

2.2 ARTICLE 1
2.3 ENVIRONMENT AND NATURAL RESOURCES APPROPRIATIONS

2.4 Section 1. POLLUTION CONTROL AGENCY; APPROPRIATIONS.

2.5 (a) \$5,500,000 in fiscal year 2025 is appropriated from the general fund to the
2.6 commissioner of the Pollution Control Agency for legal costs. This is a onetime appropriation
2.7 and is available until June 30, 2027.

1.26 ARTICLE 1
1.27 ENVIRONMENT AND NATURAL RESOURCES APPROPRIATIONS

1.28 Section 1. ENVIRONMENT AND NATURAL RESOURCES APPROPRIATIONS.

1.29 The sums shown in the columns marked "Appropriations" are appropriated to the agencies
1.30 and for the purposes specified in this article. The appropriations are from the general fund,
1.31 or another named fund, and are available for the fiscal years indicated for each purpose.
2.1 The figures "2024" and "2025" used in this article mean that the appropriations listed under
2.2 them are available for the fiscal year ending June 30, 2024, or June 30, 2025, respectively.
2.3 "The first year" is fiscal year 2024. "The second year" is fiscal year 2025. "The biennium"
2.4 is fiscal years 2024 and 2025.

<u>APPROPRIATIONS</u>			
<u>Available for the Year</u>			
<u>Ending June 30</u>			
	<u>2024</u>		<u>2025</u>

2.9 Sec. 2. POLLUTION CONTROL AGENCY

2.10 Subdivision 1. Total Appropriation \$ -0- \$ 11,351,000

2.11 Appropriations by Fund

	<u>2024</u>	<u>2025</u>
2.13 <u>General</u>	<u>-0-</u>	<u>6,200,000</u>
2.14 <u>Environmental</u>	<u>-0-</u>	<u>5,151,000</u>

2.15 The amounts that may be spent for each
2.16 purpose are specified in the following
2.17 subdivisions.

2.31 \$3,500,000 the second year is for legal costs.
2.32 This is a onetime appropriation and is
2.33 available until June 30, 2027.

2.8 (b) \$525,000 in fiscal year 2025 is appropriated from the environmental fund to the
2.9 commissioner of the Pollution Control Agency for the Operations Division legal services
2.10 that support industrial compliance programs.

2.11 (c) \$2,975,000 in fiscal year 2025 is appropriated from the environmental fund to the
2.12 commissioner of the Pollution Control Agency for prioritizing air regulatory program work
2.13 in environmental justice areas. This appropriation is available until June 30, 2027. The base
2.14 in fiscal year 2026 and thereafter is \$2,625,000.

2.15 (d) \$1,025,000 in fiscal year 2025 is appropriated from the environmental fund to the
2.16 commissioner of the Pollution Control Agency to construct and operate a mobile emissions
2.17 regulatory monitoring trailer. This appropriation is available until June 30, 2027. The base
2.18 in fiscal year 2026 and thereafter is \$535,000.

2.19 (e) \$88,000 in fiscal year 2025 is appropriated from the environmental fund to the
2.20 commissioner of the Pollution Control Agency to prepare a report on state agency salt
2.21 purchases as required under Minnesota Statutes, section 116.2021.

2.22 (f) \$88,000 in fiscal year 2025 is appropriated from the environmental fund to the
2.23 commissioner of the Pollution Control Agency to prepare a report on state agency nitrogen
2.24 fertilizer purchases as required under Minnesota Statutes, section 116.2022.

2.25 (g) \$350,000 in fiscal year 2025 is appropriated from the environmental fund to the
2.26 commissioner of the Pollution Control Agency to prepare and implement a strategy to
2.27 analyze PFAS in sewage sludge prepared for land application as required in this act. This
2.28 is a onetime appropriation.

2.26 Subd. 3. **Legal Services**

2.27 \$525,000 the second year is from the
2.28 environmental fund for Operations Division
2.29 legal services that support industrial
2.30 compliance programs.

2.18 Subd. 2. **Air Regulatory Work; Environmental**
2.19 **Justice Areas**

2.20 \$2,975,000 the second year is from the
2.21 environmental fund for prioritizing air
2.22 regulatory program work in environmental
2.23 justice areas. This appropriation is available
2.24 until June 30, 2027. The base in fiscal year
2.25 2026 and thereafter is \$2,625,000.

3.1 Subd. 4. **Mobile Emissions Monitoring Trailer**

3.2 \$1,025,000 the second year is from the
3.3 environmental fund to construct and operate
3.4 a mobile emissions regulatory monitoring
3.5 trailer. This appropriation is available until
3.6 June 30, 2027. The base in fiscal year 2026
3.7 and thereafter is \$535,000.

5.1 Subd. 10. **State Salt Purchase Reporting**

5.2 \$88,000 the second year is from the
5.3 environmental fund for the annual reporting
5.4 requirements of the purchase of deicing salt
5.5 by state agencies under Minnesota Statutes,
5.6 section 116.2021.

2.29 (h) \$319,000 in fiscal year 2025 is appropriated from the environmental fund to the
2.30 commissioner of the Pollution Control Agency for the Critical Materials Recovery Advisory
2.31 Task Force required under this act. This is a onetime appropriation and is available until
2.32 June 30, 2026.

3.1 (i) \$2,000,000 in fiscal year 2025 is appropriated from the environmental fund to the
3.2 commissioner of the Pollution Control Agency to develop and establish a list of facilities
3.3 under Minnesota Statutes, section 116.0718. This is a onetime appropriation and is available
3.4 until June 30, 2026.

3.5 (j) \$1,000,000 in fiscal year 2025 is appropriated from the environmental fund to the
3.6 commissioner of the Pollution Control Agency for the lawn and snow removal equipment
3.7 electrification rebate program under Minnesota Statutes, section 116.996. This is a onetime
3.8 appropriation and is available until June 30, 2027.

3.9 (k) Of the amount appropriated under Laws 2023, chapter 60, article 1, section 2
3.10 subdivision 2, paragraph (k), for a climate resiliency and water infrastructure grant program,
3.11 up to \$5,000,000 may be used to supplement any federal grant that the commissioner receives
3.12 under the United States Environmental Protection Agency's Climate Pollution Reduction
3.13 Grant (CPRG) program.

3.14 (l) The amount remaining from the appropriation under Laws 2023, chapter 60, article
3.15 1, section 2, subdivision 7, paragraph (u), for rulemaking to provide safe disposal of waste
3.16 treated seeds may be transferred to the commissioner of agriculture for purposes of
3.17 implementing Minnesota Statutes, section 21.86, subdivision 2, and is available until June
3.18 30, 2026.

3.19 (m) Any unspent portion of the appropriation under Laws 2023, chapter 60, article 1,
3.20 section 2, subdivision 2, paragraph (t), remaining after the PFAS manufacturers fee work
3.21 group report has been submitted to the legislature must be used for the PFAS removal report
3.22 required under this act and is available until June 30, 2025.

4.29 Subd. 9. **Critical Materials Recovery Advisory**
4.30 **Task Force**

4.31 \$319,000 the second year is from the
4.32 environmental fund for the costs of the Critical
4.33 Materials Recovery Advisory Task Force. This
4.34 is a onetime appropriation.

5.22 Subd. 13. **Availability of Climate Resiliency and**
5.23 **Water Infrastructure Grants**

5.24 Of the amount appropriated under Laws 2023,
5.25 chapter 60, article 1, section 2, subdivision 2,
5.26 paragraph (k), for a climate resiliency and
5.27 water infrastructure grant program, up to
5.28 \$5,000,000 may be used to supplement any
5.29 federal grant that the commissioner receives
5.30 under the United States Environmental
5.31 Protection Agency's Climate Pollution
5.32 Reduction Grant (CPRG) program.

3.8 Subd. 5. **Researching Climate Adaptation and**
3.9 **Resilience Study**

3.10 \$750,000 the second year is for the
3.11 Researching Climate Adaptation and
3.12 Resilience Costs for Minnesota Study. This is
3.13 a onetime appropriation and is available until
3.14 June 30, 2026.

3.15 Subd. 6. **Composting Grants for Multifamily**
3.16 **Buildings**

3.17 (a) \$1,700,000 the second year is to make
3.18 grants for pilot projects that encourage
3.19 composting by residents of multifamily
3.20 buildings. Notwithstanding Minnesota
3.21 Statutes, section 16B.98, subdivision 14, the
3.22 commissioner may use up to five percent of
3.23 this appropriation for administrative costs.
3.24 This is a onetime appropriation and is
3.25 available until June 30, 2027.

3.26 (b) Eligible applicants include: (1) a political
3.27 subdivision; (2) an owner of a multifamily
3.28 building; or (3) an organization that is exempt
3.29 from taxation under section 501(c)(3) of the
3.30 Internal Revenue Code.

