

1.1 Senator moves to amend S.F. No. 4062 as follows:

1.2 Delete everything after the enacting clause and insert:

1.3 "ARTICLE 1

1.4 APPROPRIATIONS

1.5 Section 1. ENVIRONMENT AND NATURAL RESOURCES APPROPRIATIONS.

1.6 The sums shown in the columns marked "Appropriations" are appropriated to the agencies
1.7 and for the purposes specified in this article. The appropriations are from the general fund,
1.8 or another named fund, and are available for the fiscal years indicated for each purpose.
1.9 The figures "2022" and "2023" used in this article mean that the appropriations listed under
1.10 them are available for the fiscal year ending June 30, 2022, or June 30, 2023, respectively.
1.11 "The first year" is fiscal year 2022. "The second year" is fiscal year 2023. "The biennium"
1.12 is fiscal years 2022 and 2023. Appropriations for the fiscal year ending June 30, 2022, are
1.13 effective the day following final enactment.

1.14	<u>APPROPRIATIONS</u>	
1.15	<u>Available for the Year</u>	
1.16	<u>Ending June 30</u>	
1.17	<u>2022</u>	<u>2023</u>

1.18 Sec. 2. POLLUTION CONTROL AGENCY

1.19	<u>Subdivision 1. Total Appropriation</u>	<u>\$</u>	<u>-0-</u>	<u>\$</u>	<u>3,843,000</u>
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1.20 Appropriations by Fund

1.21		<u>2022</u>	<u>2023</u>	
1.22	<u>Environmental</u>	<u>-0-</u>	<u>2,343,000</u>	
1.23	<u>Redemdiation</u>	<u>-0-</u>	<u>1,500,000</u>	

1.24 The amounts that may be spent for each
1.25 purpose are specified in the following
1.26 subdivisions.

1.27 Subd. 2. Agency Appropriations

1.28 (a) \$86,000 the second year is from the
1.29 environmental fund for a grant to Laketown
1.30 Township in Carver County to prepare
1.31 preliminary system design and cost estimates
1.32 for connecting wastewater systems around
1.33 Pierson Lake to municipal wastewater

2.1 treatment systems. This is a onetime
2.2 appropriation.

2.3 (b) \$700,000 the second year is from the
2.4 environmental fund for additional SCORE
2.5 block grants to counties.

2.6 (c) \$671,000 the second year is from the
2.7 environmental fund for whole effluent toxicity
2.8 rulemaking. This is a onetime appropriation.

2.9 (d) \$96,000 the second year is from the
2.10 environmental fund for agency oversight of
2.11 the mattress recycling program.

2.12 (e) \$50,000 the second year is from the
2.13 environmental fund to conduct an analysis of
2.14 how states within Environmental Protection
2.15 Agency Region 5 fund their air permitting
2.16 programs. By January 15, 2024, the
2.17 commissioner must report the results of the
2.18 analysis to the chairs and ranking minority
2.19 members of the house of representatives and
2.20 senate committees and divisions with
2.21 jurisdiction over environment and natural
2.22 resources. The report must include: (1)
2.23 identification of all sources of funding for
2.24 Minnesota's air permitting program and those
2.25 of other each other state within Region 5; (2)
2.26 a summary of how the funding sources have
2.27 changed during the last 20 years; (3) an
2.28 analysis of the cost that Minnesota's air
2.29 permitting program and those of each state
2.30 within Region 5 imposes on permittees; (4) a
2.31 summary of how the costs identified in clause
2.32 (3) have changed in the last 20 years and how
2.33 they relate to total permittee emissions; (5)
2.34 identification of potential alternatives to
2.35 Minnesota's current practice of increasing the

3.1 per-ton air emission fee as emissions are
3.2 reduced; and (6) an assessment of what policy
3.3 changes, legal changes, and funding changes
3.4 would be required to successfully implement
3.5 a program that did not increase permittee cost
3.6 as air emissions are reduced. This is a onetime
3.7 appropriation.

3.8 (f) \$1,500,000 the second year is from the
3.9 remediation fund for a contamination cleanup
3.10 grant to Lake of the Woods County to
3.11 demolish the abandoned state-owned Williams
3.12 School building in the city of Williams and to
3.13 abate and remediate petroleum, pollutants, or
3.14 contaminants at the school site. This is a
3.15 onetime appropriation and is available until
3.16 June 30, 2025.

3.17 **Subd. 3. Environmental Quality Board**
3.18 **Appropriations**

3.19 \$740,000 the second year is from the
3.20 environmental fund to develop and assemble
3.21 the material required under Code of Federal
3.22 Regulations, title 40, section 233.10, for the
3.23 state to assume the section 404 permitting
3.24 program of the federal Clean Water Act. The
3.25 board must prepare the materials in
3.26 cooperation with the commissioners of natural
3.27 resources, the Board of Water and Soil
3.28 Resources, and the Pollution Control Agency
3.29 and may execute contracts or interagency
3.30 agreements to facilitate developing the
3.31 required materials. By December 31, 2024,
3.32 the board must submit a report that includes
3.33 a detailed summary of the necessary
3.34 programmatic changes, drafts of pertinent
3.35 application materials, the required statute

5.1 This is a onetime appropriation and is
5.2 available until June 30, 2025.

5.3 (b) \$500,000 the second year is from the
5.4 all-terrain vehicle account in the natural
5.5 resources fund for a grant to St. Louis County
5.6 to match other funding sources for design,
5.7 right-of-way acquisition, permitting, and
5.8 construction of trails within the Voyageur
5.9 Country ATV trail system. This is a onetime
5.10 appropriation and is available until June 30,
5.11 2025. This appropriation may be used as a
5.12 local match to a 2022 state bonding award.

5.13 (c) \$500,000 the second year is from the
5.14 all-terrain vehicle account in the natural
5.15 resources fund for a grant to St. Louis County
5.16 to match other funding sources for design,
5.17 right-of-way acquisition, permitting, and
5.18 construction of a new trail within the
5.19 Prospector trail system. This is a onetime
5.20 appropriation and is available until June 30,
5.21 2025. This appropriation may be used as a
5.22 local match to a 2022 state bonding award.

5.23 (d) \$40,000 the second year is from the
5.24 off-road vehicle account in the natural
5.25 resources fund for grants to qualifying off-road
5.26 vehicle organizations to assist in safety and
5.27 environmental education and monitoring trails
5.28 on public lands under Minnesota Statutes,
5.29 section 84.9011. Grants issued under this
5.30 paragraph must be issued through a formal
5.31 agreement with the organization. By
5.32 December 15 each year, an organization
5.33 receiving a grant under this paragraph must
5.34 report to the commissioner with details on
5.35 expenditures and outcomes from the grant. Of

7.1 The amounts that may be spent for each
 7.2 purpose are specified in the following
 7.3 subdivisions.

7.4 **Subd. 2. Appropriations**

7.5 (a) \$1,000,000 the second year is from the
 7.6 general fund for a grant to Minnesota Sports
 7.7 and Events to attract and promote large-scale
 7.8 sporting and other events to the state of
 7.9 Minnesota. This is a onetime appropriation.

7.10 (b) \$450,000 the second year is from the
 7.11 events promotion account in the natural
 7.12 resources fund for a grant to Minnesota Sports
 7.13 and Events to attract and promote large-scale
 7.14 sporting and other events to the state of
 7.15 Minnesota. At least 50 percent of the money
 7.16 appropriated under this paragraph must be to
 7.17 attract and promote large-scale sporting and
 7.18 other events outside of the metropolitan area.

7.19 Sec. 5. Laws 2021, First Special Session chapter 6, article 1, section 2, subdivision 2, is
 7.20 amended to read:

7.21 **Subd. 2. Environmental Analysis and Outcomes** 14,962,000 14,140,000

7.22	Appropriations by Fund		
7.23		2022	2023
7.24	General	1,292,000	224,000
7.25	Environmental	13,469,000	13,715,000
7.26	Remediation	201,000	201,000

7.27 (a) \$99,000 the first year and \$109,000 the
 7.28 second year are from the general fund for:

7.29 (1) a municipal liaison to assist municipalities
 7.30 in implementing and participating in the
 7.31 rulemaking process for water quality standards
 7.32 and navigating the NPDES/SDS permitting
 7.33 process;

8.1 (2) enhanced economic analysis in the
8.2 rulemaking process for water quality
8.3 standards, including more-specific analysis
8.4 and identification of cost-effective permitting;

8.5 (3) developing statewide economic analyses
8.6 and templates to reduce the amount of
8.7 information and time required for
8.8 municipalities to apply for variances from
8.9 water quality standards; and

8.10 (4) coordinating with the Public Facilities
8.11 Authority to identify and advocate for the
8.12 resources needed for municipalities to achieve
8.13 permit requirements.

8.14 (b) \$205,000 the first year and \$205,000 the
8.15 second year are from the environmental fund
8.16 for a monitoring program under Minnesota
8.17 Statutes, section 116.454.

8.18 (c) \$115,000 the first year and \$115,000 the
8.19 second year are for monitoring water quality
8.20 and operating assistance programs.

8.21 (d) \$347,000 the first year and \$347,000 the
8.22 second year are from the environmental fund
8.23 for monitoring ambient air for hazardous
8.24 pollutants.

8.25 (e) \$90,000 the first year and \$90,000 the
8.26 second year are from the environmental fund
8.27 for duties related to harmful chemicals in
8.28 children's products under Minnesota Statutes,
8.29 sections 116.9401 to 116.9407. Of this
8.30 amount, \$57,000 each year is transferred to
8.31 the commissioner of health.

8.32 (f) \$109,000 the first year and \$109,000 the
8.33 second year are from the environmental fund
8.34 for registering wastewater laboratories.

9.1 (g) \$926,000 the first year and \$926,000 the
9.2 second year are from the environmental fund
9.3 to continue perfluorochemical biomonitoring
9.4 in eastern metropolitan communities, as
9.5 recommended by the Environmental Health
9.6 Tracking and Biomonitoring Advisory Panel,
9.7 and to address other environmental health
9.8 risks, including air quality. The communities
9.9 must include Hmong and other immigrant
9.10 farming communities. Of this amount, up to
9.11 \$689,000 the first year and \$689,000 the
9.12 second year are for transfer to the Department
9.13 of Health.

9.14 (h) \$51,000 the first year and \$51,000 the
9.15 second year are from the environmental fund
9.16 for the listing procedures for impaired waters
9.17 required under this act.

9.18 (i) \$350,000 the first year is for completing
9.19 the St. Louis River mercury total maximum
9.20 daily load study. This is a onetime
9.21 appropriation and is available until June 30,
9.22 2025.

9.23 (j) \$141,000 the first year and \$141,000 the
9.24 second year are from the environmental fund
9.25 to implement and enforce Minnesota Statutes,
9.26 section 325F.071. Of this amount, up to
9.27 \$65,000 each year may be transferred to the
9.28 commissioner of health.

9.29 (k) \$600,000 the first year is to develop and
9.30 implement an initiative to reduce sources of
9.31 perfluoroalkyl and polyfluoroalkyl substances
9.32 (PFAS) in the environment that are eventually
9.33 conveyed to municipal wastewater treatment
9.34 facilities. In developing and implementing the
9.35 initiative, the commissioner must work in

10.1 cooperation with the Department of Health
10.2 and with an advisory group consisting of one
10.3 representative designated by each of the
10.4 following: the League of Minnesota Cities;
10.5 the Coalition of Greater Minnesota Cities; the
10.6 Minnesota Environmental Science and
10.7 Economic Review Board; the Minnesota
10.8 Municipal Utilities Association; Metropolitan
10.9 Council Environmental Services; Minnesota
10.10 Association of Small Cities; National Waste
10.11 and Recycling Association; Minnesota Rural
10.12 Water Association; Association of Minnesota
10.13 Counties; Solid Waste Administrators
10.14 Association; Partnership on Waste and Energy;
10.15 Minnesota Resource Recovery Association;
10.16 Minnesota InterCounty Association;
10.17 Minnesota Manufacturer's Coalition; and the
10.18 Association of Metropolitan Municipalities.
10.19 In developing and implementing the municipal
10.20 initiative, the commissioner must:

10.21 (1) identify sources of PFAS introduced into
10.22 the environment that are eventually conveyed
10.23 to municipal wastewater treatment facilities
10.24 and contained in solid waste that are disposed
10.25 at solid waste facilities;

10.26 (2) identify source reduction strategies that
10.27 can effectively reduce the amount of PFAS
10.28 entering the environment that are eventually
10.29 conveyed to municipal wastewater treatment
10.30 facilities or are disposed at solid waste
10.31 facilities;

10.32 (3) publish and distribute throughout the state
10.33 guidance documents for local governments
10.34 that include education materials about
10.35 effective strategies to reduce PFAS sources;

11.1 (4) identify issues for future study; and
11.2 (5) by January 31, 2023, report to the chairs
11.3 and ranking minority members of the house
11.4 of representatives and senate committees and
11.5 divisions with jurisdiction over the
11.6 environment and natural resources on the
11.7 development and implementation of the
11.8 initiative. This is a onetime appropriation.

11.9 (l) \$104,000 the second year is from the
11.10 environmental fund for the purposes of the
11.11 perfluoroalkyl and polyfluoroalkyl substances
11.12 food packaging provisions under Minnesota
11.13 Statutes, section 325F.075. The base for this
11.14 appropriation in fiscal year 2024 and later is
11.15 \$144,000.

11.16 (m) \$128,000 the first year is for an analysis
11.17 of the Green Tier program. This is a onetime
11.18 appropriation.

11.19 (n) \$250,000 the first year and \$250,000 the
11.20 second year are from the environmental fund
11.21 for identifying potential sources of per- and
11.22 poly-fluoroalkyl substances contamination.
11.23 This is a onetime appropriation.

11.24 **ARTICLE 2**

11.25 **ENVIRONMENT AND NATURAL RESOURCES POLICY**

11.26 Section 1. Minnesota Statutes 2020, section 84.027, subdivision 14a, is amended to read:

11.27 Subd. 14a. **Permitting efficiency; public notice.** (a) It is the goal of the state that
11.28 environmental and resource management permits be issued or denied within 90 days for
11.29 tier 1 permits or 150 days for tier 2 permits following submission of a permit application.
11.30 The commissioner of natural resources shall establish management systems designed to
11.31 achieve the goal.

11.32 (b) The commissioner shall prepare an annual permitting efficiency report that includes
11.33 statistics on meeting the goal in paragraph (a) and the criteria for tier 2 by permit categories.

12.1 The report is due ~~August~~ October 1 each year. For permit applications that have not met
12.2 the goal, the report must state the reasons for not meeting the goal. In stating the reasons
12.3 for not meeting the goal, the commissioner shall separately identify delays caused by the
12.4 responsiveness of the proposer, lack of staff, scientific or technical disagreements, or the
12.5 level of public engagement. The report must specify the number of days from initial
12.6 submission of the application to the day of determination that the application is complete.
12.7 The report must aggregate the data for the year and assess whether program or system
12.8 changes are necessary to achieve the goal. The report must be posted on the department's
12.9 website and submitted to the governor and the chairs and ranking minority members of the
12.10 house of representatives and senate committees having jurisdiction over natural resources
12.11 policy and finance.

12.12 (c) The commissioner shall allow electronic submission of environmental review and
12.13 permit documents to the department.

12.14 (d) Within 30 business days of application for a permit subject to paragraph (a), the
12.15 commissioner of natural resources shall notify the permit applicant, in writing, whether the
12.16 application is complete or incomplete. If the commissioner determines that an application
12.17 is incomplete, the notice to the applicant must enumerate all deficiencies, citing specific
12.18 provisions of the applicable rules and statutes, and advise the applicant on how the
12.19 deficiencies can be remedied. If the commissioner determines that the application is complete,
12.20 the notice must confirm the application's tier 1 or tier 2 permit status. If the commissioner
12.21 believes that a complete application for a tier 2 construction permit cannot be issued within
12.22 the 150-day goal, the commissioner must provide notice to the applicant with the
12.23 commissioner's notice that the application is complete and, upon request of the applicant,
12.24 provide the permit applicant with a schedule estimating when the agency will begin drafting
12.25 the permit and issue the public notice of the draft permit. This paragraph does not apply to
12.26 an application for a permit that is subject to a grant or loan agreement under chapter 446A.

12.27 (e) When public notice of a draft individual tier 2 permit is required, the commissioner
12.28 must provide the applicant a draft permit for review by the applicant within 30 days after
12.29 determining the proposal conforms to all federal and state laws and rules, unless the permit
12.30 applicant and the commissioner mutually agree to a different date. The commissioner must
12.31 consider all comments submitted by the applicant before issuing the permit.

13.1 Sec. 2. Minnesota Statutes 2020, section 84.027, is amended by adding a subdivision to
13.2 read:

13.3 Subd. 14c. **Unadopted rules.** The commissioner of natural resources must not enforce
13.4 or attempt to enforce an unadopted rule. For purposes of this subdivision, "unadopted rule"
13.5 means a guideline, bulletin, criterion, manual standard, interpretive statement, policy plan,
13.6 or similar pronouncement if the guideline, bulletin, criterion, manual standard, interpretive
13.7 statement, policy plan, or similar pronouncement has not been adopted according to the
13.8 rulemaking process provided under chapter 14. If an unadopted rule is challenged under
13.9 section 14.381, the commissioner must cease enforcement of the unadopted rule and
13.10 overcome a presumption that the unadopted rule must be adopted according to the rulemaking
13.11 process provided under chapter 14.

13.12 Sec. 3. Minnesota Statutes 2020, section 84.788, subdivision 5, is amended to read:

13.13 Subd. 5. **Report of ownership transfers; fee.** (a) Application for transfer of ownership
13.14 of an off-highway motorcycle registered under this section must be made to the commissioner
13.15 within 15 days of the date of transfer.

13.16 (b) An application for transfer must be executed by the ~~registered~~ current owner and the
13.17 purchaser using a bill of sale that includes the vehicle serial number.

13.18 (c) The purchaser is subject to the penalties imposed by section 84.774 if the purchaser
13.19 fails to apply for transfer of ownership as provided under this subdivision.

13.20 Sec. 4. Minnesota Statutes 2020, section 84.82, subdivision 2, is amended to read:

13.21 Subd. 2. **Application, issuance, issuing fee.** (a) Application for registration or
13.22 reregistration shall be made to the commissioner or an authorized deputy registrar of motor
13.23 vehicles in a format prescribed by the commissioner and shall state the legal name and
13.24 address of every owner of the snowmobile.

13.25 (b) A person who purchases a snowmobile from a retail dealer shall make application
13.26 for registration to the dealer at the point of sale. The dealer shall issue a dealer temporary
13.27 21-day registration permit to each purchaser who applies to the dealer for registration. The
13.28 temporary permit must contain the dealer's identification number and phone number. Each
13.29 retail dealer shall submit completed registration and fees to the deputy registrar at least once
13.30 a week. No fee may be charged by a dealer to a purchaser for providing the temporary
13.31 permit.

14.1 (c) Upon receipt of the application and the appropriate fee, the commissioner or deputy
14.2 registrar shall issue to the applicant, or provide to the dealer, an assigned registration number
14.3 or a commissioner or deputy registrar temporary 21-day permit. The registration number
14.4 must be printed on a registration decal issued by the commissioner or deputy registrar. Once
14.5 issued, the registration ~~number~~ decal must be affixed to the snowmobile in a clearly visible
14.6 and permanent manner for enforcement purposes ~~as the commissioner of natural resources~~
14.7 ~~shall prescribe~~ according to subdivision 3b. A dealer subject to paragraph (b) shall provide
14.8 the registration materials or temporary permit to the purchaser within the temporary 21-day
14.9 permit period. The registration is not valid unless signed by at least one owner.

14.10 (d) Each deputy registrar of motor vehicles acting pursuant to section 168.33 shall also
14.11 be a deputy registrar of snowmobiles. The commissioner of natural resources in agreement
14.12 with the commissioner of public safety may prescribe the accounting and procedural
14.13 requirements necessary to ensure efficient handling of registrations and registration fees.
14.14 Deputy registrars shall strictly comply with these accounting and procedural requirements.

14.15 (e) In addition to other fees prescribed by law, an issuing fee of \$4.50 is charged for
14.16 each snowmobile registration renewal, duplicate or replacement registration card, and
14.17 replacement decal, and an issuing fee of \$7 is charged for each snowmobile registration and
14.18 registration transfer issued by:

14.19 (1) a registrar or a deputy registrar and must be deposited in the manner provided in
14.20 section 168.33, subdivision 2; or

14.21 (2) the commissioner and must be deposited in the state treasury and credited to the
14.22 snowmobile trails and enforcement account in the natural resources fund.

14.23 Sec. 5. Minnesota Statutes 2020, section 84.82, is amended by adding a subdivision to
14.24 read:

14.25 Subd. 3b. **Display of registration decal.** (a) A person must not operate a snowmobile
14.26 in the state or allow another to operate the person's snowmobile in the state unless the
14.27 snowmobile has its unexpired registration decal affixed to each side of the snowmobile and
14.28 the decal is legible.

14.29 (b) The registration decal must be affixed:

14.30 (1) for snowmobiles made after June 30, 1972, in the area provided by the manufacturer
14.31 under section 84.821, subdivision 2; and

14.32 (2) for all other snowmobiles, on each side of the cowling on the upper half of the
14.33 snowmobile.

15.1 (c) When any previously affixed registration decal is destroyed or lost, a duplicate must
15.2 be affixed in the same manner as provided in paragraph (b).

15.3 Sec. 6. Minnesota Statutes 2020, section 84.821, subdivision 2, is amended to read:

15.4 Subd. 2. **Area for registration number.** All snowmobiles made after June 30, 1972,
15.5 and sold in Minnesota, shall be designed and made to provide an area on which to affix the
15.6 registration number decal. This area shall be at a location and of dimensions prescribed by
15.7 rule of the commissioner. A clear area must be provided on each side of the cowling with
15.8 a minimum size of 3-1/2 square inches and at least 12 inches from the ground when the
15.9 machine is resting on a hard surface.

15.10 Sec. 7. Minnesota Statutes 2020, section 84.84, is amended to read:

15.11 **84.84 TRANSFER OR TERMINATION OF SNOWMOBILE OWNERSHIP.**

15.12 (a) Within 15 days after the transfer of ownership, or any part thereof, other than a
15.13 security interest, or the destruction or abandonment of any snowmobile, written notice of
15.14 the transfer or destruction or abandonment shall be given to the commissioner in such form
15.15 as the commissioner shall prescribe.

15.16 (b) An application for transfer must be executed by the ~~registered~~ current owner and the
15.17 purchaser using a bill of sale that includes the vehicle serial number.

15.18 (c) The purchaser is subject to the penalties imposed by section 84.88 if the purchaser
15.19 fails to apply for transfer of ownership as provided under this subdivision. Every owner or
15.20 part owner of a snowmobile shall, upon failure to give notice of destruction or abandonment,
15.21 be subject to the penalties imposed by section 84.88.

15.22 Sec. 8. Minnesota Statutes 2020, section 84.86, subdivision 1, is amended to read:

15.23 Subdivision 1. **Required rules, fees, and reports.** (a) With a view of achieving maximum
15.24 use of snowmobiles consistent with protection of the environment the commissioner of
15.25 natural resources shall adopt rules in the manner provided by chapter 14, for the following
15.26 purposes:

15.27 (1) registration of snowmobiles ~~and display of registration numbers;~~

15.28 (2) use of snowmobiles insofar as game and fish resources are affected;

15.29 (3) use of snowmobiles on public lands and waters, or on grant-in-aid trails;

16.1 (4) uniform signs to be used by the state, counties, and cities, which are necessary or
16.2 desirable to control, direct, or regulate the operation and use of snowmobiles;

16.3 (5) specifications relating to snowmobile mufflers; and

16.4 (6) a comprehensive snowmobile information and safety education and training program,
16.5 ~~including that includes~~ but is not limited to ~~the preparation and dissemination of preparing~~
16.6 and disseminating snowmobile information and safety advice to the public, ~~the training of~~
16.7 snowmobile operators, and ~~the issuance of~~ issuing snowmobile safety certificates to
16.8 snowmobile operators who successfully complete the snowmobile safety education and
16.9 training course.

16.10 (b) For the purpose of administering ~~such~~ the program under paragraph (a), clause (6),
16.11 and to defray expenses of training and certifying snowmobile operators, the commissioner
16.12 shall collect a fee from each person who receives the youth or adult training. The
16.13 commissioner shall collect a fee, to include a \$1 issuing fee for licensing agents, for issuing
16.14 a duplicate snowmobile safety certificate. The commissioner shall establish both fees in a
16.15 manner that neither significantly overrecovers nor underrecovers costs, including overhead
16.16 costs, involved in providing the services. The fees are not subject to the rulemaking provisions
16.17 of chapter 14 and section 14.386 does not apply. The fees may be established by the
16.18 commissioner notwithstanding section 16A.1283. The fees, except for the issuing fee for
16.19 licensing agents under this subdivision, shall be deposited in the snowmobile trails and
16.20 enforcement account in the natural resources fund and the amount thereof, except for the
16.21 electronic licensing system commission established by the commissioner under section
16.22 84.027, subdivision 15, and issuing fees collected by the commissioner, is appropriated
16.23 annually to the Enforcement Division of the Department of Natural Resources for ~~the~~
16.24 ~~administration of such~~ administering the programs. In addition to the fee established by the
16.25 commissioner, instructors may charge each person any fee paid by the instructor for the
16.26 person's online training course and up to the established fee amount for class materials and
16.27 expenses. The commissioner shall cooperate with private organizations and associations,
16.28 private and public corporations, and local governmental units in furtherance of the program
16.29 established under ~~this~~ paragraph (a), clause (6). School districts may cooperate with the
16.30 commissioner and volunteer instructors to provide space for the classroom portion of the
16.31 training. The commissioner shall consult with the commissioner of public safety in regard
16.32 to training program subject matter and performance testing that leads to the certification of
16.33 snowmobile operators.

