivision 1. If the commissioner of public safety
48.4 determines that a modified progress report still does not meet the requirements of
48.5 subdivision 1, the commissioner of public safety shall schedule a public meeting. The
48.6 meeting shall be held in the county where the facility is located. The meeting is not
48.7 subject to the requirements of chapter 14.

48.8 (d) The facility shall be given the opportunity to amend the progress report within a
48.9 period of not less than 30 days after the public meeting.

48.10 (e) If the commissioner of public safety determines that a modified progress report
48.11 still does not meet the requirements of subdivision 1, action may be taken under section
48.12 115.071 to obtain compliance with sections 115D.01 to 115D.12.

48.13 Sec. 72. Minnesota Statutes 2010, section 116.011, is amended to read:

48.14 **116.011 ~~ANNUAL~~ POLLUTION REPORT.**

48.15 A goal of the Pollution Control Agency is to reduce the amount of pollution that is
48.16 emitted in the state. By April 1 of each even-numbered year, the Pollution Control Agency
48.17 shall report the best estimate of the agency of the total volume of water and air pollution
48.18 that was emitted in the state in the previous two calendar ~~year~~ years for which data are
48.19 available. The agency shall report its findings for both water and air pollution:

48.20 (1) in gross amounts, including the percentage increase or decrease over the ~~previous~~
48.21 previously reported two calendar ~~year~~ years; and

48.22 (2) in a manner which will demonstrate the magnitude of the various sources of
48.23 water and air pollution.

48.24 Sec. 73. Minnesota Statutes 2010, section 116.0714, is amended to read:

48.25 **116.0714 NEW OPEN AIR SWINE BASINS.**

48.26 The commissioner of the Pollution Control Agency or a county board shall not
48.27 approve any permits for the construction of new open air swine basins, except that existing
48.28 facilities may use one basin of less than 1,000,000 gallons as part of a permitted waste
48.29 treatment program for resolving pollution problems or to allow conversion of an existing
48.30 basin of less than 1,000,000 gallons to a different animal type, provided all standards are
48.31 met. This section expires June 30, ~~2012~~ 2017.

48.32 Sec. 74. Minnesota Statutes 2010, section 116.10, is amended to read:

49.1 **116.10 POLICY; LONG-RANGE PLAN; PURPOSE.**

49.2 Consistent with the policy announced herein and the purposes of Laws 1963, chapter
49.3 874, the Pollution Control Agency shall, ~~before November 15 of each even-numbered~~
49.4 ~~year,~~ prepare a long-range plan and program for the effectuation of said policy, ~~and shall~~
49.5 ~~make a report also of progress on abatement and control of air and land pollution during~~
49.6 ~~each biennium to the legislature with recommendations for action in furtherance of the air~~
49.7 ~~and land pollution and waste programs.~~

49.8 Sec. 75. Minnesota Statutes 2010, section 116C.833, subdivision 2, is amended to read:

49.9 Subd. 2. **Biennial Quadrennial report.** In addition to other duties specified in
49.10 sections 116C.833 to 116C.843, the commissioner shall report by January 31, ~~1997~~ 2013,
49.11 ~~and biennially every four years~~ thereafter, to the governor and the legislature concerning
49.12 the activities of the Interstate Commission. The report shall include any recommendations
49.13 the commissioner deems necessary to assure the protection of the interest of the state in
49.14 the proper functioning of the compact. The commissioner also shall report to the governor
49.15 and the legislature any time there is a change in the status of a host state or other party
49.16 states in the compact.

49.17 Sec. 76. Minnesota Statutes 2011 Supplement, section 116D.04, subdivision 2a, as
49.18 amended by Laws 2012, chapter 150, article 2, section 2, is amended to read:

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

49.30 (a) The board shall by rule establish categories of actions for which environmental
49.31 impact statements and for which environmental assessment worksheets shall be prepared
49.32 as well as categories of actions for which no environmental review is required under this
49.33 section. A mandatory environmental assessment worksheet shall not be required for the
49.34 expansion of an ethanol plant, as defined in section 41A.09, subdivision 2a, paragraph

50.1 (b), or the conversion of an ethanol plant to a biobutanol facility or the expansion of a
50.2 biobutanol facility as defined in section 41A.105, subdivision 1a, based on the capacity
50.3 of the expanded or converted facility to produce alcohol fuel, but must be required if
50.4 the ethanol plant or biobutanol facility meets or exceeds thresholds of other categories
50.5 of actions for which environmental assessment worksheets must be prepared. The
50.6 responsible governmental unit for an ethanol plant or biobutanol facility project for which
50.7 an environmental assessment worksheet is prepared shall be the state agency with the
50.8 greatest responsibility for supervising or approving the project as a whole.