3.31 (c) The commissioner must submit a report
3.32 on the grants awarded under this subdivision
3.33 to the chairs and ranking minority members
3.34 of the senate and house of representatives
3.35 committees with primary jurisdiction over
4.1 environment policy and finance. The report
4.2 must contain, at a minimum, a list of grantees,
4.3 the amount of each grant awarded, the
4.4 activities undertaken with grant funds, and, if
4.5 possible, the results of the grant with respect
4.6 to encouraging composting in multifamily
4.7 buildings. The report is due by October 1,
4.8 2027.

3.23 EFFECTIVE DATE. This section is effective the day following final enactment.
3.24 Sec. 2. DEPARTMENT OF NATURAL RESOURCES; APPROPRIATIONS AND
3.25 TRANSFERS.

4.9 Subd. 7. Electronic Recycling Study
4.10 \$150,000 the second year is for a contract with
4.11 an independent third party to conduct a study
4.12 that examines the barriers to electronics
4.13 recycling and recommends ways those barriers
4.14 may be overcome. Notwithstanding Minnesota
4.15 Statutes, section 16B.98, subdivision 14, the
4.16 commissioner may use up to two percent of
4.17 this appropriation for administrative costs.
4.18 This is a onetime appropriation.

4.19 Subd. 8. Olmsted County Environmental
4.20 Remediation

4.21 \$100,000 the second year is for a grant to
4.22 Olmsted County for the environmental
4.23 remediation of a 12-acre tax-forfeited property
4.24 in Haverhill Township. This appropriation
4.25 may be used to remove tires and solid waste,
4.26 demolish buildings, and remove asbestos
4.27 contamination. This is a onetime
4.28 appropriation.

5.7 Subd. 11. Boat Wrap Product Stewardship
5.8 Program

5.9 \$219,000 the second year is from the
5.10 environmental fund for the cost of
5.11 administering the boat wrap product
5.12 stewardship program under Minnesota
5.13 Statutes, section 115A.1416. The base budget
5.14 for this appropriation is \$363,000 in fiscal year
5.15 2026, and \$219,000 in fiscal year 2027 and
5.16 thereafter.

5.33 Sec. 3. DEPARTMENT OF NATURAL
5.34 RESOURCES

6.1 Subdivision 1. Total Appropriation \$ 768,000 \$ 18,094,000

3.26 (a) \$1,300,000 in fiscal year 2024 is appropriated from the general fund to the
3.27 commissioner of natural resources for legal costs. This is a onetime appropriation and is
3.28 available until June 30, 2025.

3.29 (b) \$200,000 in fiscal year 2024 is appropriated from the general fund to the commissioner
3.30 of natural resources for public safety response costs.

3.31 (c) \$7,000 in fiscal year 2025 is appropriated from the general fund to the commissioner
3.32 of natural resources for a report on the expenditure of money during fiscal years 2024 and
3.33 2025 authorized under Minnesota Statutes, section 84.943. The commissioner must submit

6.2	Appropriations by Fund	
6.3	2024	2025
6.4	General	-0- 8,500,000
6.5	Game and Fish	-0- 2,880,000
6.6	Natural Resources	768,000 6,297,000
6.7	Permanent School	-0- 417,000
6.8	The amounts that may be spent for each	
6.9	purpose are specified in the following	
6.10	subdivisions.	
6.11	Subd. 2. Legal Costs	
6.12	(a) \$1,000,000 the second year is for legal	
6.13	costs. This is a onetime appropriation and is	
6.14	available until June 30, 2025.	
6.15	(b) The commissioner of natural resources	
6.16	must work with the commissioners of	
6.17	management and budget, the Pollution Control	
6.18	Agency, and other cabinet departments that	
6.19	incur significant litigation-related costs to	
6.20	develop recommendations for a statewide	
6.21	funding strategy to address escalating	
6.22	litigation-related costs across cabinet agencies.	
6.23	That strategy should consider the	
6.24	unpredictable and outsized effects that major	
6.25	litigation can have on an individual agency's	
6.26	budget. The commissioners must submit a	
6.27	report of the recommendations to the relevant	
6.28	committee chairs by December 15, 2024.	
6.29	Subd. 3. Public Safety Costs	
6.30	\$200,000 the second year is for public safety	
6.31	costs. This is a onetime appropriation.	

4.1 the report to the chairs and ranking minority members of the legislative committees and
4.2 divisions with jurisdiction over environment and natural resources by January 15, 2026.
4.3 This is a onetime appropriation and is available until June 30, 2026.

4.4 (d) \$200,000 in fiscal year 2025 is appropriated from the general fund to the commissioner
4.5 of natural resources to prepare and submit a report on reopening General C.C. Andrews
4.6 State Nursery to provide conservation-grade container seedlings to meet the state's
4.7 reforestation needs. The report must be submitted to the chairs and ranking minority members
4.8 of the legislative committees and divisions with jurisdiction over environment and natural
4.9 resources by January 15, 2025, and include funding recommendations and any statutory
4.10 changes necessary to reopen the nursery and produce the seedlings. This is a onetime
4.11 appropriation.

4.12 (e) \$2,600,000 in fiscal year 2024 is appropriated to the commissioner of natural resources
4.13 to support development and implementation of a modern licensing system. Of this amount,
4.14 \$330,000 is from the water recreation account; \$80,000 is from the snowmobile account;
4.15 \$204,000 is from the all-terrain vehicle account; \$7,000 is from the off-highway motorcycle
4.16 account; \$4,000 is from the off-road vehicle account; and \$1,975,000 is from the game and
4.17 fish fund. This appropriation is available until June 30, 2026.

4.18 (f) \$300,000 in fiscal year 2025 is appropriated to the commissioner of natural resources
4.19 to maintain current law enforcement service levels. Of this amount, \$30,000 is from the
4.20 water recreation account; \$15,000 is from the all-terrain vehicle account; and \$255,000 is
4.21 from the game and fish fund. The base for fiscal year 2026 and thereafter is \$1,080,000,
4.22 and of this amount, \$108,000 is from the water recreation account; \$54,000 is from the
4.23 all-terrain vehicle account; and \$918,000 is from the game and fish fund.

7.1 Subd. 4. **Electronic Licensing System**

7.2 \$2,600,000 the second year is to support the
7.3 development and implementation of a modern
7.4 electronic licensing system. Of this amount,
7.5 \$330,000 is from the water recreation account;
7.6 \$80,000 is from the snowmobile account;
7.7 \$204,000 is from the all-terrain vehicle
7.8 account; \$7,000 is from the off-highway
7.9 motorcycle account; \$4,000 is from the
7.10 off-road vehicle account; and \$1,975,000 is
7.11 from the game and fish fund. This is a onetime
7.12 appropriation and is available until June 30,
7.13 2026.

7.14 Subd. 5. **Compensation for Conservation Officers**

7.15 (a) \$300,000 the second year is to maintain
7.16 current law enforcement service levels. Of this
7.17 amount, \$30,000 is from the water recreation
7.18 account; \$15,000 is from the all-terrain vehicle
7.19 account; and \$255,000 is from the game and
7.20 fish fund.

7.21 (b) The base for fiscal year 2026 and thereafter
7.22 is \$1,080,000, and of this amount, \$108,000
7.23 is from the water recreation account; \$54,000
7.24 is from the all-terrain vehicle account; and
7.25 \$918,000 is from the game and fish fund.

4.24 (g) \$30,000 in fiscal year 2025 is appropriated from the game and fish fund to the
4.25 commissioner of natural resources to test source water at state fish hatcheries and for
4.26 reporting required under Minnesota Statutes, section 97C.202.

4.27 (h) \$4,000,000 in fiscal year 2025 is appropriated from the natural resources fund to the
4.28 commissioner of natural resources to plant trees in state parks and state recreation areas.
4.29 This appropriation is from revenue deposited in the natural resources fund under Minnesota
4.30 Statutes, section 297A.94, paragraph (h), clause (2). This is a onetime appropriation and is
4.31 available until June 30, 2026.

4.32 (i) Notwithstanding Minnesota Statutes, section 297A.94, \$3,400,000 in fiscal year 2025
4.33 is appropriated from the heritage enhancement account in the game and fish fund to the
4.34 commissioner of natural resources for community tree-planting grants under Minnesota
5.1 Statutes, section 84.705. Of this amount, \$300,000 is for a grant to the city of Northfield
5.2 and \$300,000 is for a grant to the city of St. Peter. This is a onetime appropriation and is
5.3 available until June 30, 2026.

5.4 (j) \$700,000 in fiscal year 2025 is appropriated from the heritage enhancement account
5.5 in the game and fish fund to the commissioner of natural resources for implementation of
5.6 feral swine and fur farm requirements under this act. The base for this appropriation in fiscal
5.7 year 2026 and thereafter is \$550,000.