16.34 ~~(7)~~ (c) The operator of any snowmobile involved in an accident resulting in injury
16.35 requiring medical attention or hospitalization to or death of any person or total damage to

17.1 an extent of \$500 or more, shall forward a written report of the accident to the commissioner
17.2 on ~~such~~ a form as prescribed by the commissioner ~~shall prescribe~~. If the operator is killed
17.3 or is unable to file a report due to incapacitation, any peace officer investigating the accident
17.4 shall file the accident report within ten business days.

17.5 Sec. 9. Minnesota Statutes 2021 Supplement, section 84.92, subdivision 8, is amended to
17.6 read:

17.7 Subd. 8. **All-terrain vehicle or vehicle.** (a) "All-terrain vehicle" or "vehicle" means a
17.8 motorized vehicle with: (1) not less than three, but not more than six ~~low pressure or~~
17.9 ~~non-pneumatic~~ tires; (2) a total dry weight of ~~2,000~~ 3,000 pounds or less; and (3) a total
17.10 width from outside of tire rim to outside of tire rim that is 65 inches or less. All-terrain
17.11 vehicle includes a class 1 all-terrain vehicle and class 2 all-terrain vehicle.

17.12 (b) All-terrain vehicle does not include an electric-assisted bicycle as defined in section
17.13 169.011, subdivision 27, golf cart, mini-truck, dune buggy, or go-cart or a vehicle designed
17.14 and used specifically for lawn maintenance, agriculture, logging, or mining purposes.

17.15 Sec. 10. Minnesota Statutes 2020, section 84.922, subdivision 4, is amended to read:

17.16 Subd. 4. **Report of transfers.** (a) Application for transfer of ownership must be made
17.17 to the commissioner within 15 days of the date of transfer.

17.18 (b) An application for transfer must be executed by the ~~registered~~ current owner and the
17.19 purchaser using a bill of sale that includes the vehicle serial number.

17.20 (c) The purchaser is subject to the penalties imposed by section 84.774 if the purchaser
17.21 fails to apply for transfer of ownership as provided under this subdivision.

17.22 Sec. 11. Minnesota Statutes 2020, section 85.015, subdivision 10, is amended to read:

17.23 Subd. 10. **Luce Line Trail, Hennepin, McLeod, and Meeker Counties.** (a) The trail
17.24 shall originate at Gleason Lake in Plymouth Village, Hennepin County, ~~and shall~~ follow
17.25 the route of the Chicago Northwestern Railroad, and include a connection to Greenleaf Lake
17.26 State Recreation Area.

17.27 (b) The trail shall be developed for multiuse wherever feasible. The department shall
17.28 cooperate in maintaining its integrity for modes of use consistent with local ordinances.

17.29 (c) In establishing, developing, maintaining, and operating the trail, the commissioner
17.30 shall cooperate with local units of government and private individuals and groups. Before
17.31 acquiring any parcel of land for the trail, the commissioner of natural resources shall develop

18.1 a management program for the parcel and conduct a public hearing on the proposed
18.2 management program in the vicinity of the parcel to be acquired. The management program
18.3 of the commissioner shall include but not be limited to the following:

18.4 ~~(a) (1) fencing of~~ portions of the trail where necessary to protect adjoining landowners;
18.5 and

18.6 ~~(b) the maintenance of~~ (2) maintaining the trail in a ~~litter free~~ litter-free condition to the
18.7 extent practicable.

18.8 (d) The commissioner shall not acquire any of the right-of-way of the Chicago
18.9 Northwestern Railway Company until the abandonment of the line described in this
18.10 subdivision has been approved by the Surface Transportation Board or the former Interstate
18.11 Commerce Commission. Compensation, in addition to the value of the land, shall include
18.12 improvements made by the railroad, including but not limited to, bridges, trestles, public
18.13 road crossings, or any portion thereof, it being the desire of the railroad that such
18.14 improvements be included in the conveyance. The fair market value of the land and
18.15 improvements shall be recommended by two independent appraisers mutually agreed upon
18.16 by the parties. The fair market value thus recommended shall be reviewed by a review
18.17 appraiser agreed to by the parties, and the fair market value thus determined, and supported
18.18 by appraisals, may be the purchase price. The commissioner may exchange lands with
18.19 landowners abutting the right-of-way described in this section to eliminate diagonally shaped
18.20 separate fields.

18.21 Sec. 12. Minnesota Statutes 2021 Supplement, section 85.052, subdivision 6, is amended
18.22 to read:

18.23 Subd. 6. **State park reservation system.** (a) The commissioner may, by written order,
18.24 develop reasonable reservation policies for ~~campsites and other~~ using camping, lodging,
18.25 and day-use facilities and for tours, educational programs, seminars, events, and rentals.
18.26 The policies are exempt from the rulemaking provisions under chapter 14, and section
18.27 14.386 does not apply.

18.28 (b) The revenue collected from the state park reservation fee established under subdivision
18.29 5, including interest earned, ~~shall~~ must be deposited in the state park account in the natural
18.30 resources fund and is annually appropriated to the commissioner for the cost of operating
18.31 the state park reservation and point-of-sale system.

19.1 Sec. 13. Minnesota Statutes 2020, section 90.181, subdivision 2, is amended to read:

19.2 Subd. 2. **Deferred payments.** (a) If the amount of the statement is not paid or payment
 19.3 is not postmarked within 30 days of the statement date ~~thereof, it shall bear, the amount~~
 19.4 bears interest at the rate determined pursuant to section 16A.124, except that the purchaser
 19.5 ~~shall not be~~ is not required to pay interest that totals \$1 or less. If the amount is not paid
 19.6 within 60 days, the commissioner shall place the account in the hands of the commissioner
 19.7 of revenue according to chapter 16D, who shall proceed to collect the ~~same~~ amount due.
 19.8 When deemed in the best interests of the state, the commissioner shall take possession of
 19.9 the timber for which an amount is due wherever it may be found and sell the ~~same~~ timber
 19.10 informally or at public auction after giving reasonable notice.

19.11 (b) The proceeds of the sale ~~shall~~ must be applied, first, to the payment of the expenses
 19.12 of seizure and sale; and, second, to the payment of the amount due for the timber, with
 19.13 interest; ~~and~~. The surplus, if any, ~~shall belong~~ belongs to the state; ~~and~~. In case a sufficient
 19.14 amount is not realized to pay these amounts in full, the balance ~~shall~~ must be collected by
 19.15 the attorney general. ~~Neither~~ Payment of the amount, ~~nor~~ the recovery of judgment ~~therefor~~
 19.16 for the amount, nor satisfaction of the judgment, ~~nor~~ the or seizure and sale of timber, ~~shall~~
 19.17 does not:

19.18 (1) release the sureties on any security deposit given pursuant to this chapter; ~~or~~;

19.19 (2) preclude the state from afterwards claiming that the timber was cut or removed
 19.20 contrary to law and recovering damages for the trespass thereby committed; or

19.21 (3) preclude the state from prosecuting the offender criminally.

19.22 Sec. 14. **[93.70] ENSURING TIMELY ENVIRONMENTAL REVIEW OF**
 19.23 **METALLIC MINING PROJECTS.**

19.24 Subdivision 1. **Definitions.** (a) For purposes of this section, the terms defined in this
 19.25 subdivision have the meanings given.

19.26 (b) "Commissioner" means the commissioner of natural resources.

19.27 (c) "Covered mining project" means a proposed metallic mineral mining project or a
 19.28 modification to an existing metallic mining project for which an environmental assessment
 19.29 worksheet or an environmental impact statement must be or is being prepared according to
 19.30 chapter 116D.

20.1 (d) "Submission date" means the date on which a project proposer of a covered mining
20.2 project submits the completed data portion of an environmental assessment worksheet to
20.3 the responsible governmental unit for environmental review under chapter 116D.

20.4 Subd. 2. **Environmental review goals.** To ensure an environmental review process that
20.5 is both timely and environmentally responsible, the responsible governmental unit for a
20.6 covered mining project must attempt to ensure that all environmental reviews, permits, and
20.7 approvals, including those at the federal level to the extent practicable, are completed in
20.8 accordance with the following timelines:

20.9 (1) when an environmental assessment worksheet is prepared for a project for which an
20.10 environmental impact statement is not required, the decision on the need for an environmental
20.11 impact statement must be made no later than 18 months after the environmental assessment
20.12 worksheet submission date; and

20.13 (2) when an environmental impact statement is prepared for a project, the decision on
20.14 the adequacy of the final environmental impact statement must be made no later than three
20.15 years after the environmental assessment worksheet submission date.

20.16 Subd. 3. **Report.** If a responsible governmental unit fails to meet a goal set forth in
20.17 subdivision 2, it must within five days report to the project proposer and to the chairs and
20.18 ranking minority members of the legislative committees and divisions with jurisdiction over
20.19 mining to explain the reason for the failure and must provide an estimate of the additional
20.20 time that will be required to determine whether an environmental impact statement is required
20.21 or whether the final environmental impact statement is adequate, as applicable.

20.22 Sec. 15. Minnesota Statutes 2020, section 97A.015, subdivision 29, is amended to read:

20.23 Subd. 29. **Minnows.** "Minnows" means: (1) members of the minnow family, Cyprinidae,
20.24 except carp and goldfish; (2) members of the mudminnow family, Umbridae; (3) members
20.25 of the sucker family, Catostomidae, ~~not over 12 inches in length~~; (4) bullheads, ciscoes,
20.26 lake whitefish, goldeyes, and mooneyes, not over seven inches long; (5) leeches; and (6)
20.27 tadpole madtoms (willow cats) and stonecats.

20.28 Sec. 16. Minnesota Statutes 2020, section 97A.015, subdivision 51, is amended to read:

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

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

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

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

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

21.8 Sec. 17. Minnesota Statutes 2020, section 97A.126, as amended by Laws 2021, First
 21.9 Special Session chapter 6, article 2, section 52, is amended to read:

21.10 **97A.126 WALK-IN ACCESS PROGRAM.**

21.11 Subdivision 1. **Establishment.** A walk-in access program is established to provide public
 21.12 access to wildlife habitat on private land for hunting, bird-watching, nature photography,
 21.13 and similar compatible uses, excluding trapping, as provided under this section. The
 21.14 commissioner may enter into agreements with other units of government and landowners
 21.15 to provide private land hunting access.

21.16 Subd. 2. **Use of enrolled lands.** (a) From September 1 to May 31, a person must have
 21.17 a walk-in access ~~hunter~~ validation in possession to hunt, photograph, and watch wildlife on
 21.18 private lands, including agricultural lands, that are posted as being enrolled in the walk-in
 21.19 access program.

21.20 (b) Hunting, bird-watching, nature photography, and similar compatible uses on private
 21.21 lands that are posted as enrolled in the walk-in access program is allowed from one-half
 21.22 hour before sunrise to one-half hour after sunset.

21.23 (c) ~~Hunter~~ Access on private lands that are posted as enrolled in the walk-in access
 21.24 program is restricted to nonmotorized use, except by ~~hunters~~ persons with disabilities
 21.25 operating motor vehicles on established trails or field roads who possess a valid permit to
 21.26 shoot from a stationary vehicle under section 97B.055, subdivision 3 provide credible
 21.27 assurance to the commissioner that the device or motor boat is used because of a disability.

21.28 (d) The general provisions for use of wildlife management areas adopted under sections
 21.29 86A.06 and 97A.137, relating to overnight use, alcoholic beverages, use of motorboats,
 21.30 firearms and target shooting, hunting stands, abandonment of trash and property, destruction
 21.31 or removal of property, introduction of plants or animals, and animal trespass, apply to
 21.32 ~~hunters on~~ use of lands enrolled in the walk-in access program.

22.1 (e) Any use of enrolled lands other than ~~hunting according to~~ use authorized under this
 22.2 section is prohibited, including:

22.3 (1) harvesting bait, including minnows, leeches, and other live bait;

22.4 (2) training dogs or using dogs for activities other than hunting; and

22.5 (3) constructing or maintaining any building, dock, fence, billboard, sign, hunting blind,
 22.6 or other structure, unless constructed or maintained by the landowner.

22.7 Subd. 3. **Walk-in-access hunter validation; fee.** The fee for a walk-in-access ~~hunter~~
 22.8 validation is \$3.

22.9 Sec. 18. Minnesota Statutes 2020, section 97A.137, subdivision 3, is amended to read:

22.10 Subd. 3. **Use of motorized vehicles by ~~disabled hunters~~ people with disabilities.** The
 22.11 commissioner may ~~issue~~ provide an accommodation by issuing a special permit, without a
 22.12 fee, authorizing a ~~hunter~~ person with a ~~permanent physical~~ disability to use a ~~snowmobile,~~
 22.13 ~~highway-licensed vehicle, all-terrain vehicle,~~ an other power-driven mobility device, as
 22.14 defined under Code of Federal Regulations, title 28, section 35.104, or a motor boat in
 22.15 wildlife management areas. To qualify for a permit under this subdivision, the ~~disabled~~
 22.16 person must ~~possess:~~

22.17 ~~(1) the required hunting licenses; and~~

22.18 ~~(2) a permit to shoot from a stationary vehicle under section 97B.055, subdivision 3.~~
 22.19 provide credible assurance to the commissioner that the device or motor boat is used because
 22.20 of a disability.

22.21 Sec. 19. Minnesota Statutes 2020, section 97A.137, subdivision 5, is amended to read:

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

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

23.1 State Trunk Highway 1 from the west boundary of the state to State Trunk Highway 89;
 23.2 then north along State Trunk Highway 89 to Fourtown; then north on County State-Aid
 23.3 Highway 44, Beltrami County, to County Road 704, Beltrami County; then north on County
 23.4 Road 704 to Dick's Parkway State Forest Road; then north on Dick's Parkway to County
 23.5 State-Aid Highway 5, Roseau County; then north on County State-Aid Highway 5 to
 23.6 Warroad; then north on State Trunk Highway 11 to State Trunk Highway 313; then north
 23.7 on State Trunk Highway 313 to the north boundary of the state.

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

23.16 **EFFECTIVE DATE.** This section is effective retroactively from July 1, 2019, and
 23.17 Minnesota Statutes, section 97A.137, subdivision 5, paragraph (b), is revived and reenacted
 23.18 as of that date.

23.19 Sec. 20. Minnesota Statutes 2020, section 97A.405, subdivision 5, is amended to read:

23.20 Subd. 5. **Resident licenses.** (a) To obtain a resident license, a resident an individual 21
 23.21 years of age or older must be a resident and:

23.22 (1) possess a current Minnesota driver's license or a valid application receipt for a driver's
 23.23 license that is at least 60 days past the issuance date;

23.24 (2) possess a current identification card issued by the commissioner of public safety or
 23.25 a valid application receipt for an identification card that is at least 60 days past the issuance
 23.26 date; or

23.27 (3) present evidence showing proof of residency in cases when clause (1) or (2) would
 23.28 violate the Religious Freedom Restoration Act of 1993, Public Law 103-141; or

23.29 (4) possess a Tribal identification card as provided in paragraph (b).

23.30 (b) For purposes of this subdivision, "Tribal identification card" means an unexpired
 23.31 identification card as provided under section 171.072, paragraphs (b) and (c). The Tribal
 23.32 identification card:

24.1 (1) must contain the enrolled Tribal member's Minnesota residence address; and

24.2 (2) may be used to obtain a resident license under paragraph (a) only if the Tribal member
 24.3 does not have a current driver's license or state identification card in any state.

24.4 (c) A person must not have applied for, purchased, or accepted a resident hunting, fishing,
 24.5 or trapping license issued by another state or foreign country within 60 days before applying
 24.6 for a resident license under this section.

24.7 Sec. 21. Minnesota Statutes 2020, section 97B.031, subdivision 1, is amended to read:

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

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

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

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

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

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

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

24.19 Sec. 22. Minnesota Statutes 2020, section 97B.031, is amended by adding a subdivision
 24.20 to read:

24.21 Subd. 7. **Regular firearms deer season.** During the regular firearms deer season, all
 24.22 legal firearms may be used statewide.

24.23 Sec. 23. Minnesota Statutes 2020, section 97B.071, is amended to read:

24.24 **97B.071 CLOTHING AND GROUND BLIND REQUIREMENTS; BLAZE**
 24.25 **ORANGE OR BLAZE PINK.**

24.26 (a) Except as provided in rules adopted under paragraph ~~(e)~~ (d), a person may not hunt
 24.27 or trap during the open season where deer may be taken by firearms under applicable laws
 24.28 and ordinances, unless the visible portion of the person's cap and outer clothing above the
 24.29 waist, excluding sleeves and gloves, is blaze orange or blaze pink. Blaze orange or blaze
 24.30 pink includes a camouflage pattern of at least 50 percent blaze orange or blaze pink within

25.1 each foot square. This section does not apply to migratory-waterfowl hunters on waters of
 25.2 this state or in a stationary shooting location or to trappers on waters of this state.

25.3 (b) Except as provided in rules adopted under paragraph (d) and in addition to the
 25.4 requirements under paragraph (a), during the open season where deer may be taken by
 25.5 firearms under applicable laws and ordinances, a person in a fabric or synthetic ground
 25.6 blind on public land must have:

25.7 (1) a blaze orange or blaze pink safety covering on the top of the blind visible for 360
 25.8 degrees around the blind; or

25.9 (2) at least 144 square inches of blaze orange or blaze pink material on each side of the
 25.10 blind.

25.11 ~~(b)~~ (c) Except as provided in rules adopted under paragraph ~~(e)~~ (d), and in addition to
 25.12 the ~~requirement~~ requirements in ~~paragraph~~ paragraphs (a) and (b), a person may not take
 25.13 small game other than turkey, migratory birds, raccoons, and predators, except while trapping,
 25.14 unless a visible portion of at least one article of the person's clothing above the waist is
 25.15 blaze orange or blaze pink. This paragraph does not apply to a person when in a stationary
 25.16 location while hunting deer by archery or when hunting small game by falconry.

25.17 ~~(e)~~ (d) The commissioner may, by rule, prescribe an alternative color in cases where
 25.18 ~~paragraph (a) or (b)~~ paragraphs (a) to (c) would violate the Religious Freedom Restoration
 25.19 Act of 1993, Public Law 103-141.

25.20 ~~(d)~~ (e) A violation of paragraph ~~(b)~~ (c) ~~shall~~ does not result in a penalty, but is punishable
 25.21 only by a safety warning.

25.22 Sec. 24. Minnesota Statutes 2020, section 97B.311, is amended to read:

25.23 **97B.311 DEER SEASONS AND RESTRICTIONS.**

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

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

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

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

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

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

26.5 Sec. 25. Minnesota Statutes 2020, section 97B.415, is amended to read:

26.6 **97B.415 TAKING BEAR TO PROTECT PROPERTY; SPECIAL PERMIT FOR**
26.7 **TAKING NUISANCE BEAR.**

26.8 (a) A person may take a bear at any time to protect the person's property. The person
26.9 must report the bear taken to a conservation officer within 48 hours. The bear may be
26.10 disposed of as prescribed by the commissioner.

26.11 (b) The commissioner must issue a bear control special permit according to section
26.12 97A.401 for wildlife control operators to take nuisance bear by live trapping and relocating
26.13 the bear. When a bear is trapped and released, an enforcement officer or a wildlife manager
26.14 must approve the release location. The commissioner must provide specific training to
26.15 wildlife control operators who are issued a permit under this paragraph, including a refresher
26.16 course every five years. The commissioner may not charge a fee for the bear control special
26.17 permit or training. A wildlife control operator with a special permit issued under this
26.18 paragraph may use remote surveillance equipment to monitor live traps.

26.19 Sec. 26. Minnesota Statutes 2020, section 97B.645, subdivision 9, is amended to read:

26.20 Subd. 9. **Open season.** There shall be no open season for wolves until after the wolf is
26.21 delisted under the federal Endangered Species Act of 1973. After that time, the commissioner
26.22 ~~may~~ must annually prescribe one or more open seasons and for taking wolves by hunting,
26.23 trapping, and bow and arrow. The commissioner may also prescribe restrictions for taking
26.24 wolves but must provide opportunity for public comment.

26.25 Sec. 27. Minnesota Statutes 2020, section 97B.668, is amended to read:

26.26 **97B.668 ~~GAME BIRDS~~ ANIMALS CAUSING DAMAGE.**

26.27 Subdivision 1. Game birds causing damage. Notwithstanding sections 97B.091 and
26.28 97B.805, subdivisions 1 and 2, a person or agent of that person on lands and nonpublic
26.29 waters owned or operated by the person may nonlethally scare, haze, chase, or harass game
26.30 birds that are causing property damage or to protect a disease risk at any time or place that
26.31 a hunting season for the game birds is not open. This section does not apply to public waters

27.1 as defined under section 103G.005, subdivision 15. This section does not apply to migratory
 27.2 waterfowl on nests and other federally protected game birds on nests, except ducks and
 27.3 geese on nests when a permit is obtained under section 97A.401.

27.4 Subd. 2. **Deer and elk causing damage.** (a) Notwithstanding section 97B.091, a property
 27.5 owner, the property owner's immediate family member, or an agent of the property owner
 27.6 may nonlethally scare, haze, chase, or harass deer or elk that are causing damage to
 27.7 agricultural crops propagated under generally accepted agricultural practices.

27.8 (b) Paragraph (a) applies only:

27.9 (1) in the immediate area of the crop damage; and

27.10 (2) during the closed season for taking deer or elk.

27.11 (c) Paragraph (a) does not allow:

27.12 (1) using poisons;

27.13 (2) using dogs;

27.14 (3) conduct that drives a deer or elk to the point of exhaustion;

27.15 (4) activities requiring a permit under section 97A.401; or

27.16 (5) causing the death of a deer or elk or actions likely to cause the death of a deer or elk.

27.17 (d) A property owner or the owner's agent must report the death of any deer or elk to
 27.18 Division of Fish and Wildlife staff within 24 hours of the death if the death resulted from
 27.19 actions taken under paragraph (a).

27.20 Sec. 28. Minnesota Statutes 2020, section 97C.211, subdivision 2a, is amended to read:

27.21 Subd. 2a. **Acquiring fish.** (a) A private fish hatchery may not obtain fish outside of the
 27.22 state unless the fish or the source of the fish are approved by the commissioner. The
 27.23 commissioner may apply more stringent requirements to fish or a source of fish from outside
 27.24 the state than are applied to fish and sources of fish from within the state. The commissioner
 27.25 must either approve or deny the acquisition within 30 days after receiving a written request
 27.26 for approval. ~~Minnows acquired must be processed and not released into public waters,~~
 27.27 ~~except as provided in section 97C.515, subdivision 4.~~ A request may be for annual
 27.28 acquisition.

27.29 (b) If the commissioner denies approval, a written notice must be submitted to the
 27.30 applicant stating the reasons for the denial and the commissioner must:

27.31 (1) designate approved sources to obtain the desired fish or fish eggs; or

28.1 (2) sell the fish or fish eggs from state fish hatcheries at fair market value.

28.2 Sec. 29. Minnesota Statutes 2020, section 97C.315, subdivision 1, is amended to read:

28.3 Subdivision 1. **Lines.** An angler may not use more than one line except:

28.4 (1) two lines may be used to take fish through the ice; ~~and~~

28.5 (2) the commissioner may, by rule, authorize the use of two lines in areas designated by
28.6 the commissioner in Lake Superior; and

28.7 (3) two lines may be used in the Minnesota River downstream of the Granite Falls dam
28.8 and in the Mississippi River downstream of St. Anthony Falls.

28.9 Sec. 30. Minnesota Statutes 2020, section 97C.515, subdivision 2, is amended to read:

28.10 Subd. 2. **Permit for ~~transportation~~ importation.** (a) A person may ~~transport~~ import
28.11 live minnows ~~through~~ into the state with a permit from the commissioner. ~~The permit must~~
28.12 ~~state the name and address of the person, the number and species of minnows, the point of~~
28.13 ~~entry into the state, the destination, and the route through the state. The permit is not valid~~
28.14 ~~for more than 12 hours after it is issued. A person must not import minnows into the state~~
28.15 except as provided in this section.

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

28.18 ~~(c) The commissioner may require the person transporting minnow species found on~~
28.19 ~~the official list of viral hemorrhagic septicemia susceptible species published by the United~~
28.20 ~~States Department of Agriculture, Animal and Plant Health Inspection Services, to provide~~
28.21 ~~health certification for viral hemorrhagic septicemia. The certification must disclose any~~
28.22 ~~incidentally isolated replicating viruses, and must be dated within the 12 months preceding~~
28.23 ~~transport.~~

28.24 (b) Minnows must be certified as healthy according to standards of the World
28.25 Organization for Animal Health or the Fish Health Section Blue Book of the American
28.26 Fisheries Society.