50.9 A mandatory environmental impact statement shall not be required for a facility
50.10 or plant located outside the seven-county metropolitan area that produces less than
50.11 125,000,000 gallons of ethanol, biobutanol, or cellulosic biofuel annually, if the facility
50.12 or plant is: an ethanol plant, as defined in section 41A.09, subdivision 2a, paragraph
50.13 (b); a biobutanol facility, as defined in section 41A.105, subdivision 1a, clause (1); or a
50.14 cellulosic biofuel facility, as defined in section 41A.10, subdivision 1, paragraph (d).

50.15 (b) The responsible governmental unit shall promptly publish notice of the
50.16 completion of an environmental assessment worksheet ~~in a~~ by publishing the notice in
50.17 at least one newspaper of general circulation in the geographic area where the project is
50.18 proposed, by posting the notice on a Web site that has been designated as the official
50.19 publication site for publication of proceedings, public notices, and summaries of a political
50.20 subdivision in which the project is proposed or in any other manner to be determined by
50.21 the board and shall provide copies of the environmental assessment worksheet to the board
50.22 and its member agencies. Comments on the need for an environmental impact statement
50.23 may be submitted to the responsible governmental unit during a 30-day period following
50.24 publication of the notice that an environmental assessment worksheet has been completed.
50.25 The responsible governmental unit's decision on the need for an environmental impact
50.26 statement shall be based on the environmental assessment worksheet and the comments
50.27 received during the comment period, and shall be made within 15 days after the close of
50.28 the comment period. The board's chair may extend the 15-day period by not more than 15
50.29 additional days upon the request of the responsible governmental unit.

50.30 (c) An environmental assessment worksheet shall also be prepared for a proposed
50.31 action whenever material evidence accompanying a petition by not less than 100
50.32 individuals who reside or own property in the state, submitted before the proposed
50.33 project has received final approval by the appropriate governmental units, demonstrates
50.34 that, because of the nature or location of a proposed action, there may be potential for
50.35 significant environmental effects. Petitions requesting the preparation of an environmental
50.36 assessment worksheet shall be submitted to the board. The chair of the board shall

51.1 determine the appropriate responsible governmental unit and forward the petition to it.
51.2 A decision on the need for an environmental assessment worksheet shall be made by
51.3 the responsible governmental unit within 15 days after the petition is received by the
51.4 responsible governmental unit. The board's chair may extend the 15-day period by not
51.5 more than 15 additional days upon request of the responsible governmental unit.

51.6 (d) Except in an environmentally sensitive location where Minnesota Rules, part
51.7 4410.4300, subpart 29, item B, applies, the proposed action is exempt from environmental
51.8 review under this chapter and rules of the board, if:

51.9 (1) the proposed action is:

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

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

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

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

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

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

52.1 (g) The responsible governmental unit shall, to the extent practicable, avoid
52.2 duplication and ensure coordination between state and federal environmental review
52.3 and between environmental review and environmental permitting. Whenever practical,
52.4 information needed by a governmental unit for making final decisions on permits
52.5 or other actions required for a proposed project shall be developed in conjunction
52.6 with the preparation of an environmental impact statement. When an environmental
52.7 impact statement is prepared for a project requiring multiple permits for which two or
52.8 more agencies' decision processes include either mandatory or discretionary hearings
52.9 before a hearing officer prior to the agencies' decision on the permit, the agencies
52.10 may, notwithstanding any law or rule to the contrary, conduct the hearings in a single
52.11 consolidated hearing process if requested by the proposer. All agencies having jurisdiction
52.12 over a permit that is included in the consolidated hearing shall participate. The responsible
52.13 governmental unit shall establish appropriate procedures for the consolidated hearing
52.14 process, including procedures to ensure that the consolidated hearing process is consistent
52.15 with the applicable requirements for each permit regarding the rights and duties of parties
52.16 to the hearing, and shall utilize the earliest applicable hearing procedure to initiate the
52.17 hearing. The procedures of section 116C.28, subdivision 2, apply to the consolidated
52.18 hearing.