5.8 (k) \$1,500,000 in fiscal year 2025 is appropriated from the all-terrain vehicle account
5.9 in the natural resources fund to the commissioner of natural resources for the grant-in-aid
5.10 program under Minnesota Statutes, section 84.927, subdivision 2, paragraph (a), clause (4).
5.11 This amount is a onetime addition to the base for fiscal year 2025. For fiscal year 2026 and
5.12 thereafter, \$200,000 is added to the base.

5.13 (l) \$1,200,000 in fiscal year 2025 is appropriated from the all-terrain vehicle account in
5.14 the natural resources fund to the commissioner of natural resources for a grant to St. Louis
5.15 County to construct and maintain the Prospector Loop all-terrain vehicle trail system. This
5.16 is a onetime appropriation and is available until June 30, 2028.

5.17 (m) \$300,000 in fiscal year 2025 is appropriated from the natural resources fund to the
5.18 commissioner of natural resources for grants to be divided equally between the city of St.
5.19 Paul for the Como Park Zoo and Conservatory and the city of Duluth for the Lake Superior

11.30 Subd. 16. **All-Terrain Vehicle Grant-in-Aid**
11.31 **Program**

11.32 \$1,500,000 the second year is from the
11.33 all-terrain vehicle account in the natural
11.34 resources fund for the grant-in-aid program
11.35 under Minnesota Statutes, section 84.927,
12.1 subdivision 2, clause (4). This is a onetime
12.2 appropriation.

12.3 Subd. 17. **Prospector Loop ATV Trail System**

12.4 \$1,200,000 the second year is from the
12.5 all-terrain vehicle account in the natural
12.6 resources fund for a grant to St. Louis County
12.7 to construct and maintain the Prospector Loop
12.8 all-terrain vehicle trail system. This is a
12.9 onetime appropriation.

5.20 Zoo for purposes of planting trees within the zoos. This appropriation is from revenue
5.21 deposited to the natural resources fund under Minnesota Statutes, section 297A.94, paragraph
5.22 (h), clause (5). This is a onetime appropriation and is available until June 30, 2026.

5.23 (n) \$417,000 in fiscal year 2025 is transferred from the forest suspense account to the
5.24 permanent school fund and appropriated from the permanent school fund to the commissioner
5.25 of natural resources for the school trust lands director to conduct the study of the recreational
5.26 use of school trust lands required under this act. This is a onetime appropriation and is
5.27 available until June 30, 2026.

5.28 (o) Up to \$3,148,000 in fiscal year 2025 is available for transfer from the critical habitat
5.29 private sector matching account to the reinvest in Minnesota fund for the commissioner of
5.30 natural resources to convert corn plots to native vegetation, including but not limited to
5.31 trees. The commissioner may quantify carbon sequestration achieved under Minnesota
5.32 Statutes, section 84.9736, and this transfer. The base for this transfer is \$0 in fiscal year
5.33 2028 and beyond.

6.1 (p) \$768,000 in fiscal year 2024 is appropriated from the minerals management account
6.2 in the natural resources fund to the commissioner of natural resources for the Minnesota
6.3 Gas and Oil Resources Technical Advisory Committee required in this act. This is a onetime
6.4 appropriation and is available until June 30, 2027.

6.5 (q) \$2,406,000 in fiscal year 2024 is appropriated from the minerals management account
6.6 in the natural resources fund to the commissioner of natural resources to adopt a regulatory
6.7 framework for gas and oil production in Minnesota and for rulemaking and is available until
6.8 June 30, 2027.

10.32 Subd. 13. **Report on Recreational Use of**
10.33 **Permanent School Land**

10.34 \$417,000 the second year is transferred from
10.35 the forest suspense account to the permanent
11.1 school fund and is appropriated from the
11.2 permanent school fund for the Office of
11.3 School Trust Lands for conducting the study
11.4 of the recreational use of school trust lands.
11.5 This is a onetime transfer.

11.6 Subd. 14. **Nonpetroleum Gas Regulatory**
11.7 **Framework**

11.8 (a) \$768,000 the first year is from the minerals
11.9 management account in the natural resources
11.10 fund for the Gas Production Technical
11.11 Advisory Committee. This is a onetime
11.12 appropriation and is available until June 30,
11.13 2027.

11.14 (b) \$2,406,000 the second year is from the
11.15 minerals management account in the natural
11.16 resources fund to adopt a regulatory
11.17 framework for gas and oil production in
11.18 Minnesota and for rulemaking. This is a
11.19 onetime appropriation and is available until
11.20 June 30, 2028.

6.9 (r) \$200,000 in fiscal year 2025 is appropriated from the general fund to the commissioner
6.10 of natural resources to reimburse county sheriffs and other local law enforcement agencies
6.11 for search and rescue operations related to recreational activities on unsafe ice under
6.12 Minnesota Statutes, section 86B.1065. Activities eligible for reimbursement under this
6.13 appropriation must be of an unusual and nonrecurring nature that are over and above the
6.14 county sheriff or other agency's regular operating budget and include but are not limited to
6.15 rental of private equipment and employment of personnel hired expressly for the search and
6.16 rescue operation. Reimbursement under this appropriation is limited to 50 percent of the
6.17 reimbursable costs subject to a maximum state payment of \$5,000 per agency for each
6.18 search and rescue operation. This is a onetime appropriation and is available until June 30,
6.19 2027.

8.5 Subd. 7. **Unsafe Ice Search and Rescue**
8.6 **Reimbursement**

8.7 \$200,000 the second year is to reimburse
8.8 county sheriffs and other local law
8.9 enforcement agencies for search and rescue
8.10 operations related to recreational activities on
8.11 unsafe ice under Minnesota Statutes, section
8.12 86B.1065. Activities eligible for
8.13 reimbursement under this appropriation must
8.14 be of an unusual and nonrecurring nature that
8.15 are over and above the county sheriff or other
8.16 agency's regular operating budget and include
8.17 but are not limited to rental of private
8.18 equipment and employment of personnel hired
8.19 expressly for the search and rescue operation.
8.20 Reimbursement under this appropriation is
8.21 limited to 50 percent of the reimbursable costs
8.22 subject to a maximum state payment of \$5,000
8.23 per agency for each search and rescue
8.24 operation. This is a onetime appropriation and
8.25 is available until June 30, 2027.

7.26 Subd. 6. **Keep it Clean Grants**

7.27 \$1,418,000 the second year is for grants to
7.28 local units of government and
7.29 nongovernmental organizations to implement
7.30 local programs to prevent water pollution due
7.31 to garbage and human waste left on the ice of
7.32 state waters during winter-use activities.
7.33 Notwithstanding Minnesota Statutes, section
7.34 16B.98, subdivision 14, the commissioner may
8.1 use up to five percent of this appropriation for
8.2 administrative costs. This is a onetime
8.3 appropriation and is available until June 30,
8.4 2027.

8.26 Subd. 8. **International Wolf Center**

8.27 \$1,332,000 the second year is for maintenance,
8.28 repair, energy efficiency improvements,
8.29 heating and ventilation system replacement.

8.30 and visitor enhancements to the building
8.31 currently leased to the International Wolf
8.32 Center in Ely, Minnesota. This is a onetime
8.33 appropriation and is available until June 30,
8.34 2027.

9.1 Subd. 9. **Outdoor School For All Minnesota**
9.2 **Students**

9.3 (a) \$2,000,000 the second year is for the
9.4 outdoor school for all Minnesota students
9.5 program under Minnesota Statutes, section
9.6 84.9766. Notwithstanding Minnesota Statutes,
9.7 section 16B.98, subdivision 14, the
9.8 commissioner may use up to five percent of
9.9 this appropriation for administrative costs.
9.10 This is a onetime appropriation and is
9.11 available until June 30, 2026.

9.12 (b) By January 1, 2027, the commissioner of
9.13 natural resources must submit a report on the
9.14 outdoor school for all Minnesota students
9.15 program to the chairs and ranking minority
9.16 members of the legislative committees with
9.17 jurisdiction over education and environment
9.18 policy and finance. The report must include
9.19 information on the awarded grants and any
9.20 measures that grantees have used to address
9.21 accessibility of outdoor educational
9.22 opportunities for underserved students and
9.23 students with disabilities.

9.24 Subd. 10. **Condemnation of Certain Land in**
9.25 **Mille Lacs County**

9.26 \$750,000 the second year is to initiate
9.27 condemnation proceedings of the lands
9.28 described in article 2, section 42. The
9.29 commissioner may use this appropriation for
9.30 project costs, including but not limited to
9.31 valuation expenses, legal fees, closing costs,
9.32 and transactional staff costs. This is a onetime

9.33 appropriation and is available until June 30,
9.34 2027.