28.27 (c) Minnows must be certified free of viral hemorrhagic septicemia, infectious
28.28 hematopoietic necrosis, infectious pancreatic necrosis, spring viremia of carp virus, fathead
28.29 minnow nidovirus, and Heterosporis within the past 12 months.

28.30 (d) Minnows must originate from a biosecure facility that has tested negative for invasive
28.31 species in the past 12 months.

29.1 (e) Only a person that holds a minnow dealer's license issued under section 97C.501,
29.2 subdivision 2, may obtain a permit to import minnows.

29.3 (f) The following information must be available to the commissioner upon request for
29.4 each load of imported minnows:

29.5 (1) the date minnows were imported;

29.6 (2) the number of pounds or gallons imported;

29.7 (3) the facility name from which the minnows originated; and

29.8 (4) a fish health certificate for the minnows.

29.9 (g) Minnows may be imported to feed hatchery fish if the requirements in paragraphs

29.10 (a) to (f) are met.

29.11 Sec. 31. Minnesota Statutes 2020, section 103G.201, is amended to read:

29.12 **103G.201 PUBLIC WATERS INVENTORY.**

29.13 (a) The commissioner ~~shall~~ must maintain a public waters inventory map of each county
29.14 that shows the waters of this state that are designated as public waters under the public
29.15 waters inventory and classification procedures prescribed under Laws 1979, chapter 199,
29.16 and ~~shall~~ must provide access to a copy of the maps. As county public waters inventory
29.17 maps are revised according to this section, the commissioner ~~shall~~ must send a notification
29.18 or a copy of the maps to the auditor of each affected county.

29.19 (b) The commissioner is authorized to revise the map of public waters established under
29.20 Laws 1979, chapter 199, to reclassify those types 3, 4, and 5 wetlands previously identified
29.21 as public waters wetlands under Laws 1979, chapter 199, as public waters or as wetlands
29.22 under section 103G.005, subdivision 19. The commissioner may only reclassify public
29.23 waters wetlands as public waters if:

29.24 (1) they are assigned a shoreland management classification by the commissioner under
29.25 sections 103F.201 to 103F.221;

29.26 (2) they are classified as lacustrine wetlands or deepwater habitats according to
29.27 Classification of Wetlands and Deepwater Habitats of the United States (Cowardin, et al.,
29.28 1979 edition); or

29.29 (3) the state or federal government has become titleholder to any of the beds or shores
29.30 of the public waters wetlands, subsequent to the preparation of the public waters inventory
29.31 map filed with the auditor of the county, pursuant to paragraph (a), and the responsible state

30.1 or federal agency declares that the water is necessary for the purposes of the public
30.2 ownership.

30.3 (c) The commissioner must provide notice of ~~the~~ a reclassification under paragraph (b)
30.4 or a revision under paragraph (e) to the local government unit, the county board, the
30.5 watershed district, if one exists for the area, and the soil and water conservation district.
30.6 Within 60 days of receiving notice from the commissioner, a party required to receive the
30.7 notice may provide a resolution stating objections to the reclassification or revision. If the
30.8 commissioner receives an objection from a party required to receive the notice, the
30.9 reclassification or revision is not effective. If the commissioner does not receive an objection
30.10 from a party required to receive the notice, the reclassification of a wetland under paragraph
30.11 (b) or revision under paragraph (e) is effective 60 days after the notice is received by all of
30.12 the parties.

30.13 (d) The commissioner ~~shall~~ must give priority to the reclassification of public waters
30.14 wetlands that are or have the potential to be affected by public works projects.

30.15 (e) The commissioner may revise the public waters inventory map of each county:

30.16 (1) to reflect the changes authorized in paragraph (b); and

30.17 (2) as needed, to:

30.18 (i) correct errors in the original inventory;

30.19 (ii) add or subtract trout stream tributaries within sections that contain a designated trout
30.20 stream following written notice to the landowner;

30.21 (iii) add depleted quarries, and sand and gravel pits, when the body of water exceeds 50
30.22 acres and the shoreland has been zoned for residential development; and

30.23 (iv) add or subtract public waters that have been created or eliminated as a requirement
30.24 of a permit authorized by the commissioner under section 103G.245.

30.25 Sec. 32. Minnesota Statutes 2020, section 103G.211, is amended to read:

30.26 **103G.211 DRAINING PUBLIC WATERS PROHIBITED WITHOUT**
30.27 **REPLACEMENT.**

30.28 (a) Except as provided in sections 103G.221 to 103G.235, public waters may not be
30.29 drained, and a permit authorizing drainage of public waters may not be issued, unless the
30.30 public waters to be drained are replaced by public waters that will have equal or greater
30.31 public value.

31.1 (b) Nothing in this section shall be construed to prevent the commissioner from issuing
31.2 or amending a water-use permit for appropriation from groundwater where:

31.3 (1) the application is for a new groundwater well or to increase appropriation amounts
31.4 under an existing permit;

31.5 (2) the applicant is a municipality wholly or partially located within a five-mile radius
31.6 of White Bear Lake; and

31.7 (3) the amount of water to be appropriated under the proposal is consistent with the
31.8 amount anticipated to be needed by the applicant each year according to a water supply
31.9 plan approved by the commissioner under section 103G.291 before 2021.

31.10 (c) Paragraph (b) and this paragraph expire on January 1, 2041.

31.11 **EFFECTIVE DATE.** This section is effective the day following final enactment, and
31.12 applies to applications for new or modified permits filed on or after that date.

31.13 Sec. 33. Minnesota Statutes 2020, section 103G.223, is amended to read:

31.14 **103G.223 CALCAREOUS FENS.**

31.15 (a) Calcareous fens, as identified by the commissioner by written order published in the
31.16 State Register, may not be filled, drained, or otherwise degraded, wholly or partially, by
31.17 any activity, unless the commissioner, under an approved management plan, decides some
31.18 alteration is necessary or as provided in paragraph (b). Identifications made by the
31.19 commissioner are not subject to the rulemaking provisions of chapter 14 and section 14.386
31.20 does not apply.

31.21 (b) The commissioner may allow water appropriations that result in temporary reductions
31.22 in groundwater resources on a seasonal basis under an approved calcareous fen management
31.23 plan.

31.24 (c) If the commissioner determines that a water appropriation permit cannot be issued
31.25 or renewed because of this section, the commissioner must, within one year of the date of
31.26 denial and at no cost to the applicant, provide the applicant with a groundwater and surface
31.27 water hydrologic evaluation that demonstrates by a preponderance of the evidence the basis
31.28 for that conclusion.

31.29 (d) An applicant whose permit is denied under this section may file a written request
31.30 with the commissioner to designate a mutually agreed upon third party expert to review the
31.31 evaluation provided under paragraph (c) at no cost to the applicant, and to make
31.32 recommendations to the commissioner about whether or not the permit should be issued.

32.1 The third party expert must agree to provide the commissioner and applicant with the expert's
32.2 recommendations within 90 days of agreeing to review the evaluation.

32.3 (e) A permit applicant may file for a contested case hearing under chapter 14 within 30
32.4 days of the later of the following:

32.5 (1) the date by which the hydrologic evaluation was required to have been provided to
32.6 the applicant under paragraph (c);

32.7 (2) receiving the recommendations of the third party who is reviewing the evaluation
32.8 under paragraph (d); or

32.9 (3) determining that no mutually agreed upon third party expert can be found.

32.10 (f) Any permit applicant who has had a water appropriation permit previously denied
32.11 under this section may resubmit a permit application under this section and is entitled to all
32.12 rights and reviews available under this section.

32.13 Sec. 34. Minnesota Statutes 2021 Supplement, section 103G.271, subdivision 4a, is
32.14 amended to read:

32.15 Subd. 4a. **Mt. Simon-Hinckley aquifer.** The commissioner may not issue new water-use
32.16 permits that will appropriate water from the Mt. Simon-Hinckley aquifer unless:

32.17 (1) the appropriation is for potable water use, there are no feasible or practical alternatives
32.18 to this source, and a water conservation plan is incorporated with the permit; or

32.19 (2) the appropriation is for less than 4,000,000 gallons per year and is to facilitate the
32.20 growth of trees.

32.21 Sec. 35. Minnesota Statutes 2020, section 103G.271, subdivision 7, is amended to read:

32.22 Subd. 7. **Transferring permit.** (a) A water-use permit may be transferred to a successive
32.23 owner of real property if the permittee conveys the real property where the source of water
32.24 is located. The new owner must notify the commissioner immediately after the conveyance
32.25 and request transfer of the permit. The commissioner must not deny the transfer of a permit
32.26 if the permittee is in compliance with all permit conditions and the permit meets the
32.27 requirements of sections 103G.255 to 103G.301.

32.28 (b) When transferring a permit, the commissioner must not require additional conditions
32.29 on the permit, reduce the appropriation, reduce the term, or require any testing.

33.1 Sec. 36. Minnesota Statutes 2020, section 103G.271, is amended by adding a subdivision
33.2 to read:

33.3 Subd. 8. **Management plans; effect on land values.** Before a management plan for
33.4 appropriating water is prepared, the commissioner must provide estimates of the impact of
33.5 any new restriction or policy on land values in the affected area. Strategies to address adverse
33.6 impacts to land values must be included in the plan.

33.7 Sec. 37. Minnesota Statutes 2020, section 103G.285, is amended by adding a subdivision
33.8 to read:

33.9 Subd. 7. **Application.** (a) Nothing in this section shall be construed to prevent the
33.10 commissioner from issuing or amending a water-use permit for appropriation from
33.11 groundwater where:

33.12 (1) the application is for a new groundwater well or to increase appropriation amounts
33.13 under an existing permit;

33.14 (2) the applicant is a municipality wholly or partially located within a five-mile radius
33.15 of White Bear Lake; and

33.16 (3) the amount of water to be appropriated under the proposal is consistent with the
33.17 amount anticipated to be needed by the applicant each year according to a water supply
33.18 plan approved by the commissioner under section 103G.291 before 2021.

33.19 (b) This subdivision expires on January 1, 2041.

33.20 **EFFECTIVE DATE.** This section is effective the day following final enactment, and
33.21 applies to applications for new or modified permits filed on or after that date.

33.22 Sec. 38. Minnesota Statutes 2020, section 103G.287, subdivision 4, is amended to read:

33.23 Subd. 4. **Groundwater management areas.** (a) The commissioner may designate
33.24 groundwater management areas and limit total annual water appropriations and uses within
33.25 a designated area to ensure sustainable use of groundwater that protects ecosystems, water
33.26 quality, and the ability of future generations to meet their own needs. Water appropriations
33.27 and uses within a designated management area must be consistent with a groundwater
33.28 management area plan approved by the commissioner that addresses water conservation
33.29 requirements and water allocation priorities established in section 103G.261. During
33.30 development of a groundwater management area plan, the commissioner and employees
33.31 and agents of the department may disseminate information related to the timing, location,
33.32 and agendas of meetings related to the plan, but must otherwise limit public information

34.1 related to the groundwater management area plan to direct factual responses to public and
34.2 media inquiries. At least 30 days prior to implementing or modifying a groundwater
34.3 management area plan under this subdivision, the commissioner shall consult with the
34.4 advisory team established in paragraph (c).

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

34.13 (c) When designating a groundwater management area, the commissioner shall assemble
34.14 an advisory team to assist in developing a groundwater management area plan for the area.
34.15 The advisory team members shall be selected from public and private entities that have an
34.16 interest in the water resources affected by the groundwater management area. A majority
34.17 of the advisory team members shall be public and private entities that currently hold water-use
34.18 permits for water appropriations from the affected water resources. The commissioner shall
34.19 consult with the League of Minnesota Cities, the Association of Minnesota Counties, the
34.20 Minnesota Association of Watershed Districts, and the Minnesota Association of Townships
34.21 in appointing the local government representatives to the advisory team. The advisory team
34.22 may also include representatives from the University of Minnesota, the Minnesota State
34.23 Colleges and Universities, other institutions of higher learning in Minnesota, political
34.24 subdivisions with jurisdiction over water issues, nonprofits with expertise in water, and
34.25 federal agencies.

34.26 (d) Before designating a groundwater management area, the commissioner must provide
34.27 estimates of the impact of any new restriction or policy on land values in the affected area.
34.28 Strategies to address adverse impacts to land values must be included in any plan.

34.29 Sec. 39. Minnesota Statutes 2020, section 103G.287, subdivision 5, is amended to read:

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

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

35.3 Sec. 40. Minnesota Statutes 2020, section 103G.287, is amended by adding a subdivision
35.4 to read:

35.5 Subd. 6. **Application.** (a) Nothing in this section shall be construed to prevent the
35.6 commissioner from issuing or amending a water-use permit for appropriation from
35.7 groundwater where:

35.8 (1) the application is for a new groundwater well or to increase appropriation amounts
35.9 under an existing permit;

35.10 (2) the applicant is a municipality wholly or partially located within a five-mile radius
35.11 of White Bear Lake; and

35.12 (3) the amount of water to be appropriated under the proposal is consistent with the
35.13 amount anticipated to be needed by the applicant each year according to a water supply
35.14 plan approved by the commissioner under section 103G.291 before 2021.

35.15 (b) This subdivision expires on January 1, 2041.

35.16 **EFFECTIVE DATE.** This section is effective the day following final enactment, and
35.17 applies to applications for new or modified permits filed on or after that date.

35.18 Sec. 41. Minnesota Statutes 2020, section 103G.287, is amended by adding a subdivision
35.19 to read:

35.20 Subd. 7. **Issuance of certain permits.** (a) Notwithstanding any other provision of law,
35.21 the commissioner must issue a water-use permit for appropriation from groundwater that
35.22 meets the criteria of subdivision 6. Nothing in this subdivision shall be construed to prohibit
35.23 the commissioner from imposing conditions on the permit so long as the conditions do not
35.24 prevent the applicant from appropriating the amount of groundwater applied for.

35.25 (b) This subdivision expires on January 1, 2041.

35.26 **EFFECTIVE DATE.** This section is effective the day following final enactment, and
35.27 applies to applications for new or modified permits filed on or after that date.

36.1 Sec. 42. Minnesota Statutes 2020, section 103G.289, is amended to read:

36.2 **103G.289 WELL INTERFERENCE; WELL SEALING VALIDATION;**
 36.3 **CONTESTED CASE.**

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

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

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

36.14 Sec. 43. Minnesota Statutes 2020, section 115.03, subdivision 1, is amended to read:

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

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

36.19 ~~(b)~~ (2) to investigate the extent, character, and effect of the pollution of the waters of
 36.20 this state and to gather data and information necessary or desirable in the administration or
 36.21 enforcement of pollution laws, and to make such classification of the waters of the state as
 36.22 it may deem advisable;

36.23 ~~(c)~~ (3) to establish and alter such reasonable pollution standards for any waters of the
 36.24 state in relation to the public use to which they are or may be put as it ~~shall~~ must deem
 36.25 necessary for the purposes of this chapter and, with respect to the pollution of waters of the
 36.26 state, chapter 116;

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

36.29 ~~(e)~~ (5) to adopt, issue, reissue, modify, deny, or revoke, enter into or enforce reasonable
 36.30 orders, permits, variances, standards, rules, schedules of compliance, and stipulation
 36.31 agreements, under such conditions as it may prescribe, in order to prevent, control or abate

37.1 water pollution, or for the installation or operation of disposal systems or parts thereof, or
37.2 for other equipment and facilities:

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

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

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

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

37.21 ~~(5)~~ (v) establishing, and from time to time revising, standards of performance for new
37.22 sources taking into consideration, among other things, classes, types, sizes, and categories
37.23 of sources, processes, pollution control technology, cost of achieving such effluent reduction,
37.24 and any nonwater quality environmental impact and energy requirements. Said standards
37.25 of performance for new sources ~~shall~~ must encompass those standards for the control of the
37.26 discharge of pollutants which reflect the greatest degree of effluent reduction which the
37.27 agency determines to be achievable through application of the best available demonstrated
37.28 control technology, processes, operating methods, or other alternatives, including, where
37.29 practicable, a standard permitting no discharge of pollutants. New sources ~~shall~~ must
37.30 encompass buildings, structures, facilities, or installations from which there is or may be
37.31 the discharge of pollutants, the construction of which is commenced after the publication
37.32 by the agency of proposed rules prescribing a standard of performance which will be
37.33 applicable to such source. Notwithstanding any other provision of the law of this state, any
37.34 point source the construction of which is commenced after May 20, 1973, and which is so

38.1 constructed as to meet all applicable standards of performance for new sources ~~shall~~ must,
38.2 consistent with and subject to the provisions of section 306(d) of the Amendments of 1972
38.3 to the Federal Water Pollution Control Act, not be subject to any more stringent standard
38.4 of performance for new sources during a ten-year period beginning on the date of completion
38.5 of such construction or during the period of depreciation or amortization of such facility
38.6 for the purposes of section 167 or 169, or both, of the Federal Internal Revenue Code of
38.7 1954, whichever period ends first. Construction ~~shall~~ must encompass any placement,
38.8 assembly, or installation of facilities or equipment, including contractual obligations to
38.9 purchase such facilities or equipment, at the premises where such equipment will be used,
38.10 including preparation work at such premises;

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

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

38.20 ~~(8)~~ (viii) notwithstanding any other provision of this chapter, and with respect to the
38.21 pollution of waters of the state, chapter 116, requiring the achievement of more stringent
38.22 limitations than otherwise imposed by effluent limitations in order to meet any applicable
38.23 water quality standard by establishing new effluent limitations, based upon section 115.01,
38.24 subdivision 13, clause (b), including alternative effluent control strategies for any point
38.25 source or group of point sources to insure the integrity of water quality classifications,
38.26 whenever the agency determines that discharges of pollutants from such point source or
38.27 sources, with the application of effluent limitations required to comply with any standard
38.28 of best available technology, would interfere with the attainment or maintenance of the
38.29 water quality classification in a specific portion of the waters of the state. Prior to
38.30 establishment of any such effluent limitation, the agency ~~shall~~ must hold a public hearing
38.31 to determine the relationship of the economic and social costs of achieving such limitation
38.32 or limitations, including any economic or social dislocation in the affected community or
38.33 communities, to the social and economic benefits to be obtained and to determine whether
38.34 or not such effluent limitation can be implemented with available technology or other
38.35 alternative control strategies. If a person affected by such limitation demonstrates at such

39.1 hearing that, whether or not such technology or other alternative control strategies are
39.2 available, there is no reasonable relationship between the economic and social costs and
39.3 the benefits to be obtained, such limitation ~~shall~~ must not become effective and ~~shall~~ must
39.4 be adjusted as it applies to such person;

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

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

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

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

39.21 ~~(h)~~ (8) to conduct such investigations, issue such notices, public and otherwise, and hold
39.22 such hearings as are necessary or which it may deem advisable for the discharge of its duties
39.23 under this chapter and, with respect to the pollution of waters of the state, under chapter
39.24 116, including, but not limited to, the issuance of permits, and to authorize any member,
39.25 employee, or agent appointed by it to conduct such investigations or, issue such notices and
39.26 hold such hearings;

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

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

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

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

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

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

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

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

40.30 Sec. 44. Minnesota Statutes 2020, section 115.455, is amended to read:

40.31 **115.455 EFFLUENT LIMITATIONS; COMPLIANCE.**

40.32 To the extent allowable under federal law, for a municipality that constructs a publicly
40.33 owned treatment works or for an industrial national pollutant discharge elimination system

41.1 and state disposal system permit holder that constructs a treatment works to comply with a
41.2 new or modified effluent limitation, compliance with any new or modified effluent limitation
41.3 adopted after construction begins that would require additional capital investment is required
41.4 no sooner than 16 years after the date the facility begins operating.

41.5 Sec. 45. Minnesota Statutes 2020, section 115.55, is amended by adding a subdivision to
41.6 read:

41.7 Subd. 3a. **Repaired drainage holes.** A precast reinforced concrete tank that has one or
41.8 more openings in the exterior walls or tank bottom below the tank liquid level meets
41.9 minimum standards and criteria for subsurface sewage treatment systems if:

41.10 (1) the openings have been repaired or sealed; and

41.11 (2) all other requirements of the rules adopted under subdivision 3 are met.

41.12 Sec. 46. Minnesota Statutes 2020, section 115.77, subdivision 1, is amended to read:

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

41.17 Sec. 47. Minnesota Statutes 2020, section 115.84, subdivision 2, is amended to read:

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

41.21 Sec. 48. Minnesota Statutes 2020, section 115.84, subdivision 3, is amended to read:

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

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

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

42.3 Sec. 49. Minnesota Statutes 2020, section 115A.03, is amended by adding a subdivision
42.4 to read:

42.5 Subd. 3b. **Chemical plastic recycling.** "Chemical plastic recycling" means a
42.6 manufacturing process for converting post-use polymers into products, such as monomers,
42.7 oligomers, plastics, basic and unfinished chemicals, and other raw materials. Chemical
42.8 plastic recycling is not processing, treatment, incineration, disposal, or waste management,
42.9 as those terms are defined or used pursuant to chapters 115, 115A, and 116.

42.10 Sec. 50. Minnesota Statutes 2020, section 115A.03, is amended by adding a subdivision
42.11 to read:

42.12 Subd. 3c. **Chemical plastic recycling facility.** "Chemical plastic recycling facility"
42.13 means a manufacturing facility that receives, stores, and converts post-use polymers it
42.14 receives using chemical plastic recycling. A chemical plastic recycling facility is not a
42.15 disposal facility, resource recovery facility, solid waste facility, or waste facility as those
42.16 terms are defined and regulated pursuant to chapters 115, 115A and 116.

42.17 Sec. 51. Minnesota Statutes 2020, section 115A.03, is amended by adding a subdivision
42.18 to read:

42.19 Subd. 24c. **Post-use polymer.** "Post-use polymers" means plastic that:

42.20 (1) is derived from any industrial, commercial, agricultural, or domestic activities;

42.21 (2) is used as feedstock for chemical plastic recycling;

42.22 (3) is processed at a chemical plastic recycling facility or held at a chemical plastic
42.23 recycling facility before processing;

42.24 (4) is not stored at any one location for more than three years without being utilized for
42.25 chemical plastic recycling; and

42.26 (5) has been sorted from solid waste and regulated waste but may contain residual
42.27 amounts of solid waste such as organic materials and individual contaminants or impurities,
42.28 such as paper labels and metal rings.

43.1 Sec. 52. Minnesota Statutes 2020, section 115A.03, subdivision 35, is amended to read:

43.2 Subd. 35. **Waste facility.** "Waste facility" means all property, real or personal, including
43.3 negative and positive easements and water and air rights, which is or may be needed or
43.4 useful for the processing or disposal of waste, except property for the collection of the waste
43.5 and property used primarily for the manufacture of scrap metal ~~or~~ paper, or post-use
43.6 polymers. Waste facility includes but is not limited to transfer stations, processing facilities,
43.7 and disposal sites and facilities.

43.8 Sec. 53. **[115A.143] MATTRESS RECYCLING.**

43.9 Subdivision 1. Definitions. (a) For purposes of this section, the terms in this subdivision
43.10 have the meanings given.

43.11 (b) "Brand" means a name, symbol, word, or mark that attributes a mattress to the
43.12 producer of the mattress.

43.13 (c) "Commissioner" means the commissioner of the Minnesota Pollution Control Agency.

43.14 (d) "Consumer" means an owner of a mattress, including a person, business, corporation,
43.15 limited partnership, nonprofit organization, or governmental entity, and including the ultimate
43.16 purchaser, owner, or lessee of a mattress. Consumer does not include a government
43.17 organization or other party that obtains one or more discarded mattresses in the course of
43.18 collecting used mattresses for recycling for purposes of this chapter, or through the ordinary
43.19 collection and handling of municipal solid waste.

43.20 (e) "Covered entity" means a commercial, institutional, governmental, or industrial
43.21 generator of mattresses that were used and discarded in the state, such as a health care
43.22 facility, educational facility, military base, or commercial or nonprofit lodging establishment.
43.23 Covered entity does not include a renovator, refurbisher, or person that only transports a
43.24 discarded mattress. Covered entities may engage in mattress collection or mattress drop-off
43.25 activities for mattresses that will be managed in the mattress stewardship program.

43.26 (f) "Discarded mattress" means a mattress that a consumer discarded, intends to discard,
43.27 or abandoned in the state.

43.28 (g) "Foundation" means any ticking-covered structure that is used to support a mattress
43.29 and that is composed of one or more of a constructed frame, foam, or a box spring whether
43.30 stationary, adjustable, or foldable.

43.31 (h) "Mattress" means any resilient material or combination of materials that is enclosed
43.32 by ticking, used alone or in combination with other products, and that is intended or promoted

44.1 for sleeping upon. Mattress includes any foundation and any used or renovated mattress.
44.2 Mattress does not include any mattress pad; mattress topper; sleeping bag; pillow; car bed;
44.3 carriage; basket; dressing table; stroller; playpen; infant carrier; lounge pad; crib or bassinet
44.4 mattress; crib bumper; liquid or gaseous filled ticking, including any water bed and any air
44.5 mattress that does not contain upholstery material between the ticking and the mattress core;
44.6 or upholstered furniture, including a sleeper sofa.

44.7 (i) "Mattress core" means the principal support system that is present in a mattress,
44.8 including but not limited to springs, foam, air bladder, water bladder, or resilient filling.

