

State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-NINTH SESSION

H. F. No. 3531

03/23/2016 Authored by Mullery

The bill was read for the first time and referred to the Committee on Environment and Natural Resources Policy and Finance

1.1 A bill for an act
1.2 relating to environment; establishing Environmental Justice Act; proposing
1.3 coding for new law in Minnesota Statutes, chapter 116.
1.4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.5 Section 1. [116.861] CITATION.

1.6 Sections 116.861 to 116.863 may be cited as the "Environmental Justice Act."

1.7 Sec. 2. [116.862] DEFINITIONS.

1.8 For purposes of sections 116.861 to 116.863:

1.9 (1) "agency" means the Pollution Control Agency;

1.10 (2) "commissioner" means the commissioner of the Pollution Control Agency; and

1.11 (3) "environmental justice" means the fair treatment and meaningful involvement

1.12 of people of all races, cultures, and income levels in the development, adoption,

1.13 implementation, and enforcement of environmental laws and policies.

1.14 Sec. 3. [116.863] CREATION AND IMPLEMENTATION OF
1.15 ENVIRONMENTAL JUSTICE POLICY.

1.16 (a) It is the policy of the state to ensure that communities are afforded fair treatment
1.17 and meaningful involvement in environmental decision making regardless of race, color,
1.18 ethnicity, religion, income, or education level.

1.19 (b) The agency shall develop, adopt, and implement an environmental justice policy
1.20 that promotes fair treatment and meaningful involvement of all people, regardless of race,
1.21 color, ethnicity, religion, income, or education level.

1.22 (c) The agency's environmental justice policy must:

2.1 (1) include procedures and criteria for evaluating environmental and demographic
2.2 information to highlight areas of potential concern for environmental justice;

2.3 (2) identify procedures and steps that the agency will take during permitting,
2.4 environmental review, rulemaking, and other actions to identify and remove barriers to
2.5 the meaningful involvement of all citizens in areas with potential environmental justice
2.6 concerns. The procedures must include processes for evaluating language proficiencies
2.7 within a community and determining actions to take to ensure meaningful access and
2.8 communication;

2.9 (3) develop ways to identify disproportionate environmental and human health
2.10 impacts that may affect a given community as a result of pollution from multiple sources
2.11 over time;

2.12 (4) develop procedures to integrate awareness of disproportionate environmental
2.13 and human health impacts into the agency's decision making with respect to permitting,
2.14 compliance and enforcement, environmental review, environmental monitoring and
2.15 analysis, and other agency functions. Such procedures may include guidance, checklists,
2.16 best practices, and voluntary reductions in pollutants by other facilities;

2.17 (5) include plans to coordinate the agency's environmental justice efforts with
2.18 other state agencies and the federal Environmental Protection Agency to accomplish
2.19 the agency's environmental justice policy;

2.20 (6) examine how to develop measures to evaluate progress and the effectiveness of
2.21 the agency's environmental justice policy; and

2.22 (7) identify any additional resources or statutory changes needed to implement
2.23 the agency's environmental justice policy.

2.24 (d) The agency's environmental justice policy must be completed and submitted to
2.25 the chairs and ranking minority members of the legislative committees with jurisdiction
2.26 over environmental policy and finance by June 30, 2017.