10.1 Subd. 11. **Outreach and Education**

10.2 \$1,400,000 the second year is to create new
10.3 or expand existing outreach and education
10.4 programs for nonnative English-speaking
10.5 communities. Of this amount, \$200,000 is for
10.6 the commissioner of the Pollution Control
10.7 Agency and \$200,000 is for the Board of
10.8 Water and Soil Resources for this purpose. Of
10.9 the \$1,000,000 for the commissioner of natural
10.10 resources, \$200,000 is for a competitive grant
10.11 program for nonprofit organizations to connect
10.12 youth in underserved communities in
10.13 metropolitan area environmental justice areas
10.14 with outdoor experiences, and \$800,000 is for
10.15 the Fishing in the Neighborhood program for
10.16 outreach to new and underserved audiences.
10.17 This appropriation may be used for community
10.18 outreach consultants for reaching new
10.19 audiences. This is a onetime appropriation and
10.20 is available until June 30, 2028.

10.21 Subd. 12. **Nonlethal Beaver Management Grants**

10.22 \$500,000 the second year is from the heritage
10.23 enhancement account in the game and fish
10.24 fund for a nonlethal beaver management grant
10.25 program in the metropolitan area.
10.26 Notwithstanding Minnesota Statutes, section
10.27 16B.98, subdivision 14, the commissioner may
10.28 use up to five percent of this appropriation for
10.29 administrative costs. This is a onetime
10.30 appropriation and is available until June 30,
10.31 2026.

11.21 Subd. 15. **Legislative Report on Geologic Carbon**
11.22 **Sequestration**

11.23 \$301,000 the second year is from the minerals
11.24 management account in the natural resources
11.25 fund to develop a geologic carbon

- 11.26 sequestration report and chair the Geologic
11.27 Carbon Sequestration Technical Advisory
11.28 Committee. This is a onetime appropriation
11.29 and is available until June 30, 2027.
- 12.10 Subd. 18. **Off-Highway Motorcycle Trail**
12.11 **Ambassador Program**
- 12.12 (a) \$20,000 the second year is from the
12.13 off-highway motorcycle account in the natural
12.14 resources fund for grants to qualifying
12.15 off-highway motorcycle organizations to assist
12.16 in providing safety and environmental
12.17 education and monitoring trails on public lands
12.18 according to Minnesota Statutes, section
12.19 84.9011. Grants awarded under this
12.20 subdivision must be issued through a formal
12.21 agreement with the organization.
- 12.22 (b) By December 15 each year, an
12.23 organization receiving a grant under this
12.24 subdivision must report to the commissioner
12.25 with details on how the money was expended
12.26 and what outcomes were achieved.
- 12.27 Subd. 19. **Outdoor Recreation Opportunities for**
12.28 **Underserved Communities**
- 12.29 \$200,000 the second year is from the natural
12.30 resources fund for projects and activities that
12.31 connect diverse and underserved Minnesotans
12.32 through expanding cultural environmental
12.33 experiences, exploration of their environment,
12.34 and outdoor recreational activities. This
12.35 appropriation is from revenue deposited in the
13.1 natural resources fund under Minnesota
13.2 Statutes, section 297A.94, paragraph (j). This
13.3 is a onetime appropriation and is added to the
13.4 appropriation in Laws 2023, chapter 60, article
13.5 1, section 3, subdivision 5, paragraph (m).

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

6.21 Sec. 3. BOARD OF WATER AND SOIL RESOURCES; APPROPRIATIONS.

6.22 (a) \$1,137,000 in fiscal year 2025 is appropriated from the general fund to the Board of
6.23 Water and Soil Resources for the lawns to legumes program under Minnesota Statutes,
6.24 section 103B.104. The board may enter into agreements with local governments, Metro
6.25 Blooms, and other organizations to support this effort. This is a onetime appropriation and
6.26 is available until June 30, 2027.

6.27 (b) The base from the general fund to the Board of Water and Soil Resources for
6.28 implementation of the drain tile seller's disclosure requirements under Minnesota Statutes,
6.29 section 103F.49, and for educational efforts and demonstration projects consistent with the
6.30 duties to manage the public drainage manual and work group under Minnesota Statutes,

13.6 Subd. 20. Aggregate Resource Inventory

13.7 \$150,000 the second year is from the heritage
13.8 enhancement account in the game and fish
13.9 fund for the aggregate resource mapping
13.10 program to update Information Circular 46,
13.11 Aggregate Resources Inventory of the
13.12 Seven-County Metropolitan Area, Minnesota
13.13 (Minnesota Geological Survey 2000), with
13.14 particular emphasis on projected needs and
13.15 the estimated time until the aggregate resource
13.16 is exhausted and to perform duties under
13.17 Minnesota Statutes, section 84.94. This is a
13.18 onetime appropriation.

13.19 Subd. 21. Study of Impact of Eagles on Loons

13.20 \$200,000 the second year is for the study of
13.21 impact of eagles on loons in article 2, section
13.22 47. This is a onetime appropriation.

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

13.24 Sec. 4. BOARD OF WATER AND SOIL
13.25 RESOURCES

13.26 Subdivision 1. Total Appropriation \$ -0- \$ 2,300,000

13.27 The amounts that may be spent for each
13.28 purpose are specified in the following
13.29 subdivisions.

6.31 section 103B.101, subdivision 13, is \$230,000 in fiscal year 2026 and \$325,000 in fiscal
6.32 year 2027 and beyond.

13.30 Subd. 2. Manure Management Grants

13.31 \$2,000,000 the second year is for manure
13.32 management grants. Notwithstanding
13.33 Minnesota Statutes, section 16B.98,
14.1 subdivision 14, the board may use up to five
14.2 percent of this appropriation for administrative
14.3 costs. This is a onetime appropriation and is
14.4 available until June 30, 2026.

14.5 Subd. 3. Red River of the North; Adaptive
14.6 Phosphorus Management

14.7 (a) \$300,000 the second year is for a grant to
14.8 the Red River Basin Commission to facilitate
14.9 development of a feasibility assessment of
14.10 adaptive phosphorus management for the Red
14.11 River of the North. The commission may
14.12 contract with outside experts or academic
14.13 institutions in developing the assessment. The
14.14 assessment: (1) must address applicable
14.15 water-quality targets for phosphorus loading;
14.16 (2) must include an allocation of phosphorus
14.17 between point and nonpoint sources; (3) must
14.18 identify cost-effective nutrient reduction
14.19 implementation strategies; and (4) may include
14.20 other state water-quality goals and objectives.
14.21 This is a onetime appropriation and is
14.22 available until June 30, 2026.

14.23 (b) In developing the assessment, the Red
14.24 River Basin Commission must use available
14.25 data and analysis to the extent feasible and
14.26 incorporate input from an advisory group that
14.27 includes representatives of agriculture, soil
14.28 and water conservation districts, watershed
14.29 districts, municipalities, and other Minnesota
14.30 organizations represented on the board of
14.31 directors of the Red River Basin Commission.

7.1 Sec. 4. **METROPOLITAN COUNCIL; APPROPRIATIONS.**

- 7.2 (a) \$8,000,000 in fiscal year 2025 is appropriated from the general fund to the
7.3 Metropolitan Council for community tree-planting grants under Minnesota Statutes, section
7.4 473.355. Of this amount, \$600,000 is for a grant to the city of South St. Paul. This is a
7.5 onetime appropriation and is available until June 30, 2026.
- 7.6 (b) \$400,000 in fiscal year 2025 is appropriated from the general fund to the Metropolitan
7.7 Council for a grant to the city of St. Paul Park to replace a pedestrian bridge in Lions Levee
7.8 Park. This is a onetime appropriation and is available until June 30, 2027.
- 7.9 (c) \$3,400,000 in fiscal year 2025 is appropriated from the natural resources fund to the
7.10 Metropolitan Council for grants to implementing agencies to plant trees within the
7.11 metropolitan-area regional parks and trails system. This appropriation is from revenue
7.12 deposited in the natural resources fund under Minnesota Statutes, section 297A.94, paragraph
7.13 (h), clause (3). This is a onetime appropriation and is available until June 30, 2026.

- 14.32 The Red River Basin Commission may also
14.33 work with representatives from relevant
14.34 organizations from North Dakota, South
14.35 Dakota, and Manitoba.
- 15.1 (c) By June 30, 2026, the Red River Basin
15.2 Commission must submit the final assessment
15.3 to the chairs and ranking minority members
15.4 of the legislative committees with jurisdiction
15.5 over agriculture and environment policy and
15.6 finance.

15.7 Sec. 5. **METROPOLITAN COUNCIL** \$ -0- \$ 500,000

- 15.8 \$500,000 the second year is from the natural
15.9 resources fund for new fishing piers to
15.10 increase fishing opportunities on lakes in the
15.11 metropolitan parks system. The council shall
15.12 solicit applications from member park systems
15.13 for proposals under this section. This is a
15.14 onetime appropriation and is from revenue
15.15 deposited in the natural resources fund under
15.16 Minnesota Statutes, section 297A.94,
15.17 paragraph (h), clause (3). This appropriation
15.18 is available until June 30, 2026.