44.9 (j) "Mattress recycling council" or "council" means the nonprofit organization created
44.10 by producers or created by any trade association that represents producers who account for
44.11 a majority of mattress production in the United States to design, submit, and implement the
44.12 mattress stewardship program. Retailers may participate in the council.

44.13 (k) "Mattress stewardship fee" means the amount added to the purchase price of a mattress
44.14 sold to a consumer or to an ultimate end user in this state that is necessary to cover the cost
44.15 of accepting, transporting, and processing discarded mattresses according to the mattress
44.16 stewardship program established in this section.

44.17 (l) "Mattress stewardship program" or "program" means the statewide program and
44.18 implemented according to the mattress stewardship plan.

44.19 (m) "Mattress topper" means an item that contains resilient filling, with or without
44.20 ticking, that is intended to be used with or on top of a mattress.

44.21 (n) "Performance goal" means a metric proposed by the council to annually measure the
44.22 performance of the mattress stewardship program, taking into consideration technical and
44.23 economic feasibilities in achieving continuous, meaningful improvement in the rate of
44.24 mattress recycling in the state and any other specified goal of the program.

44.25 (o) "Producer" means a person who manufactures or renovates a mattress that is sold,
44.26 offered for sale, or distributed in the state under the producer's own name or brand. Producer
44.27 includes:

44.28 (1) the owner of a trademark or brand under which a mattress is sold, offered for sale,
44.29 or distributed in this state, whether or not the trademark or brand is registered in this state;
44.30 and

44.31 (2) a person who imports a mattress into the state that is sold or offered for sale in this
44.32 state, and that is manufactured or renovated by a person who does not have a presence in
44.33 the United States.

45.1 (p) "Qualified processor" means a recycling entity that recycles mattresses discarded in
45.2 the state under a contract with the council that meets the requirements set forth in subdivision
45.3 7.

45.4 (q) "Recyclable mattress" means a mattress that a consumer discarded, intends to discard,
45.5 or abandoned in the state, but does not include a mattress that cannot be safely recycled
45.6 because it is contaminated by putrescible solid waste or is substantially soiled, is infested
45.7 with bedbugs, or poses a risk to worker health or equipment, which should be disposed of
45.8 through the existing solid waste system.

45.9 (r) "Recycling" means a process in which discarded mattresses, components, and
45.10 by-products may lose their original identity or form as they are transformed into new, usable,
45.11 or marketable materials. Recycling does not include using destructive incineration.

45.12 (s) "Renovate" or "renovation" means altering a mattress for resale, including any one
45.13 or a combination of replacing the ticking or filling, adding additional filling, or replacing
45.14 components with new or recycled materials. Renovate or renovation does not include:

45.15 (1) stripping a mattress of its ticking or filling without adding new material;

45.16 (2) sanitizing or sterilizing a mattress without otherwise altering the mattress; or

45.17 (3) a renovator altering a mattress for a person who retains the altered mattress for
45.18 personal use, in accordance with chapter 325F.

45.19 (t) "Renovator" means a person who renovates discarded mattresses to resell the
45.20 mattresses to consumers.

45.21 (u) "Retailer" means a person who sells or offers to sell mattresses to a consumer or to
45.22 an ultimate end user in this state.

45.23 (v) "Sale" means transfer of title of a mattress for consideration to a consumer or an
45.24 ultimate end user in the state, including but not limited to by means of a sales outlet, catalog,
45.25 website, or similar electronic means.

45.26 (w) "Sanitizing" means directly applying chemicals to a mattress to kill human
45.27 disease-causing pathogens.

45.28 (x) "Sterilizing" means mitigating deleterious substances or organisms, including human
45.29 disease-causing pathogens, fungi, and insects from a mattress or filling material using a
45.30 chemical or heat process.

46.1 (y) "Ticking" means the outermost layer of fabric or material of a mattress. Ticking does
46.2 not include any layer of fabric or material quilted together with, or otherwise attached to,
46.3 the outermost layer of fabric or material of a mattress.

46.4 (z) "Unrecyclable mattress" means a mattress that a consumer discarded, intends to
46.5 discard, or abandoned in the state that is contaminated by putrescible solid waste or is
46.6 substantially soiled, is infested with bedbugs, or poses a risk to worker health or equipment,
46.7 which should be disposed of through the existing solid waste system.

46.8 (aa) "Upholstery material" means all material, loose or attached, between the ticking
46.9 and the core of a mattress.

46.10 Subd. 2. **Mattress recycling council; required plan.** (a) Within 180 days after the
46.11 effective date of this section, producers must establish a mattress recycling council in the
46.12 state.

46.13 (b) Within the latter of 180 days after the effective date of this section or 30 days after
46.14 becoming a producer thereafter, each producer or the producer's designee must join the
46.15 mattress recycling council.

46.16 (c) Within 365 days after the effective date of this section, the council must submit a
46.17 plan for approval by the commissioner to establish a statewide mattress stewardship program,
46.18 as described in this subdivision.

46.19 (d) At least once every five years after the plan identified in paragraph (c) is approved,
46.20 the mattress recycling council shall review the plan and determine whether amendments to
46.21 the plan are necessary. If the council determines amendments to the plan are necessary, it
46.22 shall amend the plan. If the council determines that no amendments to the plan are necessary,
46.23 it shall send a letter to the commissioner explaining that the council has reviewed the plan
46.24 and determined no revisions are needed. The commissioner may disapprove the council's
46.25 determination within 30 days of that determination if it concludes that the council cannot
46.26 implement the objectives of this chapter without amending the plan. If the commissioner
46.27 disapproves the determination, the commissioner shall explain, in writing, why amendments
46.28 to the plan are necessary to comply with this section, and the mattress recycling organization
46.29 shall resubmit an amended plan. If the commissioner finds that the amended plan resubmitted
46.30 by the organization does not comply with the requirements of paragraph (e), the mattress
46.31 recycling organization shall not be deemed in compliance until the organization submits an
46.32 amended plan that the commissioner finds complies with the requirements of paragraph (e).

46.33 (e) The mattress stewardship program plan submitted pursuant to this subdivision must,
46.34 in an economically efficient and practical manner:

47.1 (1) provide for a statewide network of convenient and accessible locations to receive
47.2 discarded mattresses at no charge to any person in the state with a discarded mattress that
47.3 was used and discarded in the state, including but not limited to participating covered entities
47.4 that accumulate and segregate a minimum of 100 recyclable mattresses for collection at one
47.5 time;

47.6 (2) may establish requirements for other minimum counts of accumulated mattresses
47.7 suitable to the operational constraints of covered entities' collection sites, and shall provide
47.8 for the transfer of collected recyclable mattresses from the premises of covered entities to
47.9 qualified processors;

47.10 (3) provide for end-of-life management of discarded mattresses collected according to
47.11 clauses (1) and (2) through negotiated agreements with public covered entities that accept
47.12 discarded mattresses at no charge to the public that pay the covered entity a fee for its
47.13 reasonable actual costs for the proper and cost-effective accepting, storing, transporting,
47.14 and handling of discarded mattresses for recycling or disposal. The council and any covered
47.15 entity are obligated to negotiate in good faith;

47.16 (4) provide for recycling of recyclable mattresses by a qualified processor;

47.17 (5) describe how the council will coordinate the program with existing consolidation,
47.18 transportation, and recycling programs for discarded mattresses;

47.19 (6) provide suitable storage containers at or make other mutually agreeable storage and
47.20 transport arrangements for covered entities for segregated, recyclable mattresses, at no cost
47.21 to the covered entity, provided the covered entity can accumulate and store at least 50
47.22 recyclable mattress, makes space available for the purpose, and imposes no fee for placement
47.23 of the storage container on the covered entity premises;

47.24 (7) provide that the council will conduct research as needed related to improving discarded
47.25 mattress collection, dismantling, and recycling operations, including pilot programs to test
47.26 new processes, methods, or equipment on a local, regional, or otherwise limited basis;

47.27 (8) include a mattress stewardship fee set in accordance with paragraph (f) that is
47.28 sufficient to cover but not exceed the costs of operating and administering the program;

47.29 (9) identify each producer and retailer participating in the program as a member of the
47.30 council participating in the program;

47.31 (10) describe the roles and responsibilities of producers and retailers participating in the
47.32 program;

47.33 (11) describe the mattress stewardship fee for the program and a proposed budget;

48.1 (12) describe the mattress stewardship fee collection procedures and how producers and
48.2 retailers are notified of the procedures;

48.3 (13) establish program performance goals for the first two years of the program and
48.4 annual diversion targets and recycling rates of mattresses based on estimated or actual sales
48.5 and estimated discarded mattresses;

48.6 (14) describe how the program will, to the extent economically efficient and practical,
48.7 achieve continuous meaningful improvement in the mattress diversion targets, mattress
48.8 collection rates, mattress recycling rates, mattress material recovery rates, and any other
48.9 approved performance goals of the program;

48.10 (15) identify proposed consolidation and recycling facilities to be used by the program;

48.11 (16) describe the action for implementing and achieving convenient, statewide access
48.12 to the program;

48.13 (17) detail how the program will promote recycling discarded mattresses consistent with
48.14 the state's solid waste management hierarchy;

48.15 (18) describe how the council will coordinate the program with existing consolidation,
48.16 transportation, and recycling programs for discarded mattresses;

48.17 (19) establish program performance goals for the material recovery rate from mattresses
48.18 collected for recycling and utilize these criteria when evaluating vendor performance;

48.19 (20) describe how the program will set and implement convenience goals and a timeline
48.20 for implementing and achieving convenient access to the program;

48.21 (21) identify program expenditure categories that will be reported each year in the annual
48.22 report;

48.23 (22) describe how the council will notify the commissioner in a timely manner of events
48.24 or circumstances that materially alter or disrupt program operations as approved in the
48.25 stewardship plan; and

48.26 (23) include a description of public education regarding the program.

48.27 (f) The council must set the amount of the mattress stewardship fee that is added to the
48.28 purchase price of a mattress at the point of sale. The council must establish and implement
48.29 a mattress stewardship fee structure that covers but does not exceed the costs of developing
48.30 the plan described in paragraph (b), operating and administering the program described in
48.31 paragraph (a), and maintaining a financial reserve sufficient to operate the program over
48.32 multiple years in a fiscally prudent and responsible manner. The council must set the mattress

49.1 stewardship fee as a flat rate and not as a percentage of the purchase price. The council must
49.2 maintain all records relating to the program for not less than three years.

49.3 (g) Under the program, recycling is preferred over any other disposal method for
49.4 mattresses, to the extent that recycling is economically efficient and practical.

49.5 (h) The commissioner must approve the plan for establishing the mattress stewardship
49.6 program or any amendment, if the plan or amendment meets the requirements of paragraphs
49.7 (e) to (g). No later than 90 days after the council submits the plan or amendment according
49.8 to this section, the commissioner must make a determination whether to approve the plan
49.9 or amendment. Before making the determination, the commissioner must post the plan on
49.10 the agency's website and offer a 30-day public comment period on the plan. Before approving
49.11 or disapproving the plan or amendment, the commissioner may solicit public comments on
49.12 the plan or amendment in a manner determined by the commissioner. If the commissioner
49.13 disapproves the plan or amendment because the plan or amendment does not meet the
49.14 requirements of paragraphs (e) to (g), the commissioner must describe the reasons for the
49.15 disapproval in a notice of determination that the commissioner provides to the council. The
49.16 council must revise and resubmit the plan to the commissioner within 45 days, or prepare
49.17 an amended plan within 180 days, after receiving notice of the commissioner's disapproval.
49.18 Within 45 days after receiving the revised plan or amendment, the commissioner must
49.19 review and approve or disapprove the plan and/or amendment and provide a notice of
49.20 determination to the council. The council may resubmit a revised plan or amendment to the
49.21 commissioner for approval no more than twice. If the council fails to submit a plan or
49.22 amendment that is acceptable to the commissioner because it does not meet the requirements
49.23 of paragraphs (e) to (g), the commissioner must modify a submitted plan or amendment to
49.24 make it conform to the requirements of paragraphs (e) to (g) and approve it. Within 180
49.25 days after approval of a plan or amendment according to this paragraph, the council must
49.26 implement the mattress stewardship program. Regardless of when the program begins, the
49.27 program's fiscal year begins January 1.

49.28 (i) The council must submit any proposed substantial change to the program to the
49.29 commissioner for review and approval, but without resubmitting the plan to the commissioner
49.30 for approval. If the commissioner does not disapprove a proposed substantial change within
49.31 90 days of receiving notice of the proposed substantial change, the proposed substantial
49.32 change is deemed approved. For purposes of this paragraph, "substantial change" means:

49.33 (1) a change in the processing facilities to be used for a discarded mattress collected
49.34 under the program; or

50.1 (2) a material change to the system for collecting mattresses.

50.2 (j) The council must notify the commissioner of other material changes to the program
50.3 on an ongoing basis, without submitting the change to the commissioner for approval.
50.4 Material changes include but are not limited to a change in the composition, officers, or
50.5 contact information of the council.

50.6 (k) Within 90 days after the end of the program's second fiscal year, and every five years
50.7 thereafter, the council must submit updated program performance and convenience goals
50.8 and associated implementation timelines to the commissioner that are based on the experience
50.9 of the program during the first two years of the program, and every subsequent five year
50.10 term for review and approval according to the procedure in paragraph (h).

50.11 (l) The council must notify the commissioner in a timely manner of any temporary
50.12 disruptions in the program as approved, and the council's planned response to the disruption.

50.13 Subd. 3. **Mattress stewardship fee review; prudent reserves.** (a) Within 90 days after
50.14 the end of the program's second fiscal year and every two years thereafter, the council must
50.15 propose a mattress stewardship fee for all mattresses sold in this state.

50.16 (b) The council may propose a change to the mattress stewardship fee more frequently
50.17 than once every two years if the council determines the change is needed to avoid funding
50.18 shortfalls or excesses for the mattress stewardship program.

50.19 (c) Any mattress stewardship fee proposed after the end of the program's second fiscal
50.20 year must be reviewed by an independent auditor to ensure that the fee does not exceed the
50.21 cost to fund the mattress stewardship program described in subdivisions 2, paragraph (f),
50.22 and to maintain financial reserves sufficient to operate the program over multiple years in
50.23 a fiscally prudent and responsible manner. After the first three fiscal years of program
50.24 implementation, the mattress recycling organization shall not maintain total reserves
50.25 exceeding 75 percent of its annual operating expenses, consistent with the requirements of
50.26 the Financial Accounting Standards Board's Accounting Standards Update 2016-14,
50.27 Not-for-Profit Entities (Topic 958), and any future updates to that standard. The commissioner
50.28 may authorize the total reserves to be increased up to 100 percent of the organization's
50.29 annual operating expenses if the commissioner determines the increase is necessary to
50.30 implement the requirements of this section.

50.31 (d) Within 60 days after the council proposes a mattress stewardship fee, the auditor
50.32 must render an opinion to the commissioner as to whether the proposed mattress stewardship
50.33 fee is reasonable to achieve the goals set forth in this section. If the auditor concludes that
50.34 the mattress stewardship fee is reasonable, then the proposed mattress stewardship fee goes

51.1 into effect within 180 days. If the auditor concludes that the mattress stewardship fee is not
51.2 reasonable, the auditor must provide the council with written notice explaining the auditor's
51.3 opinion. Within 60 days after the council receives the auditor's opinion, the council may
51.4 either propose a new mattress stewardship fee or provide written comments on the auditor's
51.5 opinion. If the auditor concludes that the mattress stewardship fee is not reasonable, the
51.6 commissioner must decide, based on the auditor's opinion and any comments provided by
51.7 the council, whether to approve the proposed mattress stewardship fee.

51.8 (e) The auditor, selected by the council, must be approved by the commissioner. The
51.9 cost of any work performed by the auditor under this paragraph must be paid by the mattress
51.10 stewardship fee.

51.11 (f) Two years after the program is implemented and every five years thereafter, the
51.12 council must cause a program audit to be conducted by an independent auditor. The audit
51.13 must review the accuracy of the council's data concerning the program and provide any
51.14 other information requested by the commissioner, consistent with the requirements of this
51.15 section, provided the request does not require the disclosure of proprietary information or
51.16 trade or business secrets. The council must pay for the audit. The council must maintain all
51.17 records relating to the program for at least three years.

51.18 Subd. 4. **Annual report.** Not later than July 1 each year, the council must submit an
51.19 annual report to the commissioner for the most recently completed calendar year. The council
51.20 must post the annual report on the council's website. The commissioner must post a link to
51.21 the annual report on the agency's website. The report must include:

51.22 (1) the tonnage and estimated number of mattresses collected under the program from
51.23 participating covered entities;

51.24 (2) the tonnage and estimated number of mattresses diverted for recycling;

51.25 (3) the tonnage and estimated number of discarded mattresses for the reporting period
51.26 as compiled by the participating covered entities and reported to the council;

51.27 (4) the weight of mattress materials recycled, as indicated by the weight of each of the
51.28 commodities sold to secondary markets and reported by qualified processors to the council;

51.29 (5) the weight of mattress materials sent for disposal and reported by qualified processors
51.30 to the council;

51.31 (6) a summary of the public education that supports the program and an evaluation of
51.32 its effectiveness;

- 52.1 (7) an evaluation of the effectiveness of methods and processes used to achieve statewide
 52.2 convenience and accessibility performance goals of the program;
- 52.3 (8) recommendations for any changes to the program;
- 52.4 (9) total annual mattress sales and mattress stewardship fee revenues;
- 52.5 (10) an assessment of program performance for the reporting period compared to the
 52.6 program performance goals in the approved plan;
- 52.7 (11) an assessment of the effectiveness of different types of mattress collection and
 52.8 consolidation programs used throughout the state;
- 52.9 (12) annual program expenditures by program expenditure category;
- 52.10 (13) audited financial statements required by subdivision 3, paragraph (f); and
- 52.11 (14) other information consistent with this section and economically efficient and practical
 52.12 to provide, requested by the commissioner.

52.13 **Subd. 5. Charging mattress stewardship fee; retailer and producer**

52.14 **participation.** Upon implementation of the mattress stewardship program, each manufacturer,
 52.15 renovator, retailer, or distributor that sells a mattress to a consumer or to an ultimate end
 52.16 user in the state must add the mattress stewardship fee to the purchase price for the mattress
 52.17 and must remit the mattress stewardship fee collected to the council. In each transaction,
 52.18 the mattress stewardship fee must appear on the invoice and may be accompanied by a brief
 52.19 description of the mattress stewardship fee. The council must determine the rules and
 52.20 procedures necessary to implement collection of the mattress stewardship fee in a fair,
 52.21 efficient, and lawful manner. Any producer or retailer who fails to participate in the program
 52.22 must not sell mattresses in this state.

52.23 **Subd. 6. Receipt of discarded mattresses.** Upon implementation of the mattress
 52.24 stewardship program and when the mattress stewardship fee goes into effect, a covered
 52.25 entity that participates in the program must not charge for the receipt of discarded mattresses
 52.26 that are discarded in this state, except that a person or entity may charge a fee for providing
 52.27 a pickup service, including residential or commercial pickup services. A covered entity may
 52.28 restrict the acceptance of mattresses by number or source.

52.29 **Subd. 7. Qualified processor.** (a) The council shall collect from each qualified recycler
 52.30 the name, address, telephone number, and location of all mattress recycling facilities under
 52.31 the direct control of the processor that may receive mattresses.

53.1 (b) The council's contract with each of its qualified processors must require that the
53.2 processor:

53.3 (1) comply with the requirements of this section;

53.4 (2) comply with all applicable health, environmental, safety, and financial responsibility
53.5 regulations;

53.6 (3) be licensed by all applicable governmental authorities; and

53.7 (4) possess commercial general liability insurance of not less than \$1,000,000 per
53.8 occurrence.

53.9 (c) By March 1 of each year, each qualified processor shall submit an annual report to
53.10 the council in a format prescribed by the council, indicating the name and address of the
53.11 recycling facility, the fiscal year covered by the report, the quantity and weight of the
53.12 mattresses processed at the facility, and the amount by weight of each category of material
53.13 removed from discarded mattresses shipped to brokers, processors, manufacturers, solid
53.14 waste facilities, or other destinations.

53.15 Subd. 8. **Consultation required.** The mattress recycling council must consult with
53.16 stakeholders which may include retailers, collectors, recyclers, local governments, and
53.17 consumers during the development of the plan and any amendment of the plan.

53.18 Subd. 9. **Plan availability.** All draft and approved stewardship plans shall be placed on
53.19 the council and agency's websites for at least 30 days and made available at the agency's
53.20 headquarters for public review and comment.

53.21 Subd. 10. **Data classification.** Data submitted to the council or agency under this section
53.22 are trade secret, private, or nonpublic data under section 13.37. Trade secret, sales information
53.23 as defined under section 13.37, and contracts submitted to the agency under this section are
53.24 private or nonpublic data under section 13.37.

53.25 Subd. 11. **Regional collaboration.** In the event that another state implements a mattress
53.26 recycling program, the council may collaborate with that state to conserve efforts and
53.27 resources used in carrying out the mattress stewardship program, provided the collaboration
53.28 is consistent with the requirements of this section.

53.29 Subd. 12. **Local government participation.** (a) Cities, counties, public agencies, or
53.30 other political subdivisions may choose to participate in the stewardship program.

54.1 (b) Cities, counties, public agencies, or other political subdivisions are encouraged to
54.2 work with producers and the council to assist in meeting program goals and obligations by
54.3 providing education, outreach, or other strategies.

54.4 Subd. 13. **Producer and retailer participation.** A producer must join the council as
54.5 required in subdivision 2, paragraph (b). A retailer or other person selling a mattress to the
54.6 final consumer in the state must remit the mattress stewardship fee to the council for
54.7 mattresses sold to consumers in the state. A producer may not sell or distribute for sale or
54.8 use a mattress in the state if it has not joined the council. A retailer may not sell or distribute
54.9 for use mattresses of a producer that has not joined the council, except for inventory acquired
54.10 before the start date of the program or acquired during a time when the producer was
54.11 participating in the council.

54.12 Subd. 14. **Prohibited uses.** Stewardship assessment funds must not be used for any
54.13 penalties assessed under this section.

54.14 Subd. 15. **Duty to provide information.** Any producer, retailer, participating covered
54.15 entity, or qualified processor must furnish to the agency any information which that person
54.16 may have or may reasonably obtain that the agency requests for the sole purpose of
54.17 determining compliance under this section.

54.18 **EFFECTIVE DATE.** This section is effective January 1, 2023.

54.19 Sec. 54. **[115A.571] CHEMICAL PLASTIC RECYCLING.**

54.20 Subdivision 1. **Chemical plastic recycling facility.** A chemical plastic recycling facility
54.21 and chemical plastic recycling are subject to all applicable federal, state, and local laws,
54.22 except chapters 115, 115A, and 116, and the rules adopted pursuant to those chapters.

54.23 Subd. 2. **Solid waste management exemption requirements.** (a) The solid waste
54.24 management exemption in subdivision 1 does not apply:

54.25 (1) if any solid waste other than or in addition to a post-use polymer or residual amounts
54.26 of organic material and incidental contaminants are treated, stored, processed, transferred,
54.27 or disposed of at a chemical plastic recycling facility; or

54.28 (2) to management of post-use polymers at any location other than a chemical plastic
54.29 recycling facility.

54.30 (b) To qualify for the solid waste management facility permit exemption in subdivision
54.31 1, a chemical plastic recycling facility must only treat, store, or process post-use polymers
54.32 in a fully enclosed building.

55.1 (c) The commissioner may enter and inspect any chemical plastic recycling facility to
 55.2 determine whether the storage of materials prior to chemical plastic recycling is a nuisance
 55.3 or poses a threat to human health or the environment. The commissioner may utilize its
 55.4 enforcement authority under section 116.072, and Minnesota Rules parts 7035.0000 to
 55.5 7035.2875, to require abatement of the nuisance or threat if found.

55.6 Subd. 3. **Duty to report.** The owner or operator of a chemical plastic recycling facility
 55.7 must submit an annual report to the commissioner in a form and manner prescribed by the
 55.8 commissioner that must include:

55.9 (1) the amount of post-use polymers accepted, stored, and managed at the facility;

55.10 (2) annual chemical plastic recycling throughput at the facility, including beginning and
 55.11 ending volumes stored in a calendar year;

55.12 (3) to the extent known, the source and county of origin of the post-use polymers and
 55.13 the amount and type of material collected from each source; and

55.14 (4) the amount, type, and destination of products and by-products produced through the
 55.15 chemical plastic recycling, such as what weight of post-use polymers received went to an
 55.16 end market, a broker, processor, manufacturer, or was managed as a waste.

55.17 Subd. 4. **Duty to provide information.** Any person must furnish to the commissioner
 55.18 any information which that person may have or may reasonably obtain that the commissioner
 55.19 requests for the purposes of determining compliance with statutes or rules pertaining to
 55.20 chemical plastic recycling.