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

52.27 (i) The proposer of a specific action may include in the information submitted to the
52.28 responsible governmental unit a preliminary draft environmental impact statement under
52.29 this section on that action for review, modification, and determination of completeness and
52.30 adequacy by the responsible governmental unit. A preliminary draft environmental impact
52.31 statement prepared by the project proposer and submitted to the responsible governmental
52.32 unit shall identify or include as an appendix all studies and other sources of information
52.33 used to substantiate the analysis contained in the preliminary draft environmental impact
52.34 statement. The responsible governmental unit shall require additional studies, if needed,
52.35 and obtain from the project proposer all additional studies and information necessary for

53.1 the responsible governmental unit to perform its responsibility to review, modify, and
53.2 determine the completeness and adequacy of the environmental impact statement.

53.3 Sec. 77. Minnesota Statutes 2010, section 116D.04, is amended by adding a
53.4 subdivision to read:

53.5 **Subd. 15. Duplicative permit information; environmental assessment**
53.6 **worksheets.** To the extent practicable and so as not to conflict with other requirements of
53.7 this section, the board shall not require, unless necessary, information in an environmental
53.8 assessment worksheet for a proposed action when the information is also required as part
53.9 of any necessary permitting process for the proposed action.

53.10 Sec. 78. Minnesota Statutes 2010, section 116J.035, subdivision 8, as added by Laws
53.11 2012, chapter 150, article 1, section 8, is amended to read:

53.12 **Subd. 8. Minnesota Business First Stop.** (a) The commissioner of employment and
53.13 economic development shall, through the multiagency collaboration called "Minnesota
53.14 Business First Stop," ensure the coordination, implementation, and administration of
53.15 state permits, including:

53.16 (1) establishing a mechanism in state government that will coordinate administrative
53.17 decision-making procedures and related quasijudicial and judicial review pertaining to
53.18 permits related to the state's air, land, and water resources;

53.19 (2) providing coordination and understanding between federal, state, and local
53.20 governmental units in the administration of the various programs relating to air, water,
53.21 and land resources;

53.22 (3) identifying all existing state permits and other approvals, compliance schedules,
53.23 or other programs that pertain to the use of natural resources and protection of the
53.24 environment; and

53.25 (4) recommending legislative or administrative modifications to existing permit
53.26 programs to increase their efficiency and utility.

53.27 (b) A person proposing a project may apply to Minnesota Business First Stop for
53.28 assistance in obtaining necessary state permits and other approvals. Upon request, the
53.29 commissioner shall to the extent practicable:

53.30 (1) provide a list of all federal, state, and local permits and other required approvals
53.31 for the project;

53.32 (2) provide a plan that will coordinate federal, state, and local administrative
53.33 decision-making practices, including monitoring, analysis and reporting, public comments
53.34 and hearings, and issuances of permits and approvals;

54.1 (3) provide a timeline for the issuance of all federal, state, and local permits and
54.2 other approvals required for the project;

54.3 (4) coordinate the execution of any memorandum of understanding between the
54.4 person proposing a project and any federal, state, or local agency;

54.5 (5) coordinate all federal, state, or local public comment periods and hearings; and

54.6 (6) provide other assistance requested to facilitate final approval and issuance of all
54.7 federal, state, and local permits and other approvals required for the project.

54.8 (c) Notwithstanding section 16A.1283, as necessary, the commissioner may negotiate
54.9 a schedule to assess the project proposer for reasonable costs that any state agency incurs
54.10 in coordinating the implementation and administration of state permits, and the proposer
54.11 shall pay the assessed costs to the commissioner. Money received by the ~~environmental~~
54.12 ~~permits coordinator~~ commissioner must be credited to an account in the special revenue
54.13 fund and is appropriated to the commissioner to cover the assessed costs incurred.

54.14 (d) The coordination of implementation and administration of state permits is not
54.15 governmental action under section 116D.04.