7.14 Sec. 5. **ZOOLOGICAL BOARD; APPROPRIATION.**

7.15 \$150,000 in fiscal year 2025 is appropriated from the natural resources fund to the
7.16 Minnesota Zoological Board to plant trees at the Minnesota Zoological Garden. This
7.17 appropriation is from revenue deposited under Minnesota Statutes, section 297A.94,
7.18 paragraph (h), clause (5). This is a onetime appropriation and is available until June 30,
7.19 2026.

7.20 Sec. 6. **APPROPRIATION EXTENSIONS.**

7.21 (a) The appropriation in Laws 2023, chapter 60, article 1, section 2, subdivision 2,
7.22 paragraph (m), for a grant to Rice County to address water-quality concerns at French Lake
7.23 is available until June 30, 2025.

7.24 (b) The appropriations in Laws 2023, chapter 60, article 1, section 3, subdivision 3,
7.25 paragraph (j), for grants to the Minnesota Aquatic Invasive Species Research Center at the
7.26 University of Minnesota for research-based solutions to reduce the effect of aquatic invasive
7.27 species are available as follows: the general fund appropriations are available until June 30,
7.28 2025, and the heritage enhancement account appropriations are available until June 30,
7.29 2026.

7.30 (c) The appropriation in Laws 2023, chapter 60, article 1, section 3, subdivision 5,
7.31 paragraph (o), for a grant to Dakota County for improvements to the Swing Bridge Trailhead
7.32 and historic Rock Island Swing Bridge is available until June 30, 2025.

8.1 (d) The appropriation in Laws 2023, chapter 60, article 1, section 3, subdivision 5,
8.2 paragraph (p), for a grant to Dakota County for adding a public boat launch along the
8.3 Mississippi River is available until June 30, 2025.

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

5.17 Subd. 12. **Extending Appropriation Availability**

5.18 The appropriations in Laws 2023, chapter 60,
5.19 article 1, section 2, subdivision 2, paragraphs
5.20 (l), (m), and (n), are available until June 30,
5.21 2025.

15.19 Sec. 6. Laws 2023, chapter 60, article 1, section 3, subdivision 3, is amended to read:

15.20	Subd. 3. Ecological and Water Resources	48,738,000	45,797,000
15.21	Appropriations by Fund		
15.22		2024	2025
15.23	General	27,083,000	26,142,000

15.24	Natural Resources	13,831,000	13,831,000
15.25	Game and Fish	7,824,000	5,824,000
15.26	(a) \$4,222,000 the first year and \$4,222,000		
15.27	the second year are from the invasive species		
15.28	account in the natural resources fund and		
15.29	\$2,831,000 the first year and \$2,831,000 the		
15.30	second year are from the general fund for		
15.31	management, public awareness, assessment		
15.32	and monitoring research, and water access		
15.33	inspection to prevent the spread of invasive		
15.34	species; management of invasive plants in		
16.1	public waters; and management of terrestrial		
16.2	invasive species on state-administered lands.		
16.3	(b) \$6,056,000 the first year and \$6,056,000		
16.4	the second year are from the water		
16.5	management account in the natural resources		
16.6	fund for only the purposes specified in		
16.7	Minnesota Statutes, section 103G.27,		
16.8	subdivision 2.		
16.9	(c) \$124,000 the first year and \$124,000 the		
16.10	second year are for a grant to the Mississippi		
16.11	Headwaters Board for up to 50 percent of the		
16.12	cost of implementing the comprehensive plan		
16.13	for the upper Mississippi within areas under		
16.14	the board's jurisdiction. By December 15,		
16.15	2025, the board must submit a report to the		
16.16	chairs and ranking minority members of the		
16.17	legislative committees and divisions with		
16.18	jurisdiction over environment and natural		
16.19	resources on the activities funded under this		
16.20	paragraph and the progress made in		
16.21	implementing the comprehensive plan.		
16.22	(d) \$10,000 the first year and \$10,000 the		
16.23	second year are for payment to the Leech Lake		
16.24	Band of Chippewa Indians to implement the		
16.25	band's portion of the comprehensive plan for		
16.26	the upper Mississippi River.		
16.27	(e) \$300,000 the first year and \$300,000 the		
16.28	second year are for grants for up to 50 percent		

16.29 of the cost of implementing the Red River
16.30 mediation agreement. The base for this
16.31 appropriation in fiscal year 2026 and beyond
16.32 is \$264,000.

16.33 (f) \$2,598,000 the first year and \$2,598,000
16.34 the second year are from the heritage
17.1 enhancement account in the game and fish
17.2 fund for only the purposes specified in
17.3 Minnesota Statutes, section 297A.94,
17.4 paragraph (h), clause (1).

17.5 (g) \$1,150,000 the first year and \$1,150,000
17.6 the second year are from the nongame wildlife
17.7 management account in the natural resources
17.8 fund for nongame wildlife management.
17.9 Notwithstanding Minnesota Statutes, section
17.10 290.431, \$100,000 the first year and \$100,000
17.11 the second year may be used for nongame
17.12 wildlife information, education, and
17.13 promotion.

17.14 (h) Notwithstanding Minnesota Statutes,
17.15 section 84.943, \$48,000 the first year and
17.16 \$48,000 the second year from the critical
17.17 habitat private sector matching account may
17.18 be used to publicize the critical habitat license
17.19 plate match program.

17.20 (i) \$6,000,000 the first year and \$6,000,000
17.21 the second year are for the following activities:

17.22 (1) financial reimbursement and technical
17.23 support to soil and water conservation districts
17.24 or other local units of government for
17.25 groundwater-level monitoring;

17.26 (2) surface water monitoring and analysis,
17.27 including installing monitoring gauges;

17.28 (3) groundwater analysis to assist with
17.29 water-appropriation permitting decisions;

17.30 (4) permit application review incorporating
17.31 surface water and groundwater technical
17.32 analysis;

18.1 (5) precipitation data and analysis to improve
18.2 irrigation use;

18.3 (6) information technology, including
18.4 electronic permitting and integrated data
18.5 systems; and

18.6 (7) compliance and monitoring.

18.7 (j) Notwithstanding Minnesota Statutes,
18.8 section 297A.94, paragraph (k), \$2,410,000
18.9 the first year and \$410,000 the second year
18.10 are from the heritage enhancement account in
18.11 the game and fish fund and \$500,000 the first
18.12 year and \$500,000 the second year are from
18.13 the general fund for grants to the Minnesota
18.14 Aquatic Invasive Species Research Center at
18.15 the University of Minnesota to prioritize,
18.16 support, and develop research-based solutions
18.17 that can reduce the effects of aquatic invasive
18.18 species in Minnesota by preventing spread,
18.19 controlling populations, and managing
18.20 ecosystems and to advance knowledge to
18.21 inspire action by others. The general fund
18.22 appropriations are available until June 30,
18.23 2025, and the heritage enhancement account
18.24 appropriations are available until June 30,
18.25 2028.

18.26 (k) \$268,000 the first year and \$268,000 the
18.27 second year are for increased capacity for
18.28 broadband utility licensing for state lands and
18.29 public waters. This is a onetime appropriation
18.30 and is available until June 30, 2028.

18.31 (l) \$998,000 the first year and \$568,000 the
18.32 second year are for protecting and restoring
18.33 carbon storage in state-administered peatlands
18.34 by reviewing and updating the state's peatland
19.1 inventory, piloting a restoration project, and
19.2 piloting trust fund buyouts. This is a onetime
19.3 appropriation and is available until June 30,
19.4 2028.