55.21 Sec. 55. Minnesota Statutes 2020, section 115B.52, subdivision 4, is amended to read:

55.22 Subd. 4. **Reporting.** The commissioner of the Pollution Control Agency and the
 55.23 commissioner of natural resources must jointly submit:

55.24 (1) by April 1, 2019, an implementation plan detailing how the commissioners will:

55.25 (i) determine how the priorities in the settlement will be met and how the spending will
 55.26 move from the first priority to the second priority and the second priority to the third priority
 55.27 outlined in the settlement; and

55.28 (ii) evaluate and determine what projects receive funding;

55.29 (2) by ~~February 1 and August~~ October 1 each year, a ~~biannual~~ report to the chairs and
 55.30 ranking minority members of the legislative policy and finance committees with jurisdiction
 55.31 over environment and natural resources on expenditures from the water quality and
 55.32 sustainability account during the previous ~~six months~~ fiscal year; and

56.1 (3) by ~~August 1, 2019, and~~ October 1 each year ~~thereafter~~, a report to the legislature on
56.2 expenditures from the water quality and sustainability account during the previous fiscal
56.3 year and a spending plan for anticipated expenditures from the account during the current
56.4 fiscal year.

56.5 Sec. 56. Minnesota Statutes 2020, section 116.03, subdivision 2b, is amended to read:

56.6 Subd. 2b. **Permitting efficiency.** (a) It is the goal of the state that environmental and
56.7 resource management permits be issued or denied within 90 days for tier 1 permits or 150
56.8 days for tier 2 permits following submission of a permit application. The commissioner of
56.9 the Pollution Control Agency ~~shall~~ must establish management systems designed to achieve
56.10 the goal. For the purposes of this section, "tier 1 permits" are permits that do not require
56.11 individualized actions or public comment periods, and "tier 2 permits" are permits that
56.12 require individualized actions or public comment periods.

56.13 (b) The commissioner ~~shall~~ must prepare ~~an annual~~ semiannual permitting efficiency
56.14 ~~report~~ reports that ~~includes~~ include statistics on meeting the tier 2 goal in paragraph (a) and
56.15 the criteria for tier 2 by permit categories. ~~The report is~~ reports are due on February 1 and
56.16 August 1 each year. For permit applications that have not met the goal, ~~the~~ each report must
56.17 state the reasons for not meeting the goal. In stating the reasons for not meeting the goal,
56.18 the commissioner ~~shall~~ must separately identify delays caused by the responsiveness of the
56.19 proposer, ~~lack of staff~~, scientific or technical disagreements, or the level of public
56.20 engagement. ~~The~~ Each report must specify the number of days from initial submission of
56.21 the application to the day of determination that the application is complete. ~~The~~ Each report
56.22 must aggregate the data for the year reporting period and assess whether program or system
56.23 changes are necessary to achieve the goal. Whenever a report required by this subdivision
56.24 states the number of permits completed within a particular period, the report must,
56.25 immediately after the number and in parentheses, state the percentage of total applications
56.26 received for that permit category that the number represents. Whenever a report required
56.27 by this subdivision states the number of permits completed within a particular period, the
56.28 report must separately state completion data for industrial and municipal permits. ~~The report~~
56.29 reports must be posted on the agency's website and submitted to the governor and the chairs
56.30 and ranking minority members of the house of representatives and senate committees having
56.31 jurisdiction over environment policy and finance.

56.32 (c) The commissioner ~~shall~~ must allow electronic submission of environmental review
56.33 and permit documents to the agency.

57.1 (d) Within 30 business days of application for a permit subject to paragraph (a), the
57.2 commissioner of the Pollution Control Agency ~~shall~~ must notify the permit applicant, in
57.3 writing, whether the application is complete or incomplete. If the commissioner determines
57.4 that an application is incomplete, the notice to the applicant must enumerate all deficiencies,
57.5 citing specific provisions of the applicable rules and statutes, and advise the applicant on
57.6 how the deficiencies can be remedied. If the commissioner determines that the application
57.7 is complete, the notice must confirm the application's tier 1 or tier 2 permit status. If the
57.8 commissioner believes that a complete application for a tier 2 construction permit cannot
57.9 be issued within the 150-day goal, the commissioner must provide notice to the applicant
57.10 with the commissioner's notice that the application is complete and, upon request of the
57.11 applicant, provide the permit applicant with a schedule estimating when the agency will
57.12 begin drafting the permit and issue the public notice of the draft permit. This paragraph
57.13 does not apply to an application for a permit that is subject to a grant or loan agreement
57.14 under chapter 446A.

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

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

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

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

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

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

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

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

57.29 (iii) business schedule for project completion; and

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

58.1 (2) during the preapplication meeting, the agency ~~shall~~ must provide for the applicant
58.2 at least the following:

58.3 (i) an overview of the permit review program;

58.4 (ii) a determination of which specific application or applications will be necessary to
58.5 complete the project;

58.6 (iii) a statement notifying the applicant if the specific permit being sought requires a
58.7 mandatory public hearing or comment period;

58.8 (iv) a review of the timetable established in the permit review program for the specific
58.9 permit being sought; and

58.10 (v) a determination of what information must be included in the application, including
58.11 a description of any required modeling or testing.

58.12 (g) The applicant may select a permit professional to undertake the preparation of the
58.13 permit application and draft permit.

58.14 (h) If a preapplication meeting was held, the agency ~~shall~~ must, within seven business
58.15 days of receipt of an application, notify the applicant and submitting permit professional
58.16 that the application is complete or is denied, specifying the deficiencies of the application.

58.17 (i) Upon receipt of notice that the application is complete, the permit professional ~~shall~~
58.18 must submit to the agency a timetable for submitting a draft permit. The permit professional
58.19 ~~shall~~ must submit a draft permit on or before the date provided in the timetable. Within 60
58.20 days after the close of the public comment period, the commissioner ~~shall~~ must notify the
58.21 applicant whether the permit can be issued.

58.22 (j) Nothing in this section ~~shall~~ must be construed to modify:

58.23 (1) any requirement of law that is necessary to retain federal delegation to or assumption
58.24 by the state; or

58.25 (2) the authority to implement a federal law or program.

58.26 (k) The permit application and draft permit ~~shall~~ must identify or include as an appendix
58.27 all studies and other sources of information used to substantiate the analysis contained in
58.28 the permit application and draft permit. The commissioner ~~shall~~ must request additional
58.29 studies, if needed, and the permit applicant ~~shall~~ must submit all additional studies and
58.30 information necessary for the commissioner to perform the commissioner's responsibility
58.31 to review, modify, and determine the completeness of the application and approve the draft
58.32 permit.

59.1 Sec. 57. Minnesota Statutes 2020, section 116.07, subdivision 4d, is amended to read:

59.2 Subd. 4d. **Permit fees.** (a) The agency may collect permit fees in amounts not greater
59.3 than those necessary to cover the reasonable costs of developing, reviewing, and acting
59.4 upon applications for agency permits and implementing and enforcing the conditions of the
59.5 permits pursuant to agency rules. Permit fees ~~shall~~ must not include the costs of litigation.
59.6 The fee schedule must reflect reasonable and routine direct and indirect costs associated
59.7 with permitting, implementation, and enforcement. The agency may impose an additional
59.8 enforcement fee to be collected for ~~a period of~~ up to two years to cover the reasonable costs
59.9 of implementing and enforcing the conditions of a permit under the rules of the agency.
59.10 Water fees under this paragraph are subject to legislative approval under section 16A.1283.
59.11 Any money collected under this paragraph ~~shall~~ must be deposited in the environmental
59.12 fund.

59.13 (b) Notwithstanding paragraph (a), the agency ~~shall~~ must collect an annual fee from the
59.14 owner or operator of all stationary sources, emission facilities, emissions units, air
59.15 contaminant treatment facilities, treatment facilities, potential air contaminant storage
59.16 facilities, or storage facilities subject to a notification, permit, or license requirement under
59.17 this chapter, subchapters I and V of the federal Clean Air Act, United States Code, title 42,
59.18 section 7401 et seq., or rules adopted thereunder. The annual fee ~~shall~~ must be used to pay
59.19 for all direct and indirect reasonable costs, including legal costs, required to develop and
59.20 administer the notification, permit, or license program requirements of this chapter,
59.21 subchapters I and V of the federal Clean Air Act, United States Code, title 42, section 7401
59.22 et seq., or rules adopted thereunder. Those costs include the reasonable costs of reviewing
59.23 and acting upon an application for a permit; implementing and enforcing statutes, rules, and
59.24 the terms and conditions of a permit; emissions, ambient, and deposition monitoring;
59.25 preparing generally applicable regulations; responding to federal guidance; modeling,
59.26 analyses, and demonstrations; preparing inventories and tracking emissions; and providing
59.27 information to the public about these activities.

59.28 (c) The agency ~~shall~~ must set fees that:

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

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

60.4 (3) ~~shall~~ must collect, in the aggregate, from the sources listed in paragraph (b), the
60.5 amount needed to match grant funds received by the state under United States Code, title
60.6 42, section 7405 (section 105 of the federal Clean Air Act).

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

60.13 (d) To cover the reasonable costs described in paragraph (b), the agency ~~shall~~ must
60.14 provide in the rules promulgated under paragraph (c) for an increase in the fee collected in
60.15 each year by the percentage, if any, by which the Consumer Price Index for the most recent
60.16 calendar year ending before the beginning of the year the fee is collected exceeds the
60.17 Consumer Price Index for the calendar year 1989. For purposes of this paragraph, the
60.18 Consumer Price Index for any calendar year is the average of the Consumer Price Index for
60.19 all-urban consumers published by the United States Department of Labor, as of the close
60.20 of the 12-month period ending on August 31 of each calendar year. The revision of the
60.21 Consumer Price Index that is most consistent with the Consumer Price Index for calendar
60.22 year 1989 ~~shall~~ must be used.

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

60.25 (f) Permit applicants who wish to construct, reconstruct, or modify a project may offer
60.26 to reimburse the agency for the costs of staff time or consultant services needed to expedite
60.27 the preapplication process and permit development process through the final decision on
60.28 the permit, including the analysis of environmental review documents. The reimbursement
60.29 ~~shall be~~ is in addition to permit application fees imposed by law. When the agency determines
60.30 that it needs additional resources to develop the permit application in an expedited manner,
60.31 and that expediting the development is consistent with permitting program priorities, the
60.32 agency may accept the reimbursement. The commissioner must give the applicant an estimate
60.33 of costs to be incurred by the commissioner. The estimate must include a brief description
60.34 of the tasks to be performed, a schedule for completing the tasks, and the estimated cost for

61.1 each task. The applicant and the commissioner must enter into a written agreement detailing
61.2 the estimated costs for the expedited permit decision-making process to be incurred by the
61.3 agency. The agreement must also identify staff anticipated to be assigned to the project.
61.4 The commissioner must not issue a permit until the applicant has paid all fees in full. The
61.5 commissioner must refund any unobligated balance of fees paid. Reimbursements accepted
61.6 by the agency are appropriated to the agency for the purpose of developing the permit or
61.7 analyzing environmental review documents. Reimbursement by a permit applicant ~~shall~~
61.8 must precede and not be contingent upon issuance of a permit; ~~shall~~ must not affect the
61.9 agency's decision on whether to issue or deny a permit, what conditions are included in a
61.10 permit, or the application of state and federal statutes and rules governing permit
61.11 determinations; and ~~shall~~ must not affect final decisions regarding environmental review.

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

61.13 Sec. 58. Minnesota Statutes 2020, section 116.07, is amended by adding a subdivision to
61.14 read:

61.15 Subd. 13. **Unadopted rules.** The commissioner of the Pollution Control Agency must
61.16 not enforce or attempt to enforce an unadopted rule. For purposes of this subdivision,
61.17 "unadopted rule" means a guideline, bulletin, criterion, manual standard, interpretive
61.18 statement, policy plan, or similar pronouncement if the guideline, bulletin, criterion, manual
61.19 standard, interpretive statement, policy plan, or similar pronouncement has not been adopted
61.20 according to the rulemaking process provided under chapter 14. If an unadopted rule is
61.21 challenged under section 14.381, the commissioner must cease enforcement of the unadopted
61.22 rule and overcome a presumption that the unadopted rule must be adopted according to the
61.23 rulemaking process provided under chapter 14.

61.24 Sec. 59. Minnesota Statutes 2020, section 116B.03, subdivision 1, is amended to read:

61.25 Subdivision 1. **Parties.** Any person residing within the state; the attorney general; any
61.26 political subdivision of the state; any instrumentality or agency of the state or of a political
61.27 subdivision thereof; or any partnership, corporation, association, organization, or other
61.28 entity having shareholders, members, partners or employees residing within the state may
61.29 maintain a civil action in the district court for declaratory or equitable relief in the name of
61.30 the state of Minnesota against any person, for the protection of the air, water, land, or other
61.31 natural resources located within the state, whether publicly or privately owned, from
61.32 pollution, impairment, or destruction; provided, however, that no action ~~shall be~~ is allowable
61.33 ~~hereunder~~ under this section for:

62.1 (1) acts taken by a person on land leased or owned by said person pursuant to a permit
 62.2 or license issued by the owner of the land to said person which do not and can not reasonably
 62.3 be expected to pollute, impair, or destroy any other air, water, land, or other natural resources
 62.4 located within the state; ~~provided further that no action shall be allowable under this section~~
 62.5 for

62.6 (2) conduct taken by a person pursuant to any environmental quality standard, limitation,
 62.7 rule, order, license, stipulation agreement or permit issued by the Pollution Control Agency,
 62.8 Department of Natural Resources, Department of Health or Department of Agriculture; or

62.9 (3) issuance of a groundwater appropriation permit that meets the criteria under section
 62.10 103G.287, subdivision 6, by the Department of Natural Resources. This clause expires on
 62.11 January 1, 2041.

62.12 **EFFECTIVE DATE.** This section is effective the day following final enactment, and
 62.13 applies to applications for new or modified permits filed on or after that date.

62.14 Sec. 60. Minnesota Statutes 2020, section 116B.10, is amended by adding a subdivision
 62.15 to read:

62.16 Subd. 6. **Application.** No action is allowable under this section for issuance of a
 62.17 groundwater appropriation permit that meets the criteria under section 103G.287, subdivision
 62.18 6, by the Department of Natural Resources. This subdivision expires on January 1, 2041.

62.19 **EFFECTIVE DATE.** This section is effective the day following final enactment, and
 62.20 applies to applications for new or modified permits filed on or after that date.

62.21 Sec. 61. Minnesota Statutes 2020, section 116D.04, subdivision 2a, is amended to read:

62.22 Subd. 2a. **When prepared.** (a) Where there is potential for significant environmental
 62.23 effects resulting from any major governmental action, the action must be preceded by a
 62.24 detailed environmental impact statement prepared by the responsible governmental unit.
 62.25 The environmental impact statement must be an analytical rather than an encyclopedic
 62.26 document that describes the proposed action in detail, analyzes its significant environmental
 62.27 impacts, discusses appropriate alternatives to the proposed action and their impacts, and
 62.28 explores methods by which adverse environmental impacts of an action could be mitigated.
 62.29 The environmental impact statement must also analyze those economic, employment, and
 62.30 sociological effects that cannot be avoided should the action be implemented. To ensure its
 62.31 use in the decision-making process, the environmental impact statement must be prepared
 62.32 as early as practical in the formulation of an action.

63.1 (b) The board ~~shall~~ must by rule establish categories of actions for which environmental
63.2 impact statements and for which environmental assessment worksheets must be prepared
63.3 as well as categories of actions for which no environmental review is required under this
63.4 section. A mandatory environmental assessment worksheet is not required for the expansion
63.5 of an ethanol plant, as defined in section 41A.09, subdivision 2a, paragraph (b), or the
63.6 conversion of an ethanol plant to a biobutanol facility or the expansion of a biobutanol
63.7 facility as defined in section 41A.15, subdivision 2d, based on the capacity of the expanded
63.8 or converted facility to produce alcohol fuel, but must be required if the ethanol plant or
63.9 biobutanol facility meets or exceeds thresholds of other categories of actions for which
63.10 environmental assessment worksheets must be prepared. The responsible governmental unit
63.11 for an ethanol plant or biobutanol facility project for which an environmental assessment
63.12 worksheet is prepared is the state agency with the greatest responsibility for supervising or
63.13 approving the project as a whole.

63.14 (c) A mandatory environmental impact statement is not required for a facility or plant
63.15 located outside the seven-county metropolitan area that produces less than 125,000,000
63.16 gallons of ethanol, biobutanol, or cellulosic biofuel annually, or produces less than 400,000
63.17 tons of chemicals annually, if the facility or plant is: an ethanol plant, as defined in section
63.18 41A.09, subdivision 2a, paragraph (b); a biobutanol facility, as defined in section 41A.15,
63.19 subdivision 2d; or a cellulosic biofuel facility. A facility or plant that only uses a cellulosic
63.20 feedstock to produce chemical products for use by another facility as a feedstock is not
63.21 considered a fuel conversion facility as used in rules adopted under this chapter.

63.22 (d) The responsible governmental unit ~~shall~~ must promptly publish notice of the
63.23 completion of an environmental assessment worksheet by publishing the notice in at least
63.24 one newspaper of general circulation in the geographic area where the project is proposed,
63.25 by posting the notice on a website that has been designated as the official publication site
63.26 for publication of proceedings, public notices, and summaries of a political subdivision in
63.27 which the project is proposed, or in any other manner determined by the board and ~~shall~~
63.28 must provide copies of the environmental assessment worksheet to the board and its member
63.29 agencies. Comments on the need for an environmental impact statement may be submitted
63.30 to the responsible governmental unit during a 30-day period following publication of the
63.31 notice that an environmental assessment worksheet has been completed. The responsible
63.32 governmental unit may extend the 30-day comment period for an additional 30 days one
63.33 time. Further extensions of the comment period may not be made unless approved by the
63.34 project's proposer. The responsible governmental unit's decision on the need for an
63.35 environmental impact statement must be based on the environmental assessment worksheet

64.1 and the comments received during the comment period, and must be made within 15 days
64.2 after the close of the comment period. The board's chair may extend the 15-day period by
64.3 not more than 15 additional days upon the request of the responsible governmental unit.

64.4 (e) An environmental assessment worksheet must also be prepared for a proposed action
64.5 whenever material evidence accompanying a petition by not less than 100 individuals who
64.6 reside or own property in ~~the state~~ a county where the proposed action will be undertaken
64.7 or in one or more adjoining counties, submitted before the proposed project has received
64.8 final approval by the appropriate governmental units, demonstrates that, because of the
64.9 nature or location of a proposed action, there may be potential for significant environmental
64.10 effects. Petitions requesting the preparation of an environmental assessment worksheet must
64.11 be submitted to the board. The chair of the board ~~shall~~ must determine the appropriate
64.12 responsible governmental unit and forward the petition to it. A decision on the need for an
64.13 environmental assessment worksheet must be made by the responsible governmental unit
64.14 within 15 days after the petition is received by the responsible governmental unit. The
64.15 board's chair may extend the 15-day period by not more than 15 additional days upon request
64.16 of the responsible governmental unit.

64.17 (f) Except in an environmentally sensitive location where Minnesota Rules, part
64.18 4410.4300, subpart 29, item B, applies, the proposed action is exempt from environmental
64.19 review under this chapter and rules of the board, if:

64.20 (1) the proposed action is:

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

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

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

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

64.32 (g) The board may, before final approval of a proposed project, require preparation of
64.33 an environmental assessment worksheet by a responsible governmental unit selected by the

65.1 board for any action where environmental review under this section has not been specifically
65.2 provided for by rule or otherwise initiated.

65.3 (h) An early and open process must be used to limit the scope of the environmental
65.4 impact statement to a discussion of those impacts that, because of the nature or location of
65.5 the project, have the potential for significant environmental effects. The same process must
65.6 be used to determine the form, content, and level of detail of the statement as well as the
65.7 alternatives that are appropriate for consideration in the statement. In addition, the permits
65.8 that will be required for the proposed action must be identified during the scoping process.
65.9 Further, the process must identify those permits for which information will be developed
65.10 concurrently with the environmental impact statement. The board ~~shall~~ must provide in its
65.11 rules for the expeditious completion of the scoping process. The determinations reached in
65.12 the process must be incorporated into the order requiring the preparation of an environmental
65.13 impact statement.

65.14 (i) The responsible governmental unit ~~shall~~ must, to the extent practicable, avoid
65.15 duplication and ensure coordination between state and federal environmental review and
65.16 between environmental review and environmental permitting. Whenever practical,
65.17 information needed by a governmental unit for making final decisions on permits or other
65.18 actions required for a proposed project must be developed in conjunction with the preparation
65.19 of an environmental impact statement. When an environmental impact statement is prepared
65.20 for a project requiring multiple permits for which two or more agencies' decision processes
65.21 include either mandatory or discretionary hearings before a hearing officer before the
65.22 agencies' decision on the permit, the agencies may, notwithstanding any law or rule to the
65.23 contrary, conduct the hearings in a single consolidated hearing process if requested by the
65.24 proposer. All agencies having jurisdiction over a permit that is included in the consolidated
65.25 hearing ~~shall~~ must participate. The responsible governmental unit ~~shall~~ must establish
65.26 appropriate procedures for the consolidated hearing process, including procedures to ensure
65.27 that the consolidated hearing process is consistent with the applicable requirements for each
65.28 permit regarding the rights and duties of parties to the hearing, and ~~shall~~ must use the earliest
65.29 applicable hearing procedure to initiate the hearing. All agencies having jurisdiction over
65.30 a permit identified in the draft environmental assessment worksheet scoping document must
65.31 begin reviewing any permit application upon publication of the notice of preparation of the
65.32 environmental impact statement.

65.33 (j) An environmental impact statement must be prepared and its adequacy determined
65.34 within 280 days after notice of its preparation unless the time is extended by consent of the
65.35 parties or by the governor for good cause. The responsible governmental unit ~~shall~~ must

66.1 determine the adequacy of an environmental impact statement, unless within 60 days after
66.2 notice is published that an environmental impact statement will be prepared, the board
66.3 chooses to determine the adequacy of an environmental impact statement. If an environmental
66.4 impact statement is found to be inadequate, the responsible governmental unit has 60 days
66.5 to prepare an adequate environmental impact statement.

66.6 (k) The proposer of a specific action may include in the information submitted to the
66.7 responsible governmental unit a preliminary draft environmental impact statement under
66.8 this section on that action for review, modification, and determination of completeness and
66.9 adequacy by the responsible governmental unit. A preliminary draft environmental impact
66.10 statement prepared by the project proposer and submitted to the responsible governmental
66.11 unit must identify or include as an appendix all studies and other sources of information
66.12 used to substantiate the analysis contained in the preliminary draft environmental impact
66.13 statement. The responsible governmental unit ~~shall~~ must require additional studies, if needed,
66.14 and obtain from the project proposer all additional studies and information necessary for
66.15 the responsible governmental unit to perform its responsibility to review, modify, and
66.16 determine the completeness and adequacy of the environmental impact statement.

66.17 Sec. 62. Minnesota Statutes 2020, section 116U.55, is amended by adding a subdivision
66.18 to read:

66.19 Subd. 3. **Events promotion account.** The events promotion account is established as a
66.20 separate account in the natural resources fund. Money received under section 297A.94,
66.21 paragraph (l), shall be deposited into the events promotion account for promoting special
66.22 events in the state. At least 50 percent of the money appropriated under this subdivision
66.23 shall be for promoting special events outside of the metropolitan area.

66.24 Sec. 63. Minnesota Statutes 2020, section 127A.353, subdivision 2, is amended to read:

66.25 Subd. 2. **Qualifications.** The governor shall select the school trust lands director on the
66.26 basis of outstanding professional qualifications and knowledge of finance, business practices,
66.27 minerals, forest and real estate management, and the fiduciary responsibilities of a trustee
66.28 to the beneficiaries of a trust. The school trust lands director serves in the unclassified service
66.29 for a term of four years. ~~The first term shall end on December 31, 2020.~~ The governor may
66.30 remove the school trust lands director for cause. If a director resigns or is removed for cause,
66.31 the governor shall appoint a director for the remainder of the term.

67.1 Sec. 64. Minnesota Statutes 2021 Supplement, section 127A.353, subdivision 4, is amended
67.2 to read:

67.3 Subd. 4. **Duties; powers.** (a) The school trust lands director shall:

67.4 (1) ~~take an oath of office before assuming any duties as the director~~ act in a fiduciary
67.5 capacity for trust beneficiaries in accordance with the principles under section 127A.351;

67.6 (2) evaluate the school trust land asset position;

67.7 (3) determine the estimated current and potential market value of school trust lands;

67.8 (4) advise and provide recommendations to the governor, Executive Council,
67.9 commissioner of natural resources, and the Legislative Permanent School Fund Commission
67.10 on the management of school trust lands, including: on school trust land management policies
67.11 and other policies that may affect the goal of the permanent school fund under section
67.12 127A.31;

67.13 (5) advise and provide recommendations to the Executive Council and Land Exchange
67.14 Board on all matters regarding school trust lands presented to either body;

67.15 (6) advise and provide recommendations to the commissioner of natural resources on
67.16 managing school trust lands, including but not limited to advice and recommendations on:

67.17 (i) Department of Natural Resources school trust land management plans;

67.18 (ii) leases of school trust lands;

67.19 (iii) royalty agreements on school trust lands;

67.20 (iv) land sales and exchanges;

67.21 (v) cost certification; and

67.22 (vi) revenue generating options;

67.23 (7) serve as temporary trustee of school trust lands for school trust lands subject to
67.24 proposed or active eminent domain proceedings;

67.25 (8) serve as temporary trustee of school trust lands pursuant to section 94.342, subdivision
67.26 5;

67.27 ~~(5) propose~~ (9) submit to the Legislative Permanent School Fund Commission for review
67.28 an annual budget and management plan for the director that includes proposed legislative
67.29 changes that will improve the asset allocation of the school trust lands;

68.1 ~~(6)~~ (10) develop and implement a ten-year strategic plan and a 25-year framework for
 68.2 management of school trust lands, in conjunction with the commissioner of natural resources,
 68.3 that is updated every five years ~~and implemented by the commissioner~~, with goals to:

68.4 (i) retain core real estate assets;

68.5 (ii) increase the value of the real estate assets and the cash flow from those assets;

68.6 (iii) rebalance the portfolio in assets with high performance potential and the strategic
 68.7 disposal of selected assets;

68.8 (iv) establish priorities for management actions;

68.9 (v) balance revenue enhancement and resource stewardship; and

68.10 (vi) advance strategies on school trust lands to capitalize on ecosystem services markets;
 68.11 and

68.12 ~~(7) submit to the Legislative Permanent School Fund Commission for review an annual~~
 68.13 ~~budget and management plan for the director; and~~

68.14 ~~(8)~~ (11) keep the beneficiaries, governor, legislature, and the public informed about the
 68.15 work of the director by reporting to the Legislative Permanent School Fund Commission
 68.16 in a public meeting at least once during each calendar quarter.