54.16 Sec. 79. Minnesota Statutes 2010, section 216C.055, is amended to read:

54.17 **216C.055 KEY ROLE OF SOLAR AND BIOMASS RESOURCES IN**
54.18 **PRODUCING THERMAL ENERGY.**

54.19 The ~~annual~~ biennial legislative proposals required to be submitted by the
54.20 commissioners of commerce and the Pollution Control Agency under section 216H.07,
54.21 subdivision ~~4~~ 3, must include proposals regarding the use of solar energy and the
54.22 combustion of grasses, agricultural wastes, trees, and other vegetation to produce thermal
54.23 energy for heating commercial, industrial, and residential buildings and for industrial
54.24 processes if the commissioners determine that such policies are appropriate to achieve the
54.25 state's greenhouse gas emissions-reduction goals. No legal claim against any person is
54.26 allowed under this section. This section does not apply to the combustion of municipal
54.27 solid waste or refuse-derived fuel to produce thermal energy. For purposes of this section,
54.28 removal of woody biomass from publicly owned forests must be consistent with the
54.29 principles of sustainable forest management.

54.30 Sec. 80. Minnesota Statutes 2010, section 216H.07, subdivision 3, is amended to read:

54.31 Subd. 3. **Biennial ~~reduction progress~~ report.** (a) By January 15 of each
54.32 odd-numbered year, the commissioners of commerce and the Pollution Control Agency
54.33 shall jointly report to the chairs and ranking minority members of the legislative
54.34 committees with primary policy jurisdiction over energy and environmental issues the

55.1 most recent and best available evidence identifying the level of reductions already
55.2 achieved and the level necessary to achieve the reductions timetable in section 216H.02.

55.3 (b) The report must be in easily understood nontechnical terms.

55.4 Sec. 81. Minnesota Statutes 2010, section 473.149, subdivision 1, is amended to read:

55.5 Subdivision 1. **Policy plan; general requirements.** The commissioner of the
55.6 Pollution Control Agency ~~may~~ shall revise the metropolitan long range policy plan for
55.7 solid waste management adopted ~~and revised by the Metropolitan Council prior to the~~
55.8 ~~transfer of powers and duties in Laws 1994, chapter 639, article 5, section 2 in 2011 by~~
55.9 December 31, 2016, and every sixth year thereafter. The plan shall be followed in the
55.10 metropolitan area. ~~Until the commissioner revises it, the plan adopted and revised by~~
55.11 ~~the council on September 26, 1991, remains in effect.~~ The plan shall address the state
55.12 policies and purposes expressed in section 115A.02. In revising the plan the commissioner
55.13 shall follow the procedures in subdivision 3. The plan shall include goals and policies
55.14 for solid waste management, including recycling consistent with section 115A.551, and
55.15 household hazardous waste management consistent with section 115A.96, subdivision 6,
55.16 in the metropolitan area.

55.17 The plan shall include criteria and standards for solid waste facilities and solid
55.18 waste facility sites respecting the following matters: general location; capacity; operation;
55.19 processing techniques; environmental impact; effect on existing, planned, or proposed
55.20 collection services and waste facilities; and economic viability. The plan shall, to the
55.21 extent practicable and consistent with the achievement of other public policies and
55.22 purposes, encourage ownership and operation of solid waste facilities by private industry.
55.23 For solid waste facilities owned or operated by public agencies or supported primarily by
55.24 public funds or obligations issued by a public agency, the plan shall include additional
55.25 criteria and standards to protect comparable private and public facilities already existing
55.26 in the area from displacement unless the displacement is required in order to achieve the
55.27 waste management objectives identified in the plan. In revising the plan, the commissioner
55.28 shall consider the orderly and economic development, public and private, of the
55.29 metropolitan area; the preservation and best and most economical use of land and water
55.30 resources in the metropolitan area; the protection and enhancement of environmental
55.31 quality; the conservation and reuse of resources and energy; the preservation and
55.32 promotion of conditions conducive to efficient, competitive, and adaptable systems
55.33 of waste management; and the orderly resolution of questions concerning changes in
55.34 systems of waste management. Criteria and standards for solid waste facilities shall be
55.35 consistent with rules adopted by the Pollution Control Agency pursuant to chapter 116 and

56.1 shall be at least as stringent as the guidelines, regulations, and standards of the federal
56.2 Environmental Protection Agency.