19.5 (m) \$250,000 the first year is for a grant to the
19.6 Minnesota Lakes and Rivers Advocates to

- 19.7 work with civic leaders to purchase, install,
19.8 and operate waterless cleaning stations for
19.9 watercraft; conduct aquatic invasive species
19.10 education; and implement education upgrades
19.11 at public accesses to prevent invasive starry
19.12 stonewort spread beyond the lakes already
19.13 infested. This is a onetime appropriation and
19.14 is available until June 30, 2025.
- 19.15 (n) \$1,720,000 the first year is to prevent and
19.16 manage invasive carp. This includes activities
19.17 related to the Mississippi River Lock and Dam
19.18 and stakeholder engagement. Up to \$325,000
19.19 may be used for a grant to the Board of
19.20 Regents of the University of Minnesota to
19.21 study the Mississippi River Lock Dam 5
19.22 spillway and provide preliminary design to
19.23 optimize management to reduce invasive carp
19.24 passage.
- 19.25 (o) Up to \$6,000,000 the first year is available
19.26 for transfer from the critical habitat private
19.27 sector matching account to the reinvest in
19.28 Minnesota fund to expand Grey Cloud Island
19.29 Scientific and Natural Area and for other
19.30 scientific and natural area acquisition,
19.31 restoration, and enhancement according to
19.32 Minnesota Statutes, section 84.943,
19.33 subdivision 5b.
- 19.34 (p) \$40,000 the first year is for a grant to the
19.35 Stearns Coalition of Lake Associations to
20.1 manage aquatic invasive species. The
20.2 unencumbered balance of the general fund
20.3 appropriation in Laws 2021, First Special
20.4 Session chapter 6, article 1, section 3,
20.5 subdivision 3, paragraph (a), for the grant to
20.6 the Stearns Coalition of Lake Associations,
20.7 estimated to be \$40,000, is canceled no later
20.8 than June 29, 2023.
- 20.9 (q) \$200,000 the first year is for a grant to the
20.10 Board of Regents of the University of
20.11 Minnesota for the University of Minnesota
20.12 Water Council to develop a scope of work,

8.5 Sec. 7. Laws 2023, chapter 60, article 1, section 3, subdivision 10, is amended to read:

8.6 Subd. 10. **Get Out MORE (Modernizing Outdoor**
8.7 **Recreation Experiences)**

110,000,000

-0-

8.8 (a) \$110,000,000 the first year is for
8.9 modernizing Minnesota's state-managed
8.10 outdoor recreation experiences. Of this
8.11 amount:

8.12 (1) \$25,000,000 is for enhancing access and
8.13 welcoming new users to public lands and
8.14 outdoor recreation facilities, including
8.15 improvements to improve climate resiliency;

8.16 (2) \$5,000,000 is for modernizing camping
8.17 and related infrastructure, including
8.18 improvements to improve climate resiliency;

8.19 (3) \$35,000,000 is for modernizing fish
8.20 hatcheries and fishing infrastructure. Of this
8.21 amount, up to \$366,000 is for installing
8.22 continuous water-quality monitoring devices;

8.23 (4) \$10,000,000 is for restoring streams and
8.24 modernizing water-related infrastructure with
8.25 priority given to fish habitat improvements,
8.26 dam removal, and improvements to improve
8.27 climate resiliency; and

8.28 (5) \$35,000,000 is for modernizing boating
8.29 access.

8.30 (b) Priority for money allocated under
8.31 paragraph (a), clauses (1), (3), (4), and (5),
8.32 must be given to projects where communities
8.33 are currently underserved.

20.13 timeline, and budget for a plan to promote and
20.14 protect clean water in Minnesota for the next
20.15 50 years according to this act.

20.16 (r) The total general fund base budget for the
20.17 ecological and water resources division for
20.18 fiscal year 2026 and later is \$24,870,000.

20.19 **EFFECTIVE DATE.** This section is effective retroactively from July 1, 2023.

9.1 (c) The commissioner may reallocate money
9.2 appropriated in paragraph (a) across those
9.3 purposes based on project readiness and
9.4 priority. The appropriations in paragraph (a)
9.5 are available until June 30, 2029.

9.6 (d) No later than November 30 each year, the
9.7 commissioner must provide a progress report
9.8 on the expenditure of money appropriated
9.9 under this subdivision to the chairs of the
9.10 legislative committees with jurisdiction over
9.11 environment and natural resources finance.

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

9.13 **ARTICLE 2**

9.14 **POLLUTION CONTROL**

9.15 Section 1. Minnesota Statutes 2023 Supplement, section 115.03, subdivision 1, is amended
9.16 to read:

9.17 Subdivision 1. **Generally.** (a) The commissioner is given and charged with the following
9.18 powers and duties:

9.19 (1) to administer and enforce all laws relating to the pollution of any of the waters of
9.20 the state;

9.21 (2) to investigate the extent, character, and effect of the pollution of the waters of this
9.22 state and to gather data and information necessary or desirable in the administration or
9.23 enforcement of pollution laws, and to make such classification of the waters of the state as
9.24 it may deem advisable;

9.25 (3) to establish and alter such reasonable pollution standards for any waters of the state
9.26 in relation to the public use to which they are or may be put as it shall deem necessary for
9.27 the purposes of this chapter and, with respect to the pollution of waters of the state, chapter
9.28 116;

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

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

20.20 **ARTICLE 2**

20.21 **ENVIRONMENT AND NATURAL RESOURCES POLICY**

29.16 Sec. 16. Minnesota Statutes 2023 Supplement, section 115.03, subdivision 1, is amended
29.17 to read:

29.18 Subdivision 1. **Generally.** (a) The commissioner is given and charged with the following
29.19 powers and duties:

29.20 (1) to administer and enforce all laws relating to the pollution of any of the waters of
29.21 the state;

29.22 (2) to investigate the extent, character, and effect of the pollution of the waters of this
29.23 state and to gather data and information necessary or desirable in the administration or
29.24 enforcement of pollution laws, and to make such classification of the waters of the state as
29.25 it may deem advisable;

29.26 (3) to establish and alter such reasonable pollution standards for any waters of the state
29.27 in relation to the public use to which they are or may be put as it shall deem necessary for
29.28 the purposes of this chapter and, with respect to the pollution of waters of the state, chapter
29.29 116;

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

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

10.4 (i) requiring the discontinuance of the discharge of sewage, industrial waste or other
10.5 wastes into any waters of the state resulting in pollution in excess of the applicable pollution
10.6 standard established under this chapter;

10.7 (ii) prohibiting or directing the abatement of any discharge of sewage, industrial waste,
10.8 or other wastes, into any waters of the state or the deposit thereof or the discharge into any
10.9 municipal disposal system where the same is likely to get into any waters of the state in
10.10 violation of this chapter and, with respect to the pollution of waters of the state, chapter
10.11 116, or standards or rules promulgated or permits issued pursuant thereto, and specifying
10.12 the schedule of compliance within which such prohibition or abatement must be
10.13 accomplished;

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

10.17 (iv) requiring the construction, installation, maintenance, and operation by any person
10.18 of any disposal system or any part thereof, or other equipment and facilities, or the
10.19 reconstruction, alteration, or enlargement of its existing disposal system or any part thereof,
10.20 or the adoption of other remedial measures to prevent, control or abate any discharge or
10.21 deposit of sewage, industrial waste or other wastes by any person;

10.22 (v) establishing, and from time to time revising, standards of performance for new sources
10.23 taking into consideration, among other things, classes, types, sizes, and categories of sources,
10.24 processes, pollution control technology, cost of achieving such effluent reduction, and any
10.25 nonwater quality environmental impact and energy requirements. Said standards of
10.26 performance for new sources shall encompass those standards for the control of the discharge
10.27 of pollutants which reflect the greatest degree of effluent reduction which the agency
10.28 determines to be achievable through application of the best available demonstrated control
10.29 technology, processes, operating methods, or other alternatives, including, where practicable,
10.30 a standard permitting no discharge of pollutants. New sources shall encompass buildings,
10.31 structures, facilities, or installations from which there is or may be the discharge of pollutants,
10.32 the construction of which is commenced after the publication by the agency of proposed
10.33 rules prescribing a standard of performance which will be applicable to such source.
10.34 Notwithstanding any other provision of the law of this state, any point source the construction
11.1 of which is commenced after May 20, 1973, and which is so constructed as to meet all
11.2 applicable standards of performance for new sources shall, consistent with and subject to
11.3 the provisions of section 306(d) of the Amendments of 1972 to the Federal Water Pollution
11.4 Control Act, not be subject to any more stringent standard of performance for new sources
11.5 during a ten-year period beginning on the date of completion of such construction or during
11.6 the period of depreciation or amortization of such facility for the purposes of section 167
11.7 or 169, or both, of the Federal Internal Revenue Code of 1954, whichever period ends first.
11.8 Construction shall encompass any placement, assembly, or installation of facilities or
11.9 equipment, including contractual obligations to purchase such facilities or equipment, at

30.6 (i) requiring the discontinuance of the discharge of sewage, industrial waste or other
30.7 wastes into any waters of the state resulting in pollution in excess of the applicable pollution
30.8 standard established under this chapter;

30.9 (ii) prohibiting or directing the abatement of any discharge of sewage, industrial waste,
30.10 or other wastes, into any waters of the state or the deposit thereof or the discharge into any
30.11 municipal disposal system where the same is likely to get into any waters of the state in
30.12 violation of this chapter and, with respect to the pollution of waters of the state, chapter
30.13 116, or standards or rules promulgated or permits issued pursuant thereto, and specifying
30.14 the schedule of compliance within which such prohibition or abatement must be
30.15 accomplished;

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

30.19 (iv) requiring the construction, installation, maintenance, and operation by any person
30.20 of any disposal system or any part thereof, or other equipment and facilities, or the
30.21 reconstruction, alteration, or enlargement of its existing disposal system or any part thereof,
30.22 or the adoption of other remedial measures to prevent, control or abate any discharge or
30.23 deposit of sewage, industrial waste or other wastes by any person;