68.17 (b) In carrying out the duties under paragraph (a), the school trust lands director ~~shall~~
 68.18 ~~have the authority to~~ may:

68.19 (1) direct and control money appropriated to the director;

68.20 (2) establish job descriptions and employ ~~up to five employees in the unclassified service,~~
 68.21 staff within the limitations of money appropriated to the director;

68.22 (3) enter into interdepartmental agreements with any other state agency;

68.23 (4) enter into joint powers agreements under chapter 471;

68.24 (5) evaluate and initiate real estate development projects on school trust lands in
 68.25 conjunction with the commissioner of natural resources and with the advice of the Legislative
 68.26 Permanent School Fund Commission ~~in order~~ to generate long-term economic return to the
 68.27 permanent school fund; and

68.28 ~~(6) serve as temporary trustee of school trust land for school trust lands subject to~~
 68.29 ~~proposed or active eminent domain proceedings; and~~

69.1 ~~(7)~~ (6) submit recommendations on strategies for school trust land leases, sales, or
69.2 exchanges to the commissioner of natural resources and the Legislative Permanent School
69.3 Fund Commission.

69.4 Sec. 65. Minnesota Statutes 2020, section 282.08, is amended to read:

69.5 **282.08 APPORTIONMENT OF PROCEEDS TO TAXING DISTRICTS.**

69.6 The net proceeds from the sale or rental of any parcel of forfeited land, or from the sale
69.7 of products from the forfeited land, must be apportioned by the county auditor to the taxing
69.8 districts interested in the land, as follows:

69.9 (1) the portion required to pay any amounts included in the appraised value under section
69.10 282.01, subdivision 3, as representing increased value due to any public improvement made
69.11 after forfeiture of the parcel to the state, but not exceeding the amount certified by the
69.12 appropriate governmental authority must be apportioned to the governmental subdivision
69.13 entitled to it;

69.14 (2) the portion required to pay any amount included in the appraised value under section
69.15 282.019, subdivision 5, representing increased value due to response actions taken after
69.16 forfeiture of the parcel to the state, but not exceeding the amount of expenses certified by
69.17 the Pollution Control Agency or the commissioner of agriculture, must be apportioned to
69.18 the agency or the commissioner of agriculture and deposited in the fund from which the
69.19 expenses were paid;

69.20 (3) the portion of the remainder required to discharge any special assessment chargeable
69.21 against the parcel for drainage or other purpose whether due or deferred at the time of
69.22 forfeiture, must be apportioned to the governmental subdivision entitled to it; and

69.23 (4) any balance must be apportioned as follows:

69.24 (i) The county board may annually by resolution set aside no more than 30 percent of
69.25 the receipts remaining to be used for forest development on tax-forfeited land and dedicated
69.26 memorial forests, to be expended under the supervision of the county board. It must be
69.27 expended only on projects improving the health and management of the forest resource.

69.28 (ii) The county board may annually by resolution set aside no more than 20 percent of
69.29 the receipts remaining to be used for the acquisition and maintenance of county parks or
69.30 recreational areas as defined in sections 398.31 to 398.36, to be expended under the
69.31 supervision of the county board.

70.1 (iii) The county board may by resolution set aside up to 100 percent of the receipts
70.2 remaining to be used:

70.3 (1) according to section 282.09, subdivision 2;

70.4 (2) for remediating contamination at tax-forfeited properties; or

70.5 (3) for correcting blighted conditions at tax-forfeited properties.

70.6 An election made under this item is effective for a minimum of five years, unless the county
70.7 board specifies a shorter duration.

70.8 (iv) Any balance remaining must be apportioned as follows: county, 40 percent; town
70.9 or city, 20 percent; and school district, 40 percent, provided, however, that in unorganized
70.10 territory that portion which would have accrued to the township must be administered by
70.11 the county board of commissioners.

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

70.13 Sec. 66. Minnesota Statutes 2020, section 297A.94, is amended to read:

70.14 **297A.94 DEPOSIT OF REVENUES.**

70.15 (a) Except as provided in this section, the commissioner shall deposit the revenues,
70.16 including interest and penalties, derived from the taxes imposed by this chapter in the state
70.17 treasury and credit them to the general fund.

70.18 (b) The commissioner shall deposit taxes in the Minnesota agricultural and economic
70.19 account in the special revenue fund if:

70.20 (1) the taxes are derived from sales and use of property and services purchased for the
70.21 construction and operation of an agricultural resource project; and

70.22 (2) the purchase was made on or after the date on which a conditional commitment was
70.23 made for a loan guaranty for the project under section 41A.04, subdivision 3.

70.24 The commissioner of management and budget shall certify to the commissioner the date on
70.25 which the project received the conditional commitment. The amount deposited in the loan
70.26 guaranty account must be reduced by any refunds and by the costs incurred by the Department
70.27 of Revenue to administer and enforce the assessment and collection of the taxes.

70.28 (c) The commissioner shall deposit the revenues, including interest and penalties, derived
70.29 from the taxes imposed on sales and purchases included in section 297A.61, subdivision 3,
70.30 paragraph (g), clauses (1) and (4), in the state treasury, and credit them as follows:

71.1 (1) first to the general obligation special tax bond debt service account in each fiscal
71.2 year the amount required by section 16A.661, subdivision 3, paragraph (b); and

71.3 (2) after the requirements of clause (1) have been met, the balance to the general fund.

71.4 (d) Beginning with sales taxes remitted after July 1, 2017, the commissioner shall deposit
71.5 in the state treasury the revenues collected under section 297A.64, subdivision 1, including
71.6 interest and penalties and minus refunds, and credit them to the highway user tax distribution
71.7 fund.

71.8 (e) The commissioner shall deposit the revenues, including interest and penalties,
71.9 collected under section 297A.64, subdivision 5, in the state treasury and credit them to the
71.10 general fund. By July 15 of each year the commissioner shall transfer to the highway user
71.11 tax distribution fund an amount equal to the excess fees collected under section 297A.64,
71.12 subdivision 5, for the previous calendar year.

71.13 (f) Beginning with sales taxes remitted after July 1, 2017, in conjunction with the deposit
71.14 of revenues under paragraph (d), the commissioner shall deposit into the state treasury and
71.15 credit to the highway user tax distribution fund an amount equal to the estimated revenues
71.16 derived from the tax rate imposed under section 297A.62, subdivision 1, on the lease or
71.17 rental for not more than 28 days of rental motor vehicles subject to section 297A.64. The
71.18 commissioner shall estimate the amount of sales tax revenue deposited under this paragraph
71.19 based on the amount of revenue deposited under paragraph (d).

71.20 (g) Starting after July 1, 2017, the commissioner shall deposit an amount of the
71.21 remittances monthly into the state treasury and credit them to the highway user tax
71.22 distribution fund as a portion of the estimated amount of taxes collected from the sale and
71.23 purchase of motor vehicle repair parts in that month. For the remittances between July 1,
71.24 2017, and June 30, 2019, the monthly deposit amount is \$2,628,000. For remittances in
71.25 each subsequent fiscal year, the monthly deposit amount is \$12,137,000. For purposes of
71.26 this paragraph, "motor vehicle" has the meaning given in section 297B.01, subdivision 11,
71.27 and "motor vehicle repair and replacement parts" includes (i) all parts, tires, accessories,
71.28 and equipment incorporated into or affixed to the motor vehicle as part of the motor vehicle
71.29 maintenance and repair, and (ii) paint, oil, and other fluids that remain on or in the motor
71.30 vehicle as part of the motor vehicle maintenance or repair. For purposes of this paragraph,
71.31 "tire" means any tire of the type used on highway vehicles, if wholly or partially made of
71.32 rubber and if marked according to federal regulations for highway use.

72.1 (h) 72.43 percent of the revenues, including interest and penalties, transmitted to the
72.2 commissioner under section 297A.65, must be deposited by the commissioner in the state
72.3 treasury as follows:

72.4 (1) 50 percent of the receipts must be deposited in the heritage enhancement account in
72.5 the game and fish fund, and may be spent only on activities that improve, enhance, or protect
72.6 fish and wildlife resources, including conservation, restoration, and enhancement of land,
72.7 water, and other natural resources of the state;

72.8 (2) 22.5 percent of the receipts must be deposited in the natural resources fund, and may
72.9 be spent only for state parks and trails;

72.10 (3) 22.5 percent of the receipts must be deposited in the natural resources fund, and may
72.11 be spent only on metropolitan park and trail grants;

72.12 (4) three percent of the receipts must be deposited in the natural resources fund, and
72.13 may be spent only on local trail grants; and

72.14 (5) two percent of the receipts must be deposited in the natural resources fund, and may
72.15 be spent only for the Minnesota Zoological Garden, the Como Park Zoo and Conservatory,
72.16 and the Duluth Zoo.

72.17 (i) The revenue dedicated under paragraph (h) may not be used as a substitute for
72.18 traditional sources of funding for the purposes specified, but the dedicated revenue shall
72.19 supplement traditional sources of funding for those purposes. Land acquired with money
72.20 deposited in the game and fish fund under paragraph (h) must be open to public hunting
72.21 and fishing during the open season, except that in aquatic management areas or on lands
72.22 where angling easements have been acquired, fishing may be prohibited during certain times
72.23 of the year and hunting may be prohibited. At least 87 percent of the money deposited in
72.24 the game and fish fund for improvement, enhancement, or protection of fish and wildlife
72.25 resources under paragraph (h) must be allocated for field operations.

72.26 (j) The commissioner must deposit the revenues, including interest and penalties minus
72.27 any refunds, derived from the sale of items regulated under section 624.20, subdivision 1,
72.28 that may be sold to persons 18 years old or older and that are not prohibited from use by
72.29 the general public under section 624.21, in the state treasury and credit:

72.30 (1) 25 percent to the volunteer fire assistance grant account established under section
72.31 88.068;

72.32 (2) 25 percent to the fire safety account established under section 297I.06, subdivision
72.33 3; and

73.1 (3) the remainder to the general fund.

73.2 For purposes of this paragraph, the percentage of total sales and use tax revenue derived
73.3 from the sale of items regulated under section 624.20, subdivision 1, that are allowed to be
73.4 sold to persons 18 years old or older and are not prohibited from use by the general public
73.5 under section 624.21, is a set percentage of the total sales and use tax revenues collected in
73.6 the state, with the percentage determined under Laws 2017, First Special Session chapter
73.7 1, article 3, section 39.

73.8 (k) The revenues deposited under paragraphs (a) to (j) do not include the revenues,
73.9 including interest and penalties, generated by the sales tax imposed under section 297A.62,
73.10 subdivision 1a, which must be deposited as provided under the Minnesota Constitution,
73.11 article XI, section 15.

73.12 (l) One percent of the revenues, including interest and penalties, transmitted to the
73.13 commissioner under section 297A.65, must be deposited in the state treasury and credited
73.14 to the events promotion account under section 116U.55, subdivision 3.

73.15 Sec. 67. **CONTINUATION OF OTHER WATER APPROPRIATION PERMITS.**

73.16 Prior to additional rulemaking or legislative action in response to the findings and
73.17 recommendations submitted pursuant to section 69, the commissioner of natural resources
73.18 shall not reduce appropriations under a groundwater appropriations permit, terminate
73.19 groundwater appropriations authorized by a permit, or decline to renew a groundwater
73.20 appropriations permit where:

73.21 (1) the permit was in effect as of December 31, 2021;

73.22 (2) the permit authorized appropriation of groundwater from a site located wholly or
73.23 partially within a five-mile radius of White Bear Lake;

73.24 (3) the permittee is in compliance with applicable permit terms; and

73.25 (4) the permittee is not a municipality.

73.26 Sec. 68. **DEPARTMENT OF NATURAL RESOURCES REGISTRATION SYSTEM.**

73.27 Subdivision 1. Definitions. (a) For purposes of this section, the following terms have
73.28 the meanings given.

73.29 (b) "Commissioner" means the commissioner of natural resources.

73.30 (c) "DNR" means the Department of Natural Resources.

74.1 (d) "DNR registration system" means the current Department of Natural Resources
74.2 system for boat, all-terrain vehicle, and snowmobile registrations.

74.3 Subd. 2. **Request for proposals; scoring preference.** When the commissioner issues
74.4 a request for proposals to replace the DNR registration system and scores the responses to
74.5 the request for proposals, the commissioner may give a preference to a software vendor that
74.6 currently provides vehicle registration software to the state in an amount commensurate
74.7 with the commissioner's assessments of the benefits of using an existing software vendor.

74.8 Subd. 3. **Report to legislature.** Within 45 days after a vendor has been selected to
74.9 provide software to replace the DNR registration system, the commissioner must report to
74.10 the chairs and ranking minority members of the legislative committees with jurisdiction
74.11 over transportation policy and finance and natural resources policy and finance. At a
74.12 minimum, the commissioner must include in the report:

74.13 (1) the names of all vendors who submitted a proposal;

74.14 (2) which vendor was selected;

74.15 (3) the estimated timeline for implementing the new registration system;

74.16 (4) if a preference was given as described in subdivision 2, what the preference was and
74.17 how the commissioner arrived at that number; and

74.18 (5) if a software vendor that currently provides vehicle registration software to the state
74.19 submitted a proposal and that vendor was not selected, an explanation of why that vendor
74.20 was not selected.

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

74.22 Sec. 69. **ENSURING SUSTAINABLE GROUNDWATER LEVELS IN WHITE**
74.23 **BEAR LAKE AND RELATED AQUIFERS.**

74.24 The commissioner of natural resources, in cooperation with the Minnesota Department
74.25 of Health, the Metropolitan Council, and representatives of east metropolitan area
74.26 municipalities, must explore available options for supplying east metropolitan area
74.27 communities with safe drinking water in a manner that allows municipal growth while
74.28 simultaneously ensuring the sustainability and quality of the state's water resources in and
74.29 around White Bear Lake and neighboring aquifers. By October 1, 2023, the commissioner
74.30 must report findings and recommendations to the chairs and ranking minority members of
74.31 the legislative committees and divisions with jurisdiction over environment and natural
74.32 resources.

75.1 Sec. 70. **FACILITATING SAFE TRAVEL ON COUNTY STATE-AID HIGHWAY**
75.2 **13 IN MURRAY COUNTY.**

75.3 Subdivision 1. **Requirements.** Notwithstanding any other provision of law, the
75.4 commissioner of natural resources must do all of the following to ensure that the portion
75.5 of County State-Aid Highway 13 in Murray County that extends over Lake Shetek between
75.6 170th Avenue and Lakeview Drive can be widened to a sufficient width to ensure traveler
75.7 safety:

75.8 (1) issue any permits applied for by the county as part of a project to widen the highway;
75.9 and

75.10 (2) convey to the county any right-of-way, easement, or other interest in real property
75.11 administered by the Department of Natural Resources that is necessary to facilitate the
75.12 widening.

75.13 Subd. 2. **Sufficient width.** For purposes of subdivision 1, "sufficient width to ensure
75.14 traveler safety" means a width of at least 70 feet, including room for two lanes of vehicular
75.15 traffic, a shoulder on each side, and a shared-use path on each side to safely accommodate
75.16 bicycle and pedestrian transportation. Any riprap needed to ensure the structural integrity
75.17 of the widened highway must be in addition to the 70-foot width required by this subdivision.

75.18 Subd. 3. **Reporting.** The commissioner of natural resources must immediately report
75.19 to the chairs and ranking minority members of the house of representatives and senate
75.20 committees and divisions with jurisdiction over the environment and natural resources if it
75.21 denies any permit or other request made by Murray County in connection with the widening
75.22 described in this section. A report under this subdivision must explain the reason for the
75.23 denial, including the statute or rule that prohibits the commissioner from granting the permit
75.24 or other request. A policy decision by the Department of Natural Resources that the lake is
75.25 more important than protecting the lives of travelers on the highway does not constitute a
75.26 sufficient explanation for a decision to deny a permit under this subdivision.

75.27 **EFFECTIVE DATE.** This section is effective the day after the governing body of
75.28 Murray County and its chief clerical officer comply with the requirements of Minnesota
75.29 Statutes, section 645.021, subdivisions 2 and 3.

76.1 **Sec. 71. FILLING OF CERTAIN POLLUTION CONTROL AGENCY AIR PERMIT**
76.2 **PROGRAM VACANCIES.**

76.3 **Subdivision 1. Duty to fill certain positions.** The commissioner of the pollution control
76.4 agency must do the following for each position in the agency's air permit program that has
76.5 been open for at least one year as of the effective date of this section:

76.6 (1) within 60 days of the effective date of this section, post job opening information for
76.7 each position in the manner normally used by the commissioner to post job openings;

76.8 (2) within 90 days of the effective date of this section, conduct interviews to fill each
76.9 position; and

76.10 (3) within 120 days of the effective date of this section, complete hiring to fill each
76.11 position.

76.12 **Subd. 2. Report.** By January 15, 2024, the commissioner must submit a report to the
76.13 chairs and ranking minority members of the house of representatives and senate committees
76.14 and divisions with jurisdiction over environment and natural resources on its efforts to
76.15 comply with this section. The report must include the following:

76.16 (1) a summary of the commissioner's efforts to comply with each clause in subdivision
76.17 1; and

76.18 (2) for any position that receives less than five applicants, an explanation of the need
76.19 for each of the job requirements including in the job positing.

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

76.21 **Sec. 72. INTERIM PROVISIONS.**

76.22 (a) From the effective date of this section until the rules under section 77 are adopted,
76.23 to the extent allowable under the federal Clean Water Act or other federal laws, this section
76.24 applies to discharges from facilities that process sugar beets outside the Lake Superior basin.

76.25 (b) If a whole effluent toxicity test, as defined under Minnesota Rules, part 7050.0218,
76.26 subpart 3, item AAA, is performed on the effluent of a point source discharger that is a
76.27 facility that processes sugar beets and results in less than 50 percent mortality of the test
76.28 organisms or if a demonstration is provided under Minnesota Rules, part 7052.0210, subpart
76.29 1, that 0.3 acute toxic units can be met at the edge of an approved acute mixing zone, the
76.30 effluent must not be considered acutely toxic or lethal to aquatic organisms unless the
76.31 commissioner of the Pollution Control Agency finds that the test species do not represent

77.1 sensitive organisms in the affected surface water body or the whole effluent toxicity test
77.2 was performed on a sample not representative of the effluent quality.

77.3 (c) The commissioner of the Pollution Control Agency must establish whole effluent
77.4 toxicity mixing zones and whole effluent toxicity water-quality-based effluent limitations
77.5 and permit conditions for facilities that process sugar beets according to Minnesota Rules,
77.6 parts 7052.0210, subparts 1 and 2, and 7052.0240.

77.7 (d) The antibacksliding provisions of Minnesota Rules, part 7001.1080, subpart 9, do
77.8 not apply to new or revised permit conditions established under paragraph (c).

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

77.10 **Sec. 73. REGISTRATION DECAL FORMAT TRANSITION.**

77.11 Separately displaying registration numbers is not required when a larger-format
77.12 registration decal as provided under Minnesota Statutes, section 84.82, subdivision 2, is
77.13 displayed according to Minnesota Statutes, section 84.82, subdivision 3b. Snowmobiles
77.14 displaying valid but older smaller-format registration decals must display the separate
77.15 registration numbers. Persons may obtain duplicate registration decals in the new, larger
77.16 format, when available, without being required to display the separate registration numbers.

77.17 **Sec. 74. REQUIRED RULEMAKING.**

77.18 (a) The commissioner of natural resources must amend Minnesota Rules as follows:

77.19 (1) part 6100.5000, subpart 1, by striking the last sentence and inserting "The registration
77.20 number remains the same if renewed by July 1 following the expiration date.";

77.21 (2) part 6100.5700, subpart 1, item C, by striking the reference to registration numbers;
77.22 and

77.23 (3) part 6230.0250, subpart 10, item A, subitem (2), by changing the word "hunter" to
77.24 "person".

77.25 (b) The commissioner may use the good-cause exemption under Minnesota Statutes,
77.26 section 14.388, subdivision 1, clause (3), to adopt rules under this section, and Minnesota
77.27 Statutes, section 14.386, does not apply except as provided under Minnesota Statutes, section
77.28 14.388.

78.1 **Sec. 75. RULEMAKING; WALLEYE AND SAUGER POSSESSION LIMIT.**

78.2 (a) By March 1, 2022, the commissioner of natural resources must amend Minnesota
78.3 Rules, part 6262.0200, subpart 1, item F, to provide that the daily and possession limit for
78.4 walleye and sauger in all inland waters is six in aggregate and no more than four may be
78.5 walleye.

78.6 (b) The commissioner may use the good cause exemption under Minnesota Statutes,
78.7 section 14.388, subdivision 1, clause (3), to adopt rules under this section, and Minnesota
78.8 Statutes, section 14.386, does not apply, except as provided under Minnesota Statutes,
78.9 section 14.388.

78.10 **Sec. 76. STATE IMPLEMENTATION PLAN REVISIONS.**

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

78.22 (b) The commissioner of the Pollution Control Agency must report quarterly to the chairs
78.23 and ranking minority members of the house of representatives and senate committees and
78.24 divisions with jurisdiction over environment and natural resources policy on the status of
78.25 efforts to implement paragraph (a) until the revisions required by paragraph (a) have been
78.26 either approved or denied.

78.27 **Sec. 77. WHOLE EFFLUENT TOXICITY RULEMAKING FOR FACILITIES**
78.28 **THAT PROCESS SUGAR BEETS.**

78.29 (a) By January 31, 2022, the commissioner of the Pollution Control Agency must adopt
78.30 rules on:

79.1 (1) evaluating and applying whole effluent toxicity (WET) as water-quality-based effluent
79.2 limitations and permit conditions for discharges from facilities that process sugar beets that
79.3 are located outside the Lake Superior basin; and

79.4 (2) the applicability and standards for acute and chronic mixing zones at those facilities.

79.5 (b) Rules adopted under this section must be substantially identical to Minnesota Rules,
79.6 parts 7052.0210, subparts 1 and 2, and 7052.0240, so that, to the greatest extent possible,
79.7 facilities that process sugar beets in all parts of the state are subject to the same mixing
79.8 zones requirements and acute and chronic WET requirements for establishing permit
79.9 conditions.

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

79.11 Sec. 78. **REPEALER.**

79.12 (a) Minnesota Statutes 2020, sections 97B.318; and 97C.515, subdivisions 4 and 5, are
79.13 repealed.

79.14 (b) Minnesota Rules, parts 6100.5000, subparts 3, 4, and 5; and 6100.5700, subpart 4,
79.15 are repealed.

79.16 **ARTICLE 3**

79.17 **STATE LANDS**

79.18 Section 1. Minnesota Statutes 2021 Supplement, section 84.63, is amended to read:

79.19 **84.63 CONVEYING INTERESTS IN LANDS TO STATE, FEDERAL, AND**
79.20 **TRIBAL GOVERNMENTS.**

79.21 (a) Notwithstanding any existing law to the contrary, the commissioner of natural
79.22 resources is hereby authorized on behalf of the state to convey to the United States, to a
79.23 federally recognized Indian Tribe, or to the state of Minnesota or any of its subdivisions,
79.24 upon state-owned lands under the administration of the commissioner of natural resources,
79.25 permanent or temporary easements for specified periods or otherwise for trails, highways,
79.26 roads including limitation of right of access from the lands to adjacent highways and roads,
79.27 flowage for development of fish and game resources, stream protection, flood control, and
79.28 necessary appurtenances thereto, such conveyances to be made upon such terms and
79.29 conditions including provision for reversion in the event of non-user as the commissioner
79.30 of natural resources may determine.

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

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

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

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

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

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

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

80.21 (g) In addition to fees specified in this section, the applicant must reimburse the state
80.22 for costs incurred for cultural resources review, monitoring, or other services provided by
80.23 the Minnesota Historical Society under contract with the commissioner of natural resources
80.24 or the State Historic Preservation Office of the Department of Administration in connection
80.25 with the easement application, preparing the easement terms, or constructing the trail,
80.26 highway, road, or other improvements.

80.27 (h) Notwithstanding paragraphs (a) to (g), the commissioner of natural resources may
80.28 elect to assume the application fee under paragraph (b), clause (1), and waive or assume
80.29 some or all of the remaining fees and costs imposed under this section if the commissioner
80.30 determines that issuing the easement will benefit the state's land management interests.