56.3 Sec. 82. Minnesota Statutes 2010, section 473.149, subdivision 6, is amended to read:

56.4 Subd. 6. **Report to legislature.** The commissioner shall report on abatement to
56.5 the senate and house of representatives committees having jurisdiction over ways and
56.6 means, finance, environment and natural resources ~~committees of the senate and house~~
56.7 ~~of representatives, the Finance Division of the senate Committee on Environment and~~
56.8 ~~Natural Resources, and the house of representatives Committee on Environment and~~
56.9 ~~Natural Resources Finance by July 1 of each odd-numbered year~~ policy, and environment
56.10 and natural resources finance. The report must include an assessment of whether the
56.11 objectives of the metropolitan abatement plan have been met and whether each county
56.12 and each class of city within each county have achieved the objectives set for it in the
56.13 plan. The report must recommend any legislation that may be required to implement the
56.14 plan. The report shall be included in the report required by section 115A.411. If in any
56.15 year the commissioner reports that the objectives of the abatement plan have not been
56.16 met, the commissioner shall evaluate and report on the need to reassign governmental
56.17 responsibilities among cities, counties, and metropolitan agencies to assure implementation
56.18 and achievement of the metropolitan and local abatement plans and objectives.

56.19 The report must include a report on the operating, capital, and debt service costs of
56.20 solid waste facilities in the metropolitan area; changes in the costs; the methods used to
56.21 pay the costs; and the resultant allocation of costs among users of the facilities and the
56.22 general public. The facility costs report must present the cost and financing analysis in the
56.23 aggregate and broken down by county and by major facility.

56.24 Sec. 83. Minnesota Statutes 2010, section 473.846, is amended to read:

56.25 **473.846 REPORT REPORTS TO LEGISLATURE.**

56.26 The agency shall submit to the senate ~~Finance Committee, the~~ and house of
56.27 representatives ~~Ways and Means Committee, and the Environment and Natural Resources~~
56.28 ~~Committees of the senate and house of representatives, the Finance Division of the senate~~
56.29 ~~Committee on Environment and Natural Resources, and the house of representatives~~
56.30 ~~Committee on~~ committees having jurisdiction over environment and natural resources
56.31 ~~finance~~ separate reports describing the activities for which money for landfill abatement
56.32 has been spent under sections 473.844 and 473.845. ~~The agency shall report by November~~
56.33 ~~1 of each year on expenditures during its previous fiscal year. The commissioner shall~~
56.34 ~~report on expenditures during the previous calendar year and must incorporate its report~~

57.1 The report for section 473.844 expenditures shall be included in the report required by
 57.2 section 115A.411, due July 1 of each odd-numbered year. the commissioner shall make
 57.3 and shall include recommendations to the Environment and Natural Resources Committees
 57.4 of the senate and house of representatives, the Finance Division of the senate Committee
 57.5 on Environment and Natural Resources, and the house of representatives Committee on
 57.6 Environment and Natural Resources Finance on the future management and use of the
 57.7 metropolitan landfill abatement account. By December 31 of each year, the commissioner
 57.8 shall submit the report for section 473.845 on contingency action trust fund activities.

57.9 Sec. 84. Laws 2007, chapter 57, article 1, section 4, subdivision 2, as amended by
 57.10 Laws 2009, chapter 37, article 1, section 60, is amended to read:

57.11 Subd. 2. **Land and Mineral Resources**
 57.12 **Management**

11,747,000 11,272,000

57.13 Appropriations by Fund

57.14	General	6,633,000	6,230,000
57.15	Natural Resources	3,551,000	3,447,000
57.16	Game and Fish	1,363,000	1,395,000
57.17	Permanent School	200,000	200,000

57.18 \$475,000 the first year and \$475,000 the
 57.19 second year are for iron ore cooperative
 57.20 research. Of this amount, \$200,000 each year
 57.21 is from the minerals management account in
 57.22 the natural resources fund and \$275,000 each
 57.23 year is from the general fund. \$237,500 the
 57.24 first year and \$237,500 the second year are
 57.25 available only as matched by \$1 of nonstate
 57.26 money for each \$1 of state money. The
 57.27 match may be cash or in-kind.

57.28 \$86,000 the first year and \$86,000 the
 57.29 second year are for minerals cooperative
 57.30 environmental research, of which \$43,000
 57.31 the first year and \$43,000 the second year are
 57.32 available only as matched by \$1 of nonstate
 57.33 money for each \$1 of state money. The
 57.34 match may be cash or in-kind.