30.24 (v) establishing, and from time to time revising, standards of performance for new sources
30.25 taking into consideration, among other things, classes, types, sizes, and categories of sources,
30.26 processes, pollution control technology, cost of achieving such effluent reduction, and any
30.27 nonwater quality environmental impact and energy requirements. Said standards of
30.28 performance for new sources shall encompass those standards for the control of the discharge
30.29 of pollutants which reflect the greatest degree of effluent reduction which the agency
30.30 determines to be achievable through application of the best available demonstrated control
30.31 technology, processes, operating methods, or other alternatives, including, where practicable,
30.32 a standard permitting no discharge of pollutants. New sources shall encompass buildings,
30.33 structures, facilities, or installations from which there is or may be the discharge of pollutants,
30.34 the construction of which is commenced after the publication by the agency of proposed
31.1 rules prescribing a standard of performance which will be applicable to such source.
31.2 Notwithstanding any other provision of the law of this state, any point source the construction
31.3 of which is commenced after May 20, 1973, and which is so constructed as to meet all
31.4 applicable standards of performance for new sources shall, consistent with and subject to
31.5 the provisions of section 306(d) of the Amendments of 1972 to the Federal Water Pollution
31.6 Control Act, not be subject to any more stringent standard of performance for new sources
31.7 during a ten-year period beginning on the date of completion of such construction or during
31.8 the period of depreciation or amortization of such facility for the purposes of section 167
31.9 or 169, or both, of the Federal Internal Revenue Code of 1954, whichever period ends first.
31.10 Construction shall encompass any placement, assembly, or installation of facilities or
31.11 equipment, including contractual obligations to purchase such facilities or equipment, at

11.10 the premises where such equipment will be used, including preparation work at such
11.11 premises;

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

11.15 (vii) requiring the owner or operator of any disposal system or any point source to
11.16 establish and maintain such records, make such reports, install, use, and maintain such
11.17 monitoring equipment or methods, including where appropriate biological monitoring
11.18 methods, sample such effluents in accordance with such methods, at such locations, at such
11.19 intervals, and in such a manner as the agency shall prescribe, and providing such other
11.20 information as the agency may reasonably require;

11.21 (viii) notwithstanding any other provision of this chapter, and with respect to the pollution
11.22 of waters of the state, chapter 116, requiring the achievement of more stringent limitations
11.23 than otherwise imposed by effluent limitations in order to meet any applicable water quality
11.24 standard by establishing new effluent limitations, based upon section 115.01, subdivision
11.25 13, clause (b), including alternative effluent control strategies for any point source or group
11.26 of point sources to insure the integrity of water quality classifications, whenever the agency
11.27 determines that discharges of pollutants from such point source or sources, with the
11.28 application of effluent limitations required to comply with any standard of best available
11.29 technology, would interfere with the attainment or maintenance of the water quality
11.30 classification in a specific portion of the waters of the state. Prior to establishment of any
11.31 such effluent limitation, the agency shall hold a public hearing to determine the relationship
11.32 of the economic and social costs of achieving such limitation or limitations, including any
11.33 economic or social dislocation in the affected community or communities, to the social and
11.34 economic benefits to be obtained and to determine whether or not such effluent limitation
11.35 can be implemented with available technology or other alternative control strategies. If a
12.1 person affected by such limitation demonstrates at such hearing that, whether or not such
12.2 technology or other alternative control strategies are available, there is no reasonable
12.3 relationship between the economic and social costs and the benefits to be obtained, such
12.4 limitation shall not become effective and shall be adjusted as it applies to such person;

12.5 (ix) modifying, in its discretion, any requirement or limitation based upon best available
12.6 technology with respect to any point source for which a permit application is filed after July
12.7 1, 1977, upon a showing by the owner or operator of such point source satisfactory to the
12.8 agency that such modified requirements will represent the maximum use of technology
12.9 within the economic capability of the owner or operator and will result in reasonable further
12.10 progress toward the elimination of the discharge of pollutants; ~~and~~

12.11 (x) requiring that applicants for wastewater discharge permits evaluate in their
12.12 applications the potential reuses of the discharged wastewater; and

12.13 (xi) when appropriate, requiring parties who enter into a negotiated agreement to settle
12.14 an enforcement matter with the agency to reimburse the agency according to this clause for

31.12 the premises where such equipment will be used, including preparation work at such
31.13 premises;

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

31.17 (vii) requiring the owner or operator of any disposal system or any point source to
31.18 establish and maintain such records, make such reports, install, use, and maintain such
31.19 monitoring equipment or methods, including where appropriate biological monitoring
31.20 methods, sample such effluents in accordance with such methods, at such locations, at such
31.21 intervals, and in such a manner as the agency shall prescribe, and providing such other
31.22 information as the agency may reasonably require;

31.23 (viii) notwithstanding any other provision of this chapter, and with respect to the pollution
31.24 of waters of the state, chapter 116, requiring the achievement of more stringent limitations
31.25 than otherwise imposed by effluent limitations in order to meet any applicable water quality
31.26 standard by establishing new effluent limitations, based upon section 115.01, subdivision
31.27 13, clause (b), including alternative effluent control strategies for any point source or group
31.28 of point sources to insure the integrity of water quality classifications, whenever the agency
31.29 determines that discharges of pollutants from such point source or sources, with the
31.30 application of effluent limitations required to comply with any standard of best available
31.31 technology, would interfere with the attainment or maintenance of the water quality
31.32 classification in a specific portion of the waters of the state. Prior to establishment of any
31.33 such effluent limitation, the agency shall hold a public hearing to determine the relationship
31.34 of the economic and social costs of achieving such limitation or limitations, including any
31.35 economic or social dislocation in the affected community or communities, to the social and
32.1 economic benefits to be obtained and to determine whether or not such effluent limitation
32.2 can be implemented with available technology or other alternative control strategies. If a
32.3 person affected by such limitation demonstrates at such hearing that, whether or not such
32.4 technology or other alternative control strategies are available, there is no reasonable
32.5 relationship between the economic and social costs and the benefits to be obtained, such
32.6 limitation shall not become effective and shall be adjusted as it applies to such person;

32.7 (ix) modifying, in its discretion, any requirement or limitation based upon best available
32.8 technology with respect to any point source for which a permit application is filed after July
32.9 1, 1977, upon a showing by the owner or operator of such point source satisfactory to the
32.10 agency that such modified requirements will represent the maximum use of technology
32.11 within the economic capability of the owner or operator and will result in reasonable further
32.12 progress toward the elimination of the discharge of pollutants; ~~and~~

32.13 (x) requiring that applicants for wastewater discharge permits evaluate in their
32.14 applications the potential reuses of the discharged wastewater; and

32.15 (xi) requiring parties who enter into a negotiated agreement to settle an enforcement
32.16 matter with the agency to reimburse the agency according to this clause for oversight costs

12.15 oversight costs that are incurred by the agency and associated with implementing the
12.16 negotiated agreement, including oversight costs exceeding \$25,000. Oversight costs may
12.17 include but are not limited to any costs associated with inspections, sampling, monitoring,
12.18 modeling, risk assessment, permit writing, engineering review, economic analysis and
12.19 review, and other record or document review. The agency's legal and litigation costs are
12.20 not covered by this clause. In addition to settlement agreements, the commissioner has
12.21 discretion as to whether to apply this clause in cases when the agency is using schedules of
12.22 compliance to bring a class of regulated parties into compliance. Oversight funds reimbursed
12.23 under this item are to be deposited in a settlement oversight reimbursement account
12.24 established in the environmental fund. The commissioner shall manage the account. Earnings,
12.25 such as interest, dividends, and any other earnings arising from assets of the account, must
12.26 be credited to the account. Funds remaining in the account at the end of a fiscal year remain
12.27 in the account. Money in the account is appropriated to the commissioner for the purposes
12.28 of the environmental fund;

12.29 (6) to require to be submitted and to approve plans and specifications for disposal systems
12.30 or point sources, or any part thereof and to inspect the construction thereof for compliance
12.31 with the approved plans and specifications thereof;

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

13.3 (8) to conduct such investigations, issue such notices, public and otherwise, and hold
13.4 such hearings as are necessary or which it may deem advisable for the discharge of its duties
13.5 under this chapter and, with respect to the pollution of waters of the state, under chapter
13.6 116, including, but not limited to, the issuance of permits, and to authorize any member,
13.7 employee, or agent appointed by it to conduct such investigations or, issue such notices and
13.8 hold such hearings;

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

13.16 (10) to train water pollution control personnel and charge training fees as are necessary
13.17 to cover the agency's costs. All such fees received must be paid into the state treasury and
13.18 credited to the Pollution Control Agency training account;