81.1 Sec. 2. Minnesota Statutes 2021 Supplement, section 84.631, is amended to read:

81.2 **84.631 ROAD EASEMENTS ACROSS STATE LANDS.**

81.3 (a) Except as provided in section 85.015, subdivision 1b, the commissioner of natural
81.4 resources, on behalf of the state, may convey a road easement across state land under the
81.5 commissioner's jurisdiction to a private person requesting an easement for access to property
81.6 owned by the person only if the following requirements are met: (1) there are no reasonable
81.7 alternatives to obtain access to the property; and (2) the exercise of the easement will not
81.8 cause significant adverse environmental or natural resource management impacts.

81.9 (b) The commissioner shall:

81.10 (1) require the applicant to pay the market value of the easement;

81.11 (2) limit the easement term to 50 years if the road easement is across school trust land;

81.12 (3) provide that the easement reverts to the state in the event of nonuse; and

81.13 (4) impose other terms and conditions of use as necessary and appropriate under the
81.14 circumstances.

81.15 (c) An applicant shall submit an application fee of \$2,000 with each application for a
81.16 road easement across state land. The application fee is nonrefundable, even if the application
81.17 is withdrawn or denied.

81.18 (d) In addition to the payment for the market value of the easement and the application
81.19 fee, the commissioner of natural resources shall assess the applicant a monitoring fee to
81.20 cover the projected reasonable costs for monitoring the construction of the road and preparing
81.21 special terms and conditions for the easement. The commissioner must give the applicant
81.22 an estimate of the monitoring fee before the applicant submits the fee. The applicant shall
81.23 pay the application and monitoring fees to the commissioner of natural resources. The
81.24 commissioner shall not issue the easement until the applicant has paid in full the application
81.25 fee, the monitoring fee, and the market value payment for the easement.

81.26 (e) Upon completion of construction of the road, the commissioner shall refund the
81.27 unobligated balance from the monitoring fee revenue.

81.28 (f) Fees collected under paragraphs (c) and (d) must be credited to the land management
81.29 account in the natural resources fund and are appropriated to the commissioner of natural
81.30 resources to cover the reasonable costs incurred under this section.

81.31 (g) In addition to fees specified in this section, the applicant must reimburse the state
81.32 for costs incurred for cultural resources review, monitoring, or other services provided by

82.1 the Minnesota Historical Society under contract with the commissioner of natural resources
82.2 or the State Historic Preservation Office of the Department of Administration in connection
82.3 with the easement application, preparing the easement terms, or constructing the road.

82.4 (h) Notwithstanding paragraphs (a) to (g), the commissioner of natural resources may
82.5 elect to assume the application fee under paragraph (c) and waive or assume some or all of
82.6 the remaining fees and costs imposed under this section if the commissioner determines
82.7 that issuing the easement will benefit the state's land management interests.

82.8 Sec. 3. Minnesota Statutes 2020, section 84.632, is amended to read:

82.9 **84.632 CONVEYANCE OF UNNEEDED STATE EASEMENTS.**

82.10 (a) Notwithstanding section 92.45, the commissioner of natural resources may, in the
82.11 name of the state, release all or part of an easement acquired by the state upon application
82.12 of a landowner whose property is burdened with the easement if the easement is not needed
82.13 for state purposes.

82.14 (b) All or part of an easement may be released by payment of the market value of the
82.15 easement. The release must be in a form approved by the attorney general.

82.16 (c) Money received under paragraph (b) must be credited to the account from which
82.17 money was expended for purchase of the easement. If there is no specific account, the money
82.18 must be credited to the land acquisition account established in section 94.165.

82.19 (d) In addition to payment under paragraph (b), the commissioner of natural resources
82.20 shall assess a landowner who applies for a release under this section an application fee of
82.21 \$2,000 for reviewing the application and preparing the release of easement. The applicant
82.22 shall pay the application fee to the commissioner of natural resources. The commissioner
82.23 shall not issue the release of easement until the applicant has paid the application fee in full.
82.24 The commissioner shall not return the application fee, even if the application is withdrawn
82.25 or denied.

82.26 (e) Money received under paragraph (d) must be credited to the land management account
82.27 in the natural resources fund and is appropriated to the commissioner of natural resources
82.28 to cover the reasonable costs incurred under this section.

82.29 (f) Notwithstanding paragraphs (a) to (e), the commissioner of natural resources may
82.30 elect to assume the application fee under paragraph (d) and waive or assume some or all of
82.31 the remaining fees and costs imposed under this section if the commissioner determines
82.32 that issuing the easement release will benefit the state's land management interests.

83.1 Sec. 4. Minnesota Statutes 2021 Supplement, section 92.502, is amended to read:

83.2 **92.502 LEASING TAX-FORFEITED AND STATE LANDS.**

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

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

83.7 (c) The commissioner of natural resources may enter a 30-year lease of land administered
83.8 by the commissioner for recreational trails ~~and~~ or facilities. The commissioner may assess
83.9 the lease applicant a monitoring fee to cover the projected reasonable costs of monitoring
83.10 construction of the recreational trail or facility and preparing special terms and conditions
83.11 of the license to ensure proper construction. The commissioner must give the applicant an
83.12 estimate of the monitoring fee before the applicant is required to submit the fee. Upon
83.13 completion of construction of the trail or facility, the commissioner must refund the
83.14 unobligated balance from the monitoring fee revenue.

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

83.18 Sec. 5. Minnesota Statutes 2020, section 282.04, subdivision 1, is amended to read:

83.19 Subdivision 1. **Timber sales; land leases and uses.** (a) The county auditor, with terms
83.20 and conditions set by the county board, may sell timber upon any tract that may be approved
83.21 by the natural resources commissioner. The sale of timber shall be made for cash at not less
83.22 than the appraised value determined by the county board to the highest bidder after not less
83.23 than one week's published notice in an official paper within the county. Any timber offered
83.24 at the public sale and not sold may thereafter be sold at private sale by the county auditor
83.25 at not less than the appraised value thereof, until the time as the county board may withdraw
83.26 the timber from sale. The appraised value of the timber and the forestry practices to be
83.27 followed in the cutting of said timber shall be approved by the commissioner of natural
83.28 resources.

83.29 (b) Payment of the full sale price of all timber sold on tax-forfeited lands shall be made
83.30 in cash at the time of the timber sale, except in the case of oral or sealed bid auction sales,
83.31 the down payment shall be no less than 15 percent of the appraised value, and the balance
83.32 shall be paid prior to entry. In the case of auction sales that are partitioned and sold as a
83.33 single sale with predetermined cutting blocks, the down payment shall be no less than 15

84.1 percent of the appraised price of the entire timber sale which may be held until the satisfactory
84.2 completion of the sale or applied in whole or in part to the final cutting block. The value of
84.3 each separate block must be paid in full before any cutting may begin in that block. With
84.4 the permission of the county contract administrator the purchaser may enter unpaid blocks
84.5 and cut necessary timber incidental to developing logging roads as may be needed to log
84.6 other blocks provided that no timber may be removed from an unpaid block until separately
84.7 scaled and paid for. If payment is provided as specified in this paragraph as security under
84.8 paragraph (a) and no cutting has taken place on the contract, the county auditor may credit
84.9 the security provided, less any down payment required for an auction sale under this
84.10 paragraph, to any other contract issued to the contract holder by the county under this chapter
84.11 to which the contract holder requests in writing that it be credited, provided the request and
84.12 transfer is made within the same calendar year as the security was received.

84.13 (c) The county board may sell any timber, including biomass, as appraised or scaled.
84.14 Any parcels of land from which timber is to be sold by scale of cut products shall be so
84.15 designated in the published notice of sale under paragraph (a), in which case the notice shall
84.16 contain a description of the parcels, a statement of the estimated quantity of each species
84.17 of timber, and the appraised price of each species of timber for 1,000 feet, per cord or per
84.18 piece, as the case may be. In those cases any bids offered over and above the appraised
84.19 prices shall be by percentage, the percent bid to be added to the appraised price of each of
84.20 the different species of timber advertised on the land. The purchaser of timber from the
84.21 parcels shall pay in cash at the time of sale at the rate bid for all of the timber shown in the
84.22 notice of sale as estimated to be standing on the land, and in addition shall pay at the same
84.23 rate for any additional amounts which the final scale shows to have been cut or was available
84.24 for cutting on the land at the time of sale under the terms of the sale. Where the final scale
84.25 of cut products shows that less timber was cut or was available for cutting under terms of
84.26 the sale than was originally paid for, the excess payment shall be refunded from the forfeited
84.27 tax sale fund upon the claim of the purchaser, to be audited and allowed by the county board
84.28 as in case of other claims against the county. No timber, except hardwood pulpwood, may
84.29 be removed from the parcels of land or other designated landings until scaled by a person
84.30 or persons designated by the county board and approved by the commissioner of natural
84.31 resources. Landings other than the parcel of land from which timber is cut may be designated
84.32 for scaling by the county board by written agreement with the purchaser of the timber. The
84.33 county board may, by written agreement with the purchaser and with a consumer designated
84.34 by the purchaser when the timber is sold by the county auditor, and with the approval of
84.35 the commissioner of natural resources, accept the consumer's scale of cut products delivered
84.36 at the consumer's landing. No timber shall be removed until fully paid for in cash. Small

85.1 amounts of timber not exceeding 500 cords in appraised volume may be sold for not less
85.2 than the full appraised value at private sale to individual persons without first publishing
85.3 notice of sale or calling for bids, provided that in case of a sale involving a total appraised
85.4 value of more than \$200 the sale shall be made subject to final settlement on the basis of a
85.5 scale of cut products in the manner above provided and not more than two of the sales,
85.6 directly or indirectly to any individual shall be in effect at one time.

85.7 (d) As directed by the county board, the county auditor may lease tax-forfeited land to
85.8 individuals, corporations or organized subdivisions of the state at public or private sale, and
85.9 at the prices and under the terms as the county board may prescribe, for use as cottage and
85.10 camp sites and for agricultural purposes and for the purpose of taking and removing of hay,
85.11 stumpage, sand, gravel, clay, rock, marl, and black dirt from the land, and for garden sites
85.12 and other temporary uses provided that no leases shall be for a period to exceed ~~ten~~ 25 years;
85.13 provided, further that any leases involving a consideration of more than ~~\$12,000~~ \$50,000
85.14 per year, except to an organized subdivision of the state shall first be offered at public sale
85.15 in the manner provided herein for sale of timber. Upon the sale of any leased land, it shall
85.16 remain subject to the lease for not to exceed one year from the beginning of the term of the
85.17 lease. Any rent paid by the lessee for the portion of the term cut off by the cancellation shall
85.18 be refunded from the forfeited tax sale fund upon the claim of the lessee, to be audited and
85.19 allowed by the county board as in case of other claims against the county.

85.20 (e) As directed by the county board, the county auditor may lease tax-forfeited land to
85.21 individuals, corporations, or organized subdivisions of the state at public or private sale, at
85.22 the prices and under the terms as the county board may prescribe, for the purpose of taking
85.23 and removing for use for road construction and other purposes tax-forfeited stockpiled
85.24 iron-bearing material. The county auditor must determine that the material is needed and
85.25 suitable for use in the construction or maintenance of a road, tailings basin, settling basin,
85.26 dike, dam, bank fill, or other works on public or private property, and that the use would
85.27 be in the best interests of the public. No lease shall exceed ten years. The use of a stockpile
85.28 for these purposes must first be approved by the commissioner of natural resources. The
85.29 request shall be deemed approved unless the requesting county is notified to the contrary
85.30 by the commissioner of natural resources within six months after receipt of a request for
85.31 approval for use of a stockpile. Once use of a stockpile has been approved, the county may
85.32 continue to lease it for these purposes until approval is withdrawn by the commissioner of
85.33 natural resources.

85.34 (f) The county auditor, with the approval of the county board is authorized to grant
85.35 permits, licenses, and leases to tax-forfeited lands for the depositing of stripping, lean ores,

86.1 tailings, or waste products from mines or ore milling plants, or to use for facilities needed
86.2 to recover iron-bearing oxides from tailings basins or stockpiles, or for a buffer area needed
86.3 for a mining operation, upon the conditions and for the consideration and for the period of
86.4 time, not exceeding 25 years, as the county board may determine. The permits, licenses, or
86.5 leases are subject to approval by the commissioner of natural resources.

86.6 (g) Any person who removes any timber from tax-forfeited land before said timber has
86.7 been scaled and fully paid for as provided in this subdivision is guilty of a misdemeanor.

86.8 (h) The county auditor may, with the approval of the county board, and without first
86.9 offering at public sale, grant leases, for a term not exceeding 25 years, for the removal of
86.10 peat and for the production or removal of farm-grown closed-loop biomass as defined in
86.11 section 216B.2424, subdivision 1, or short-rotation woody crops from tax-forfeited lands
86.12 upon the terms and conditions as the county board may prescribe. Any lease for the removal
86.13 of peat, farm-grown closed-loop biomass, or short-rotation woody crops from tax-forfeited
86.14 lands must first be reviewed and approved by the commissioner of natural resources if the
86.15 lease covers 320 or more acres. No lease for the removal of peat, farm-grown closed-loop
86.16 biomass, or short-rotation woody crops shall be made by the county auditor pursuant to this
86.17 section without first holding a public hearing on the auditor's intention to lease. One printed
86.18 notice in a legal newspaper in the county at least ten days before the hearing, and posted
86.19 notice in the courthouse at least 20 days before the hearing shall be given of the hearing.

86.20 (i) Notwithstanding any provision of paragraph (c) to the contrary, the St. Louis County
86.21 auditor may, at the discretion of the county board, sell timber to the party who bids the
86.22 highest price for all the several kinds of timber, as provided for sales by the commissioner
86.23 of natural resources under section 90.14. Bids offered over and above the appraised price
86.24 need not be applied proportionately to the appraised price of each of the different species
86.25 of timber.

86.26 (j) In lieu of any payment or deposit required in paragraph (b), as directed by the county
86.27 board and under terms set by the county board, the county auditor may accept an irrevocable
86.28 bank letter of credit in the amount equal to the amount otherwise determined in paragraph
86.29 (b). If an irrevocable bank letter of credit is provided under this paragraph, at the written
86.30 request of the purchaser, the county may periodically allow the bank letter of credit to be
86.31 reduced by an amount proportionate to the value of timber that has been harvested and for
86.32 which the county has received payment. The remaining amount of the bank letter of credit
86.33 after a reduction under this paragraph must not be less than 20 percent of the value of the
86.34 timber purchased. If an irrevocable bank letter of credit or cash deposit is provided for the
86.35 down payment required in paragraph (b), and no cutting of timber has taken place on the

87.1 contract for which a letter of credit has been provided, the county may allow the transfer
87.2 of the letter of credit to any other contract issued to the contract holder by the county under
87.3 this chapter to which the contract holder requests in writing that it be credited.

87.4 (k) As directed by the county board, the county auditor may lease tax-forfeited land
87.5 under the terms and conditions prescribed by the county board for the purposes of
87.6 investigating, analyzing, and developing conservation easements that provide ecosystem
87.7 services.

87.8 Sec. 6. Minnesota Statutes 2020, section 282.04, is amended by adding a subdivision to
87.9 read:

87.10 Subd. 4b. **Conservation easements.** The county auditor, with prior review and
87.11 consultation with the commissioner of natural resources and under the terms and conditions
87.12 prescribed by the county board, including reversion in the event of nonuse, may convey
87.13 conservation easements as defined in section 84C.01 on tax-forfeited land.

87.14 Sec. 7. **ADDITION TO STATE PARK.**

87.15 **[85.012] [Subd. 27.] Myre-Big Island State Park, Freeborn County.** The following
87.16 area is added to Myre-Big Island State Park, Freeborn County: all that part of the Northeast
87.17 Quarter of the Southeast Quarter of Section 11, Township 102 North, Range 21 West of the
87.18 5th principal meridian, lying South of the Chicago, Milwaukee, St. Paul and Pacific Railway,
87.19 and subject to road easement on the easterly side thereof.

87.20 Sec. 8. **DELETION FROM STATE FOREST.**

87.21 **[89.021] [Subd. 13.] Cloquet Valley State Forest.** The following areas are deleted from
87.22 Cloquet Valley State Forest:

87.23 (1) those parts of St. Louis County in Township 52 North, Range 16 West, described as
87.24 follows:

87.25 (i) Government Lots 1, 2, 3, 4, and 5 and the Southeast Quarter of the Southeast Quarter,
87.26 Northeast Quarter of the Southwest Quarter, and Southwest Quarter of the Southwest Quarter,
87.27 Section 21;

87.28 (ii) Government Lots 2, 3, 4, 5, 6, 7, 8, 9, and 10 and the Northeast Quarter of the
87.29 Northwest Quarter and Northwest Quarter of the Northwest Quarter, Section 22;

87.30 (iii) Government Lot 3, Section 23;

87.31 (iv) Government Lot 2, Section 24;

- 88.1 (v) Government Lots 1, 4, 5, 6, 7, 8, 9, and 10, Section 25;
- 88.2 (vi) Government Lot 1, Section 26;
- 88.3 (vii) Government Lots 2 and 7, Section 26;
- 88.4 (viii) Government Lots 3 and 4, Section 27, reserving unto grantor and grantor's
88.5 successors and assigns a 66-foot-wide access road easement across said Government Lot 3
88.6 for the purpose of access to grantor's or grantor's successor's or assign's land and grantor's
88.7 presently owned land that may be sold, assigned, or transferred in Government Lot 1, Section
88.8 27, said access road being measured 33 feet from each side of the centerline of that road
88.9 that is presently existing at various widths and running in a generally
88.10 southwesterly-northeasterly direction;
- 88.11 (ix) Government Lots 1 and 2, Section 28;
- 88.12 (x) Government Lots 1, 2, 3, and 5 and the Northeast Quarter of the Northeast Quarter
88.13 and Southwest Quarter of the Northeast Quarter, Section 29;
- 88.14 (xi) Government Lots 1, 2, 3, and 4, Section 31, reserving unto grantor and grantor's
88.15 successors and assigns a 66-foot-wide access road easement across said Government Lots
88.16 1, 2, and 3 for the purpose of access to grantor's or grantor's successor's or assign's land and
88.17 grantor's presently owned lands that may be sold, assigned, or transferred in Government
88.18 Lot 4, Section 29, said access road being measured 33 feet from each side of the centerline
88.19 of that road that is presently existing at various widths and running in a generally East-West
88.20 direction and any future extensions thereof as may be reasonably necessary to provide the
88.21 access contemplated herein;
- 88.22 (xii) Government Lots 5, 7, 8, and 9, Section 31;
- 88.23 (xiii) Government Lots 1 and 2, an undivided two-thirds interest in the Northeast Quarter
88.24 of the Northwest Quarter, an undivided two-thirds interest in the Southeast Quarter of the
88.25 Northwest Quarter, and an undivided two-thirds interest in the Southwest Quarter of the
88.26 Northwest Quarter, Section 32, reserving unto grantor and grantor's successors and assigns
88.27 an access road easement across the West 66 feet of the North 66 feet of said Government
88.28 Lot 1 for the purpose of access to grantor's or grantor's successor's or assign's land and
88.29 grantor's presently owned land that may be sold, assigned, or transferred in Government
88.30 Lot 4, Section 29; and
- 88.31 (xiv) the Northeast Quarter of the Northeast Quarter, Section 35;
- 88.32 (2) those parts of St. Louis County in Township 53 North, Range 13 West, described as
88.33 follows:

89.1 (i) all that part of the Northwest Quarter of the Northwest Quarter lying North and West
89.2 of the Little Cloquet River, Section 4;

89.3 (ii) Government Lots 1, 2, 3, 4, and 5 and the Northeast Quarter of the Northeast Quarter,
89.4 Northwest Quarter of the Northeast Quarter, Southwest Quarter of the Northeast Quarter,
89.5 Northeast Quarter of the Northwest Quarter, Southeast Quarter of the Northwest Quarter,
89.6 Northeast Quarter of the Southwest Quarter, and Southwest Quarter of the Northwest Quarter,
89.7 Section 5;

89.8 (iii) Government Lots 1, 2, and 4 and the Northwest Quarter of the Southeast Quarter,
89.9 Southeast Quarter of the Southeast Quarter, Southwest Quarter of the Southeast Quarter,
89.10 Southeast Quarter of the Southwest Quarter, and Southwest Quarter of the Southwest Quarter,
89.11 Section 6;

89.12 (iv) Government Lots 1, 2, 3, 4, 5, 6, and 7 and the Northwest Quarter of the Northeast
89.13 Quarter, Northeast Quarter of the Northwest Quarter, Northwest Quarter of the Northwest
89.14 Quarter, Southeast Quarter of the Northwest Quarter, Southwest Quarter of the Northwest
89.15 Quarter, Southeast Quarter of the Southeast Quarter, and Northeast Quarter of the Southwest
89.16 Quarter, Section 7;

89.17 (v) Government Lots 1 and 2 and the Northeast Quarter of the Northeast Quarter,
89.18 Northwest Quarter of the Northeast Quarter, Southeast Quarter of the Northeast Quarter,
89.19 Southwest Quarter of the Northeast Quarter, Northeast Quarter of the Southwest Quarter,
89.20 Northwest Quarter of the Southwest Quarter, and Southwest Quarter of the Southwest
89.21 Quarter, Section 8; and

89.22 (vi) the Northeast Quarter of the Northwest Quarter, Northwest Quarter of the Northwest
89.23 Quarter, Southeast Quarter of the Northwest Quarter, and Southwest Quarter of the Northwest
89.24 Quarter, Section 17;

89.25 (3) those parts of St. Louis County in Township 54 North, Range 13 West, described as
89.26 follows:

89.27 (i) Government Lots 1, 4, 5, 6, and 7, Section 20;

89.28 (ii) Government Lots 3, 4, 6, 7, and 8 and the Southeast Quarter of the Southwest Quarter,
89.29 Section 21;

89.30 (iii) Government Lots 1, 2, 3, 4, 5, and 7, Section 29;

89.31 (iv) Government Lots 1, 2, 3, 4, 9, and 10, Section 30; and

90.1 (v) Government Lots 5, 6, and 7 and the Northeast Quarter of the Northeast Quarter,
90.2 Northwest Quarter of the Northeast Quarter, Southwest Quarter of the Northeast Quarter,
90.3 Southeast Quarter of the Northwest Quarter, and Northwest Quarter of the Southeast Quarter,
90.4 Section 31;

90.5 (4) those parts of St. Louis County in Township 54 North, Range 16 West, described as
90.6 follows:

90.7 (i) Government Lots 2, 3, and 4 and the Northwest Quarter of the Southwest Quarter,
90.8 Southeast Quarter of the Northwest Quarter, Southeast Quarter of the Northeast Quarter,
90.9 and Southwest Quarter of the Northeast Quarter, Section 1;

90.10 (ii) Government Lots 1, 2, 3, 4, 6, 7, and 8 and the Northwest Quarter of the Southeast
90.11 Quarter, Northeast Quarter of the Southeast Quarter, Southwest Quarter of the Southeast
90.12 Quarter, Southeast Quarter of the Southeast Quarter, Southeast Quarter of the Southwest
90.13 Quarter, and Southeast Quarter of the Northeast Quarter, Section 2;

90.14 (iii) all that part of Government Lot 9 lying South of the Whiteface River and West of
90.15 County Road 547, also known as Comstock Lake Road, Section 3; and

90.16 (iv) Government Lots 3 and 4 and the Southeast Quarter of the Northeast Quarter and
90.17 Southwest Quarter of the Northeast Quarter, Section 10;

90.18 (5) those parts of St. Louis County in Township 55 North, Range 15 West, described as
90.19 follows:

90.20 (i) Government Lots 1 and 2, Section 11;

90.21 (ii) Government Lot 9, except the Highway 4 right-of-way, Section 11;

90.22 (iii) Government Lot 10, except the Highway 4 right-of-way, Section 11;

90.23 (iv) Government Lots 2, 3, 4, 5, 6, and 7, Section 15;

90.24 (v) Government Lots 2, 3, 5, 6, 7, and 8 and the Northeast Quarter of the Southwest
90.25 Quarter, Section 21;

90.26 (vi) the Southwest Quarter of the Northeast Quarter, reserving unto grantor and grantor's
90.27 successors and assigns a 66-foot-wide access easement across said Southwest Quarter of
90.28 the Northeast Quarter for the purpose of access to grantor's or grantor's successor's or assign's
90.29 land and grantor's presently owned land that may be sold, assigned, or transferred in
90.30 Government Lot 4, Section 21, Township 55 North, Range 15 West, said access road being
90.31 measured 33 feet on each side of the centerline of that road that is presently existing and
90.32 known as the Whiteface Truck Trail, Section 21;

- 91.1 (vii) Government Lots 1, 2, and 3, Section 22;
- 91.2 (viii) Government Lots 1 and 2 and the Northeast Quarter of the Northwest Quarter,
91.3 Section 28;
- 91.4 (ix) Government Lots 1, 4, 6, 8, and 9 and the Northeast Quarter of the Northeast Quarter,
91.5 Northeast Quarter of the Southeast Quarter, and Northwest Quarter of the Southwest Quarter,
91.6 Section 29;
- 91.7 (x) Government Lots 3 and 4 and the Northeast Quarter of the Southeast Quarter,
91.8 Northeast Quarter of the Southwest Quarter, and Southeast Quarter of the Southwest Quarter,
91.9 Section 30;
- 91.10 (xi) Government Lots 2, 3, 4, 5, 6, 8, 9, 10, and 11 and the Northeast Quarter of the
91.11 Southwest Quarter, Section 31; and
- 91.12 (xii) Government Lot 1, Section 32; and
- 91.13 (6) those parts of St. Louis County in Township 55 North, Range 16 West, described as
91.14 follows:
- 91.15 (i) the Southwest Quarter of the Southeast Quarter, reserving unto grantor and grantor's
91.16 successors and assigns a 66-foot-wide access road easement across said Southwest Quarter
91.17 of the Southeast Quarter for the purpose of access to grantor's or grantor's successor's or
91.18 assign's land and grantor's presently owned land that may be sold, assigned, or transferred
91.19 in Government Lot 5, Section 1, Township 54 North, Range 16 West, Section 35; and
- 91.20 (ii) the Southeast Quarter of the Southeast Quarter, reserving unto grantor and grantor's
91.21 successors and assigns a 66-foot-wide access road easement across said Southeast Quarter
91.22 of the Southeast Quarter for the purpose of access to grantor's or grantor's successor's or
91.23 assign's land and grantor's presently owned land that may be sold, assigned, or transferred
91.24 in Government Lot 5, Section 1, Township 54 North, Range 16 West, Section 35.
- 91.25 **Sec. 9. ADDITION TO STATE FOREST.**
- 91.26 **[89.021] [Subd. 42a.] Riverlands State Forest.** The following areas are added to
91.27 Riverlands State Forest, those parts of St. Louis County, described as follows:
- 91.28 (1) the Northwest Quarter of the Northwest Quarter, Section 16, Township 50 North,
91.29 Range 17 West;
- 91.30 (2) Government Lot 9, Section 26, Township 50 North, Range 17 West;

92.1 (3) the Northeast Quarter of the Southeast Quarter, Section 30, Township 51 North,
 92.2 Range 19 West;

92.3 (4) Government Lot 6, Section 22, Township 51 North, Range 20 West; and

92.4 (5) Government Lot 9, Section 24, Township 52 North, Range 20 West.