58.1 \$2,800,000 the first year and \$2,696,000
58.2 the second year are from the minerals
58.3 management account in the natural resources
58.4 fund for use as provided in Minnesota
58.5 Statutes, section 93.2236, paragraph (c).

58.6 \$200,000 the first year and \$200,000 the
58.7 second year are from the state forest suspense
58.8 account in the permanent school fund to
58.9 accelerate land exchanges, land sales, and
58.10 commercial leasing of school trust lands and
58.11 to identify, evaluate, and lease construction
58.12 aggregate located on school trust lands. This
58.13 appropriation is to be used for securing
58.14 maximum long-term economic return
58.15 from the school trust lands consistent with
58.16 fiduciary responsibilities and sound natural
58.17 resources conservation and management
58.18 principles.

58.19 \$15,000 the first year is for a report
58.20 by February 1, 2008, to the house and
58.21 senate committees with jurisdiction over
58.22 environment and natural resources on
58.23 proposed minimum legal and conservation
58.24 standards that could be applied to
58.25 conservation easements acquired with public
58.26 money.

58.27 \$1,201,000 the first year and \$701,000 the
58.28 second year are to support the land records
58.29 management system. Of this amount,
58.30 \$326,000 the first year and \$326,000 the
58.31 second year are from the game and fish fund
58.32 and \$375,000 the first year and \$375,000 the
58.33 second year are from the natural resources
58.34 fund. The unexpended balances are available
58.35 until June 30, 2011. ~~The commissioner~~

59.1 ~~must report to the legislative chairs on~~
59.2 ~~environmental finance on the outcomes of~~
59.3 ~~the land records management support.~~

59.4 \$500,000 the first year and \$500,000 the
59.5 second year are for land asset management.

59.6 This is a onetime appropriation.

59.7 Sec. 85. Laws 2010, chapter 362, section 2, subdivision 7, is amended to read:

59.8 Subd. 7. **Renewable Energy** -0- 3,364,000

59.9 (a) **Algae for Fuels Pilot Project**

59.10 \$900,000 is from the trust fund to the Board
59.11 of Regents of the University of Minnesota
59.12 to demonstrate an innovative microalgae
59.13 production system utilizing and treating
59.14 sanitary wastewater to produce biofuels
59.15 from algae. This appropriation is available
59.16 until June 30, 2013, by which time the
59.17 project must be completed and final products
59.18 delivered.

59.19 (b) **Sustainable Biofuels**

59.20 \$221,000 is from the trust fund to the Board
59.21 of Regents of the University of Minnesota
59.22 to determine how fertilization and irrigation
59.23 impact yields of grass monoculture and high
59.24 diversity prairie biofuel crops, their storage
59.25 of soil carbon, and susceptibility to invasion
59.26 by exotic species. This appropriation is
59.27 available until June 30, 2013, by which time
59.28 the project must be completed and final
59.29 products delivered.

59.30 (c) **Linking Habitat Restoration to Bioenergy**
59.31 **and Local Economies**

59.32 \$600,000 is from the trust fund to the
59.33 commissioner of natural resources to restore

60.1 high quality native habitats and expand
60.2 market opportunities for ~~utilizing postharvest~~
60.3 ~~restoration as a~~ using the woody by-product
60.4 material for bioenergy source. or other
60.5 products. The commissioner may provide
60.6 grants or otherwise transfer some or all
60.7 of this money to other public or private
60.8 entities to accomplish these purposes. The
60.9 commissioner may sell the material from
60.10 public or private property to any viable
60.11 market, provided that all of the proceeds
60.12 are spent to further the purposes of this
60.13 appropriation. This appropriation is available
60.14 until June 30, 2013, by which time the
60.15 project must be completed and final products
60.16 delivered.

60.17 **(d) Demonstrating Sustainable Energy**
60.18 **Practices at Residential Environmental**
60.19 **Learning Centers (RELCs)**

60.20 \$1,500,000 is from the trust fund to
60.21 the commissioner of natural resources
60.22 for agreements as follows: \$206,000
60.23 with Audubon Center of the North
60.24 Woods; \$212,000 with Deep Portage
60.25 Learning Center; \$350,000 with Eagle
60.26 Bluff Environmental Learning Center;
60.27 \$258,000 with Laurentian Environmental
60.28 Learning Center; \$240,000 with Long
60.29 Lake Conservation Center; and \$234,000
60.30 with Wolf Ridge Environmental Learning
60.31 Center to implement renewable energy,
60.32 energy efficiency, and energy conservation
60.33 practices at the facilities. Efforts will include
60.34 dissemination of related energy education.