92.5 **Sec. 10. PUBLIC SALE OF SURPLUS STATE LAND BORDERING PUBLIC**
 92.6 **WATER; CASS COUNTY.**

92.7 (a) Notwithstanding Minnesota Statutes, section 92.45, the commissioner of natural
 92.8 resources may sell by public sale the surplus land bordering public water that is described
 92.9 in paragraph (c).

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

92.12 (c) The land that may be sold is located in Cass County and is described as:

92.13 (1) the West 970 feet of the Northeast Quarter of the Southwest Quarter of Section 32,
 92.14 Township 135 North, Range 29 West, Cass County, Minnesota, EXCEPT therefrom a
 92.15 rectangular piece in the southeast corner thereof 370 feet North and South by 420 feet East
 92.16 and West; and

92.17 (2) that part of Government Lot 6 of said Section 32, described as follows: beginning
 92.18 at the northwest corner of said Government Lot 6; thence East along the north line of said
 92.19 Government Lot 6 550 feet; thence South 30 degrees West 528 feet, more or less, to shoreline
 92.20 of Agate Lake; thence northwest along said shoreline of Agate Lake to the west line of said
 92.21 Government Lot 6; thence northerly along said west line 260 feet, more or less, to the point
 92.22 of beginning.

92.23 (d) The land borders Agate Lake and is not contiguous to other state lands. The
 92.24 Department of Natural Resources has determined that the land is not needed for natural
 92.25 resource purposes and that the state's land management interests would best be served if
 92.26 the land was returned to private ownership.

92.27 **Sec. 11. PUBLIC SALE OF SURPLUS STATE LAND BORDERING PUBLIC**
 92.28 **WATER; FILLMORE COUNTY.**

92.29 (a) Notwithstanding Minnesota Statutes, section 92.45, the commissioner of natural
 92.30 resources may sell by public sale the surplus land bordering public water that is described
 92.31 in paragraph (c), subject to the state's reservation of trout stream easements.

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

93.3 (c) The land that may be sold is located in Fillmore County and is described as: the South
93.4 13 acres, except the East 2 acres thereof, of the Northwest Quarter of the Southeast Quarter,
93.5 Section 21, Township 103, Range 10 West, Fillmore County, Minnesota, excepting therefrom
93.6 the Harmony-Preston Valley State Trail corridor, formerly the Chicago, Milwaukee, St.
93.7 Paul and Pacific Railroad Company right-of-way.

93.8 (d) The land borders the Root River and Watson Creek and is not contiguous to other
93.9 state lands. The Department of Natural Resources has determined that the land is not needed
93.10 for natural resource purposes, provided that trout stream easements are reserved on the Root
93.11 River and Watson Creek, and that the state's land management interests would best be served
93.12 if the land was returned to private ownership.

93.13 **Sec. 12. CONVEYANCE OF TAX-FORFEITED LAND BORDERING PUBLIC**
93.14 **WATER; GOODHUE COUNTY.**

93.15 (a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1, and
93.16 the public sale provisions of Minnesota Statutes, chapter 282, Goodhue County may convey
93.17 to the city of Wanamingo for no consideration the tax-forfeited land bordering public water
93.18 that is described in paragraph (c).

93.19 (b) The conveyance must be in a form approved by the attorney general and provide
93.20 that the land reverts to the state if the city of Wanamingo stops using the land for the public
93.21 purpose described in paragraph (d). The attorney general may make changes to the land
93.22 description to correct errors and ensure accuracy.

93.23 (c) The land to be conveyed is located in Goodhue County and is described as: That part
93.24 of the Southeast Quarter of Section 30, Township 110 North, Range 16 West, Goodhue
93.25 County, Minnesota, described as follows: Commencing at the northeast corner of Lot 7,
93.26 Block 2, Axelson's Hillcrest Addition, according to the recorded plat thereof; thence South
93.27 89 degrees 48 minutes 15 seconds East (assuming that the east line of Axelson's Hillcrest
93.28 Addition also being the west line of the Southeast Quarter of said Section 30, has a bearing
93.29 of North 00 degrees 11 minutes 45 seconds East), a distance of 30.00 feet; thence North 00
93.30 degrees 11 minutes 45 seconds East, a distance of 342.00 feet to the point of beginning;
93.31 thence South 89 degrees 48 minutes 15 seconds East, a distance of 60.00 feet; thence North
93.32 00 degrees 11 minutes 45 seconds East, a distance of 280.00 feet; thence South 89 degrees
93.33 48 minutes 15 seconds East, a distance of 60.00 feet; thence North 00 degrees 11 minutes
93.34 45 seconds East, a distance of 394 feet, more or less to the north line of the Southeast Quarter

94.1 of said Section 30; thence westerly, along said north line, a distance of 150.00 feet, more
94.2 or less, to the northwest corner of said Southeast Quarter; thence South 00 degrees 11
94.3 minutes 45 seconds West, along the west line of said Southeast Quarter, a distance of 674
94.4 feet, more or less, to an intersection with a line bearing North 89 degrees 48 minutes 15
94.5 seconds West from said point of beginning; thence South 89 degrees 48 minutes 15 seconds
94.6 East, a distance of 30.00 feet to the point of beginning. EXCEPT that part of the above
94.7 description now platted as Emerald Valley (parcel number 70.380.0710).

94.8 (d) The county has determined that the land is needed for a park trail extension.

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

94.10 Sec. 13. **PRIVATE SALE OF SURPLUS LAND BORDERING PUBLIC WATER;**
94.11 **HENNEPIN COUNTY.**

94.12 (a) Notwithstanding Minnesota Statutes, sections 92.45, 94.09, and 94.10, the
94.13 commissioner of natural resources may sell by private sale the surplus land bordering public
94.14 water that is described in paragraph (c) to a local unit of government for less than market
94.15 value.

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

94.18 (c) The land that may be conveyed is located in Hennepin County and is described as:
94.19 all those parts of Government Lot 5, Section 35, Township 118, Range 23, lying northerly
94.20 and northwesterly of East Long Lake Road, as it existed in 2021, easterly of a line drawn
94.21 parallel with and distant 924.88 feet westerly of the east line of said Government Lot 5, and
94.22 southerly of a line drawn westerly at a right angle to the east line of said Government Lot
94.23 5 from a point distant 620 feet South of the northeast corner of said Government Lot 5.

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

94.27 Sec. 14. **PUBLIC SALE OF SURPLUS STATE LAND BORDERING PUBLIC**
94.28 **WATER; ITASCA COUNTY.**

94.29 (a) Notwithstanding Minnesota Statutes, section 92.45, the commissioner of natural
94.30 resources may sell by public sale the surplus land bordering public water that is described
94.31 in paragraph (c).

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

95.3 (c) The land that may be sold is located in Itasca County and is described as:

95.4 (1) the North 1,050.00 feet of Government Lot 1, Section 16, Township 55 North, Range
95.5 24 West of the fourth principal meridian, except that part described as follows: commencing
95.6 at the southeast corner of said Government Lot 1; thence North 0 degrees 46 minutes 09
95.7 seconds East, bearing assumed, along the east line thereof, a distance of 280.00 feet to the
95.8 point of beginning; thence North 89 degrees 13 minutes 51 seconds West, a distance of
95.9 345.00 feet; thence South 0 degrees 46 minutes 09 seconds West, a distance of 21.60 feet
95.10 to its intersection with the south line of the North 1,050.00 feet of said Government Lot 1;
95.11 thence South 89 degrees 08 minutes 51 seconds East along the south line of the North
95.12 1,050.00 feet of said Government Lot 1, a distance of 345.00 feet to the east line of said
95.13 Government Lot 1; thence North 0 degrees 46 minutes 09 seconds East, along the east line
95.14 of said Government Lot 1, a distance of 22.10 feet to the point of beginning. Subject to an
95.15 easement for ingress and egress over 66.00 feet in width, over, under, and across part of
95.16 Government Lot 1, Section 16, Township 55, Range 24. The centerline of said easement is
95.17 described as follows: commencing at the northeast corner of said Government Lot 1; thence
95.18 South 0 degrees 46 minutes 09 seconds West, bearing assumed, along the east line thereof,
95.19 a distance of 750.00 feet to the point of beginning of the centerline to be described; thence
95.20 North 89 degrees 08 minutes 51 seconds West, a distance of 845.00 feet; thence South 7
95.21 degrees 18 minutes 51 seconds East, a distance of 302.89 feet, and there terminating; and

95.22 (2) Lots 1 through 4 of Block 2 and Outlot "B," Loons Landing, according to the plat
95.23 thereof on file and of record in the Office of the Itasca County Recorder.

95.24 (d) The land borders Trout Lake. The Department of Natural Resources has determined
95.25 that the land is not needed for natural resource purposes and that the state's land management
95.26 interests would best be served if the land was returned to private ownership.

95.27 **Sec. 15. CONVEYANCE OF SURPLUS STATE LAND BORDERING PUBLIC**
95.28 **WATER; LAKE COUNTY.**

95.29 (a) Notwithstanding Minnesota Statutes, sections 92.45, 94.09, and 94.10, or any other
95.30 state law to the contrary and unless prohibited by federal law, the commissioner of natural
95.31 resources may convey to the city of Two Harbors for no consideration the surplus land that
95.32 is described in paragraph (c).

96.1 (b) The conveyance must be in a form approved by the attorney general and must provide
96.2 that the proceeds of the sale of any portion of the land described in paragraph (c) by the city
96.3 be paid to the state. The attorney general may make changes to the land description to correct
96.4 errors and ensure accuracy.

96.5 (c) The land to be sold is located in Lake County and is described as:

96.6 (1) that part of Government Lot 1, Section 1, Township 52 North, Range 11 West of the
96.7 4th Principal Meridian, Lake County, Minnesota, lying southerly and easterly of the following
96.8 described lines: commencing at the center east 1/16 corner; thence along the North-South
96.9 1/16 line on an assumed bearing of North 00 degrees 46 minutes 07 seconds East 144.23
96.10 feet; thence North 67 degrees 30 minutes 43 seconds West 385.00 feet; thence North 22
96.11 degrees 29 minutes 17 seconds East 24.00 feet; thence South 67 degrees 30 minutes 43
96.12 seconds East 385.00 feet; thence easterly a distance of 232.90 feet along a tangential curve
96.13 concave to the North having a radius of 611.85 feet and central angle of 21 degrees 48
96.14 minutes 36 seconds; thence South 89 degrees 19 minutes 19 seconds East 1,015.67 feet;
96.15 thence South 00 degrees 40 minutes 41 seconds West 35.00 feet; thence South 89 degrees
96.16 19 minutes 19 seconds East 73.08 feet to the east line of said Government Lot 1 and the
96.17 point of beginning of said line; thence North 89 degrees 19 minutes 19 seconds West 877.08
96.18 feet; thence North 00 degrees 40 minutes 41 seconds East 11.00 feet; thence North 89
96.19 degrees 19 minutes 19 seconds West 28.86 feet; thence South 0 degrees 51 minutes 25
96.20 seconds West 19.82 feet to a 3/4-inch by 24-inch rebar marked "MN DNR LS 16098" (DNR
96.21 monument); thence continuing South 00 degrees 51 minutes 25 seconds West 484.06 feet
96.22 to a DNR monument; thence continuing South 00 degrees 51 minutes 25 seconds West 78
96.23 feet, more or less to the shore of Lake Superior and there terminating; containing 14.5 acres,
96.24 more or less (parcel identification number 23-7600-01415);

96.25 (2) that part of Government Lot 3, Section 6, Township 52 North, Range 10 West of the
96.26 Fourth Principal Meridian, described as follows: commencing at the West Quarter corner
96.27 of said Section 6 (northwest corner of said Government Lot 3); thence North 88 degrees 43
96.28 minutes 09 seconds East along the north line of said Government Lot 3 a distance of 485.19
96.29 feet; thence South 00 degrees 20 minutes 34 seconds East a distance of 16 feet, more or
96.30 less, to the south line of the northerly 16 feet of said Government Lot 3, being the point of
96.31 beginning of the parcel described herein; thence continuing South 00 degrees 20 minutes
96.32 34 seconds East a distance of 584 feet, more or less, to a line lying within 600 feet and South
96.33 of the North boundary of said Government 3; thence westerly, along said line, to the west
96.34 line of said Government Lot 3; thence northerly, along the west line of the said Government
96.35 Lot 3 to the south line of the northerly 16 feet of said Government Lot 3; thence easterly

97.1 along the south line of the northerly 16 feet of said Government Lot 3 to the point of
97.2 beginning; except minerals (parcel identification number 23-7600-06605);

97.3 (3) together with that part of Government Lot 3, Section 6, Township 52 North, Range
97.4 10 West of the 4th Principal Meridian, Lake County, Minnesota lying West of the following
97.5 described line: commencing at the West Quarter corner of said Section 6 (northwest corner
97.6 of said Government Lot 3); thence North 88 degrees 43 minutes 09 seconds East along the
97.7 north line of said Government Lot 3 a distance of 485.19 feet to the point of beginning of
97.8 said line; thence South 00 degrees 20 minutes 34 seconds East a distance of 766.64 feet;
97.9 thence South 54 degrees 38 minutes 48 seconds West a distance of 235 feet, more or less,
97.10 to the shore of Lake Superior, and there terminating, except that part lying within 600 feet
97.11 and South of the North boundary of said Government Lot 3; containing 2.4 acres, more or
97.12 less (parcel identification number 23-7600-06607); and

97.13 (4) that part of Government Lot 3, Section 6, Township 52 North, Range 10 West, of
97.14 the Fourth Principal Meridian, described as follows: commencing at the West Quarter corner
97.15 of said Section 6 (northwest corner of said Government Lot 3); thence North 88 degrees 43
97.16 minutes 09 seconds East along the north line of said Government Lot 3 a distance of 485.19
97.17 feet; thence South 00 degrees 20 minutes 34 seconds East a distance of 766.64 feet, to a
97.18 5/8-foot rebar marked "RLS No. 16089," also being the point of beginning; thence South
97.19 25 degrees 10 minutes 17 seconds East a distance of 51.74 feet to a 3/4-inch by 12-inch
97.20 rebar marked "MN DNR LS 16098" (DNR monument); thence South 30 degrees 09 minutes
97.21 12 seconds East a distance of 583.16 feet to a DNR monument; thence South 88 degrees
97.22 01 minute 03 seconds West a distance of 124.04 feet to a DNR monument; thence South
97.23 07 degrees 58 minutes 29 seconds East a distance of 517.23 feet to a DNR monument;
97.24 thence continuing South 07 degrees 58 minutes 29 seconds East a distance of 76 feet, more
97.25 or less, to the shoreline of Lake Superior; thence northwesterly, northerly, northeasterly,
97.26 and northwesterly a distance of 1,390 feet, more or less, along said shoreline to point which
97.27 bears South 54 degrees 38 minutes 48 seconds West from the point of beginning; thence
97.28 North 54 degrees 38 minutes 48 seconds East a distance of 25 feet, more or less, to a DNR
97.29 monument; thence continuing North 54 degrees 38 minutes 48 seconds East a distance of
97.30 210.00 feet to the point of beginning and there terminating (parcel identification number
97.31 23-7600-06611).

97.32 (d) The commissioner has determined that the land is no longer needed for any state
97.33 purpose and that the state's land management interests would best be served if the land was
97.34 conveyed to the city of Two Harbors.

98.1 Sec. 16. PRIVATE SALE OF SURPLUS STATE LAND; PINE COUNTY.

98.2 (a) Notwithstanding Minnesota Statutes, sections 94.09 and 94.10, the commissioner of
98.3 natural resources may sell by private sale the surplus land that is described in paragraph (c),
98.4 subject to the state's reservation of a perpetual flowage easement.

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

98.7 (c) The land that may be sold is located in Pine County and is described as: the north 2
98.8 rods of the Southeast Quarter of Section 10, Township 38 North, Range 22 West, Pine
98.9 County, Minnesota.

98.10 (d) The Department of Natural Resources has determined that the land is not needed for
98.11 natural resource purposes and that the state's land management interests would best be
98.12 served if the land was returned to private ownership.

98.13 Sec. 17. LAND EXCHANGE; ST. LOUIS COUNTY.

98.14 (a) Notwithstanding Minnesota Statutes, section 92.461, and the riparian restrictions in
98.15 Minnesota Statutes, section 94.342, subdivision 3, St. Louis County may, with the approval
98.16 of the Land Exchange Board as required under the Minnesota Constitution, article XI,
98.17 section 10, and according to the remaining provisions of Minnesota Statutes, sections 94.342
98.18 to 94.347, exchange the land described in paragraph (c).

98.19 (b) The conveyance must be in the form approved by the attorney general. The attorney
98.20 general may make necessary changes to the legal description to correct errors and ensure
98.21 accuracy.

98.22 (c) The lands that may be conveyed are located in St. Louis County and are described
98.23 as:

98.24 (1) Sections 1 and 2, Township 53 North, Range 18 West;

98.25 (2) Sections 19, 20, 29, 30, 31, and 32, Township 54 North, Range 17 West;

98.26 (3) Sections 24, 25, 26, and 35, Township 54 North, Range 18 West;

98.27 (4) Sections 22, 23, 26, and 27, Township 54 North, Range 19 West; and

98.28 (5) Sections 8, 9, 17, and 18, Township 55 North, Range 18 West.

99.1 **Sec. 18. LAND ACQUISITION TRUST FUND; ST. LOUIS COUNTY.**

99.2 Notwithstanding Minnesota Statutes, chapter 282, and any other law relating to the
99.3 apportionment of proceeds from the sale of tax-forfeited land, St. Louis County may deposit
99.4 proceeds from the sale of tax-forfeited lands into a tax-forfeited land acquisition trust fund
99.5 established by St. Louis County under this section. The principal and interest from the fund
99.6 may be spent on the purchase of lands better suited for retention and management by St.
99.7 Louis County. Lands purchased with money from the land acquisition trust fund must:

99.8 (1) become subject to a trust in favor of the governmental subdivision wherein the lands
99.9 lie and all laws related to tax-forfeited lands; and

99.10 (2) be used for forestry, mineral management, or environmental services.

99.11 **Sec. 19. PRIVATE SALE OF TAX-FORFEITED LANDS; ST. LOUIS COUNTY.**

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

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

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

99.18 (1) Lots 23 through 30, including part of adjacent vacant alley, Block 54, Bay View
99.19 Addition to Duluth No. 2, Township 49, Range 15, Section 11 (parcel identification number
99.20 010-0230-03300); and

99.21 (2) Lot 2, except the South 760 feet, Township 62, Range 20, Section 18 (part of parcel
99.22 identification number 430-0010-02916).

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

99.25 **Sec. 20. PRIVATE SALE OF SURPLUS LAND BORDERING PUBLIC WATER;**
99.26 **SHERBURNE COUNTY.**

99.27 (a) Notwithstanding Minnesota Statutes, sections 92.45, 94.09, and 94.10, the
99.28 commissioner of natural resources may sell by private sale the surplus land bordering public
99.29 water that is described in paragraph (c) for less than market value.

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

100.1 (c) The land that may be conveyed is located in Sherburne County and is described as:
 100.2 that part of the North 595.50 feet of Government Lot 6, Section 31, Township 34 North,
 100.3 Range 27 West, Sherburne County, Minnesota, lying southerly of the following described
 100.4 line: commencing at a Minnesota Department of Conservation monument on the south line
 100.5 of the said North 595.50 feet; thence North 89 degrees 38 minutes 17 seconds West, bearing
 100.6 per plat of Eagle Lake Estates Boundary Registration, along said south line 71.28 feet to a
 100.7 Judicial Land Mark; thence North 21 degrees 51 minutes 43 seconds West, along the easterly
 100.8 line of Outlot A of said Eagle Lake Estates Boundary Registration 27.5 feet to the point of
 100.9 beginning; thence North 80 degrees East 72 feet, more or less, to the shoreline of Eagle
 100.10 Lake and there terminating.

100.11 (d) The Department of Natural Resources has determined that the land is not needed for
 100.12 natural resource purposes and that the state's land management interests would best be
 100.13 served if the land were returned to private ownership.

100.14 Sec. 21. **REPEALER.**

100.15 Laws 2012, chapter 236, section 28, subdivision 9, as amended by Laws 2016, chapter
 100.16 154, section 11, Laws 2019, First Special Session chapter 4, article 4, section 7, is repealed.

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

100.18 Delete the title and insert:

100.19 "A bill for an act
 100.20 relating to state government; appropriating money for environment and natural
 100.21 resources and tourism; modifying previous appropriations; establishing new
 100.22 programs and modifying existing programs; modifying fees; creating accounts;
 100.23 authorizing sales and conveyances of certain land; modifying environmental laws;
 100.24 modifying game and fish laws; modifying water laws; modifying natural resource
 100.25 and environment laws; modifying mining laws; requiring reports; making technical
 100.26 corrections; amending Minnesota Statutes 2020, sections 84.027, subdivision 14a,
 100.27 by adding a subdivision; 84.632; 84.788, subdivision 5; 84.82, subdivision 2, by
 100.28 adding a subdivision; 84.821, subdivision 2; 84.84; 84.86, subdivision 1; 84.922,
 100.29 subdivision 4; 85.015, subdivision 10; 90.181, subdivision 2; 97A.015, subdivisions
 100.30 29, 51; 97A.126, as amended; 97A.137, subdivisions 3, 5; 97A.405, subdivision
 100.31 5; 97B.031, subdivision 1, by adding a subdivision; 97B.071; 97B.311; 97B.415;
 100.32 97B.645, subdivision 9; 97B.668; 97C.211, subdivision 2a; 97C.315, subdivision
 100.33 1; 97C.515, subdivision 2; 103G.201; 103G.211; 103G.223; 103G.271, subdivision
 100.34 7, by adding a subdivision; 103G.285, by adding a subdivision; 103G.287,
 100.35 subdivisions 4, 5, by adding subdivisions; 103G.289; 115.03, subdivision 1;
 100.36 115.455; 115.55, by adding a subdivision; 115.77, subdivision 1; 115.84,
 100.37 subdivisions 2, 3; 115A.03, subdivision 35, by adding subdivisions; 115B.52,
 100.38 subdivision 4; 116.03, subdivision 2b; 116.07, subdivision 4d, by adding a
 100.39 subdivision; 116B.03, subdivision 1; 116B.10, by adding a subdivision; 116D.04,
 100.40 subdivision 2a; 116U.55, by adding a subdivision; 127A.353, subdivision 2; 282.04,
 100.41 subdivision 1, by adding a subdivision; 282.08; 297A.94; Minnesota Statutes 2021
 100.42 Supplement, sections 84.63; 84.631; 84.92, subdivision 8; 85.052, subdivision 6;
 100.43 92.502; 103G.271, subdivision 4a; 127A.353, subdivision 4; Laws 2021, First

101.1 Special Session chapter 6, article 1, section 2, subdivision 2; proposing coding for
101.2 new law in Minnesota Statutes, chapters 93; 115A; repealing Minnesota Statutes
101.3 2020, sections 97B.318; 97C.515, subdivisions 4, 5; Laws 2012, chapter 236,
101.4 section 28, subdivision 9, as amended; Minnesota Rules, parts 6100.5000, subparts
101.5 3, 4, 5; 6100.5700, subpart 4."