61.1 Sec. 86. Laws 2011, First Special Session chapter 6, article 3, section 8, subdivision 3,
61.2 is amended to read:

61.3 Subd. 3. **Administration.** The commissioner of natural resources shall administer
61.4 the area according to Minnesota Statutes, section 86A.05, subdivision 3, subject to
61.5 existing rules and regulations for state recreation areas, except the following is permitted:
61.6 hunting, fishing, and trapping of protected species during designated seasons and dogs
61.7 under control for hunting purposes during regular hunting seasons. La Salle Lake State
61.8 Recreation Area shall be administered as a satellite unit of Itasca State Park.

61.9 Sec. 87. **LEGISLATIVE REPORT ON STATE PARKS, RECREATION AREAS,**
61.10 **TRAILS, AND STATE FOREST DAY USE AREAS.**

61.11 (a) By January 15, 2013, the commissioner of natural resources shall prepare and
61.12 submit a report to the chairs and ranking minority members of the house of representatives
61.13 and senate legislative committees with jurisdiction over environment and natural resources
61.14 policy and finance concerning the long-term funding, use, expansion, and administration
61.15 of Minnesota's system of state parks, recreation areas, trails, and state forest day use areas.

61.16 (b) At a minimum, the report shall include:

61.17 (1) long-term funding options to reduce reliance on general fund appropriations for
61.18 maintaining and operating state parks, recreation areas, trails, and forest day use areas;

61.19 (2) criteria and considerations for optimizing the system of state parks, recreation
61.20 areas, trails, and state forest day use areas to ensure investment focuses on Minnesota's
61.21 most important natural resources and the highest quality recreational opportunities; and

61.22 (3) recommendations for innovative programs and initiatives to increase outdoor
61.23 recreation participation among Minnesotans and visitors to the state.

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

61.25 Sec. 88. **ENVIRONMENT AND NATURAL RESOURCES TRUST FUND;**
61.26 **APPROPRIATION EXTENSION.**

61.27 (a) The availability of the appropriation is extended to June 30, 2013, for:

61.28 (1) Laws 2009, chapter 143, section 2, subdivision 5, paragraph (c), cooperative
61.29 habitat research in deep lakes; and

61.30 (2) Laws 2009, chapter 143, section 2, subdivision 6, paragraph (d), controlling the
61.31 movement of invasive fish species.

61.32 (b) The availability of the appropriation is extended to June 30, 2014, for Laws
61.33 2009, chapter 143, section 2, subdivision 4, paragraph (c), metropolitan regional park
61.34 system acquisition.

62.1 (c) The availability of the appropriation is extended to June 30, 2015, for Laws
62.2 2011, First Special Session chapter 2, article 3, section 2, subdivision 9, paragraph (a),
62.3 Minnesota Conservation Apprenticeship Academy.

62.4 Sec. 89. **BENEFICIAL USE OF WASTEWATER; GRANTS IN FISCAL YEARS**
62.5 **2010 AND 2011.**

62.6 Notwithstanding Minnesota Statutes, section 116.195, grants issued during fiscal
62.7 years 2010 and 2011 may be amended to replace surface water with wastewater effluent
62.8 that increases the reuse of wastewater effluent and reduces the use of surface water.

62.9 Sec. 90. **RULEMAKING; NOTICE OF ENVIRONMENTAL ASSESSMENT**
62.10 **WORKSHEET.**

62.11 The Environmental Quality Board may use the good cause exemption under
62.12 Minnesota Statutes, section 14.388, subdivision 1, clause (3), to amend Minnesota Rules
62.13 to conform with the amendments to Minnesota Statutes, section 116D.04, subdivision
62.14 2a, contained in this act. Minnesota Statutes, section 14.386, does not apply except as
62.15 provided under Minnesota Statutes, section 14.388.

62.16 Sec. 91. **2009 LOTTERY-IN-LIEU APPROPRIATION EXTENSION.**

62.17 The appropriation in Laws 2009, chapter 37, article 1, section 4, subdivision 5, from
62.18 the natural resources fund from the revenue deposited under Minnesota Statutes, section
62.19 297A.94, paragraph (e), clause (4), for local grants is available until June 30, 2013.

62.20 Sec. 92. **FOREST RESOURCES COUNCIL STUDY.**

62.21 By January 15, 2013, the Forest Resources Council shall submit a report to the
62.22 environment and natural resources policy and finance committees and the tax committees
62.23 of the house of representatives and senate on the status of private forest land management
62.24 and the policy of the state to promote healthy and robust forests. The study shall evaluate
62.25 existing and potential financial incentives for private forest land management and include
62.26 recommendations for state policies that will ensure that private forest lands are sustainable
62.27 and continue to contribute to Minnesota's economic vitality as well as provide access to
62.28 the public to hunting and fishing resources.

62.29 Sec. 93. **METROPOLITAN WASTE DISPOSAL RESTRICTIONS REPORT.**

62.30 By August 1, 2012, the commissioner of the Pollution Control Agency shall prepare
62.31 a report on how compliance with Minnesota Statutes, section 473.848, may be achieved.

63.1 The commissioner must allow interested parties at least 30 days to review and comment
63.2 on the report. Written comments received from interested parties and the commissioner's
63.3 responses to the comments must be included in the report. By October 1, 2012, the report,
63.4 comments, and responses shall be submitted to the chairs and ranking minority members
63.5 of the senate and house of representatives committees with jurisdiction over environmental
63.6 policy and finance. The agency may not require compliance with Minnesota Statutes,
63.7 section 473.848, before February 15, 2013.

63.8 Sec. 94. **PROTECT AQUATIC HABITAT FROM ASIAN CARP.**

63.9 Prior to entering into a contract pursuant to the appropriation in S.F. No. 2493,
63.10 article 1, section 2, subdivision 5, paragraph (h), if enacted, the commissioner shall consult
63.11 with the chairs and ranking minority members of the legislative committees and divisions
63.12 with jurisdiction over natural resources and energy.

63.13 Sec. 95. **MINNESOTA POLLUTION CONTROL AGENCY CITIZEN'S BOARD**
63.14 **REVIEW.**

63.15 The evaluation of environmental governance under Executive Order 11-32 must
63.16 include a review of the Minnesota Pollution Control Agency Citizen's Board's role in
63.17 reviewing permits, environmental assessment worksheets, and environmental impact
63.18 statements. The evaluation should include, but is not limited to, an examination of the
63.19 benefits and drawbacks of the board versus the agency's commissioner making final
63.20 decisions on all or various subsets of permits and environmental reviews, along with how
63.21 these matters are referred to the board versus the commissioner. Any recommendations
63.22 must be reported to the chairs and ranking minority members of the senate and house of
63.23 representatives committees having jurisdiction over the environment and natural resources.

63.24 Sec. 96. **RULEMAKING.**

63.25 The commissioner of the Pollution Control Agency must amend Minnesota Rules
63.26 to conform to section 62. The commissioner may use the good cause exemption under
63.27 Minnesota Statutes, section 14.388, subdivision 1, clause (3), and Minnesota Statutes,
63.28 section 14.386, does not apply, except as provided in Minnesota Statutes, section 14.388.

63.29 Sec. 97. **CONTINGENT AMENDMENT AND REPEAL; 2012 LAW.**

63.30 If H.F. 2171 or its equivalent is not enacted in 2012 and S.F. 2493 or its equivalent is
63.31 enacted in 2012, then S.F. 2493, article 4, section 2, or its equivalent is repealed and the
63.32 appropriation in article 4, section 3, of that act is reduced by \$1,000,000.

65.1 7002.0025, subpart 2a; 7011.7030; 7021.0010, subpart 3; 7021.0050, subparts
65.2 1, 2, 3; 7041.0500, subparts 5, 6, 7."

66.1 We request the adoption of this report and repassage of the bill.

66.2 House Conferees:

66.3
66.4 Denny McNamara Paul Anderson

66.5
66.6 Tom Hackbarth Paul Torkelson

66.7
66.8 David Dill

66.9 Senate Conferees:

66.10
66.11 Bill G. Ingebrigtsen Gary H. Dahms

66.12
66.13 Paul Gazelka John C. Pederson

66.14
66.15 Al D. DeKruif