32.17 that are incurred by the agency and associated with implementing the negotiated agreement.
32.18 The agency may recover oversight costs exceeding \$25,000. Oversight costs may include
32.19 but are not limited to any costs associated with inspections, sampling, monitoring, modeling,
32.20 risk assessment, permit writing, engineering review, economic analysis and review, and
32.21 other record or document review. The agency's legal and litigation costs are not covered by
32.22 this clause. The commissioner has discretion as to whether to apply this clause in cases
32.23 when the agency is using schedules of compliance to bring a class of regulated parties into
32.24 compliance. Reimbursement amounts are appropriated to the commissioner;

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

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

32.33 (8) to conduct such investigations, issue such notices, public and otherwise, and hold
32.34 such hearings as are necessary or which it may deem advisable for the discharge of its duties
33.1 under this chapter and, with respect to the pollution of waters of the state, under chapter
33.2 116, including, but not limited to, the issuance of permits, and to authorize any member,
33.3 employee, or agent appointed by it to conduct such investigations or, issue such notices and
33.4 hold such hearings;

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

33.12 (10) to train water pollution control personnel and charge training fees as are necessary
33.13 to cover the agency's costs. All such fees received must be paid into the state treasury and
33.14 credited to the Pollution Control Agency training account;

13.19 (11) to provide chloride reduction training and charge training fees as necessary to cover
13.20 the agency's costs not to exceed \$350. All training fees received must be paid into the state
13.21 treasury and credited to the Pollution Control Agency training account;

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

13.27 (13) to set a period not to exceed five years for the duration of any national pollutant
13.28 discharge elimination system permit or not to exceed ten years for any permit issued as a
13.29 state disposal system permit only;

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

14.1 (15) to train subsurface sewage treatment system personnel, including persons who
14.2 design, construct, install, inspect, service, and operate subsurface sewage treatment systems,
14.3 and charge fees as necessary to pay the agency's costs. All fees received must be paid into
14.4 the state treasury and credited to the agency's training account. Money in the account is
14.5 appropriated to the agency to pay expenses related to training; ~~and~~

14.6 (16) to encourage practices that enable the recovery and use of waste heat from
14.7 wastewater treatment operations.

14.8 (b) The information required in paragraph (a), clause (14), must be submitted in every
14.9 odd-numbered year to the commissioner on a form provided by the commissioner. The
14.10 commissioner shall provide technical assistance if requested by the governmental subdivision.

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

33.15 (11) to provide chloride reduction training and charge training fees as necessary to cover
33.16 the agency's costs not to exceed \$350. All training fees received must be paid into the state
33.17 treasury and credited to the Pollution Control Agency training account;

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

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

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

33.30 (15) to train subsurface sewage treatment system personnel, including persons who
33.31 design, construct, install, inspect, service, and operate subsurface sewage treatment systems,
33.32 and charge fees as necessary to pay the agency's costs. All fees received must be paid into
33.33 the state treasury and credited to the agency's training account. Money in the account is
33.34 appropriated to the agency to pay expenses related to training;

34.1 (b) The information required in paragraph (a), clause (14), must be submitted in every
34.2 odd-numbered year to the commissioner on a form provided by the commissioner. The
34.3 commissioner shall provide technical assistance if requested by the governmental subdivision.

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

S3631-2

112.17 Sec. 76. Minnesota Statutes 2023 Supplement, section 115.03, subdivision 1, is amended
112.18 to read:

112.19 Subdivision 1. **Generally.** (a) The commissioner is given and charged with the following
112.20 powers and duties:

112.21 (1) to administer and enforce all laws relating to the pollution of any of the waters of
112.22 the state;

112.23 (2) to investigate the extent, character, and effect of the pollution of the waters of this
112.24 state and to gather data and information necessary or desirable in the administration or
112.25 enforcement of pollution laws, and to make such classification of the waters of the state as
112.26 it may deem advisable;

112.27 (3) to establish and alter such reasonable pollution standards for any waters of the state
112.28 in relation to the public use to which they are or may be put as it shall deem necessary for
112.29 the purposes of this chapter and, with respect to the pollution of waters of the state, chapter
112.30 116;

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

113.1 (5) to adopt, issue, reissue, modify, deny, or revoke, enter into or enforce reasonable
113.2 orders, permits, variances, standards, rules, schedules of compliance, and stipulation
113.3 agreements, under such conditions as it may prescribe, in order to prevent, control or abate
113.4 water pollution, or for the installation or operation of disposal systems or parts thereof, or
113.5 for other equipment and facilities;

113.6 (i) requiring the discontinuance of the discharge of sewage, industrial waste or other
113.7 wastes into any waters of the state resulting in pollution in excess of the applicable pollution
113.8 standard established under this chapter;

113.9 (ii) prohibiting or directing the abatement of any discharge of sewage, industrial waste,
113.10 or other wastes, into any waters of the state or the deposit thereof or the discharge into any
113.11 municipal disposal system where the same is likely to get into any waters of the state in
113.12 violation of this chapter and, with respect to the pollution of waters of the state, chapter
113.13 116, or standards or rules promulgated or permits issued pursuant thereto, and specifying
113.14 the schedule of compliance within which such prohibition or abatement must be
113.15 accomplished;

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

113.19 (iv) requiring the construction, installation, maintenance, and operation by any person
113.20 of any disposal system or any part thereof, or other equipment and facilities, or the
113.21 reconstruction, alteration, or enlargement of its existing disposal system or any part thereof,
113.22 or the adoption of other remedial measures to prevent, control or abate any discharge or
113.23 deposit of sewage, industrial waste or other wastes by any person;

113.24 (v) establishing, and from time to time revising, standards of performance for new sources
113.25 taking into consideration, among other things, classes, types, sizes, and categories of sources,
113.26 processes, pollution control technology, cost of achieving such effluent reduction, and any
113.27 nonwater quality environmental impact and energy requirements. Said standards of
113.28 performance for new sources shall encompass those standards for the control of the discharge
113.29 of pollutants which reflect the greatest degree of effluent reduction which the agency

113.30 determines to be achievable through application of the best available demonstrated control
113.31 technology, processes, operating methods, or other alternatives, including, where practicable,
113.32 a standard permitting no discharge of pollutants. New sources shall encompass buildings,
113.33 structures, facilities, or installations from which there is or may be the discharge of pollutants,
113.34 the construction of which is commenced after the publication by the agency of proposed
114.1 rules prescribing a standard of performance which will be applicable to such source.
114.2 Notwithstanding any other provision of the law of this state, any point source the construction
114.3 of which is commenced after May 20, 1973, and which is so constructed as to meet all
114.4 applicable standards of performance for new sources shall, consistent with and subject to
114.5 the provisions of section 306(d) of the Amendments of 1972 to the Federal Water Pollution
114.6 Control Act, not be subject to any more stringent standard of performance for new sources
114.7 during a ten-year period beginning on the date of completion of such construction or during
114.8 the period of depreciation or amortization of such facility for the purposes of section 167
114.9 or 169, or both, of the Federal Internal Revenue Code of 1954, whichever period ends first.
114.10 Construction shall encompass any placement, assembly, or installation of facilities or
114.11 equipment, including contractual obligations to purchase such facilities or equipment, at
114.12 the premises where such equipment will be used, including preparation work at such
114.13 premises;
114.14 (vi) establishing and revising pretreatment standards to prevent or abate the discharge
114.15 of any pollutant into any publicly owned disposal system, which pollutant interferes with,
114.16 passes through, or otherwise is incompatible with such disposal system;
114.17 (vii) requiring the owner or operator of any disposal system or any point source to
114.18 establish and maintain such records, make such reports, install, use, and maintain such
114.19 monitoring equipment or methods, including where appropriate biological monitoring
114.20 methods, sample such effluents in accordance with such methods, at such locations, at such
114.21 intervals, and in such a manner as the agency shall prescribe, and providing such other
114.22 information as the agency may reasonably require;
114.23 (viii) notwithstanding any other provision of this chapter, and with respect to the pollution
114.24 of waters of the state, chapter 116, requiring the achievement of more stringent limitations
114.25 than otherwise imposed by effluent limitations in order to meet any applicable water quality
114.26 standard by establishing new effluent limitations, based upon section 115.01, subdivision
114.27 13, clause (b), including alternative effluent control strategies for any point source or group
114.28 of point sources to insure the integrity of water quality classifications, whenever the agency
114.29 determines that discharges of pollutants from such point source or sources, with the
114.30 application of effluent limitations required to comply with any standard of best available
114.31 technology, would interfere with the attainment or maintenance of the water quality
114.32 classification in a specific portion of the waters of the state. Prior to establishment of any
114.33 such effluent limitation, the agency shall hold a public hearing to determine the relationship
114.34 of the economic and social costs of achieving such limitation or limitations, including any
114.35 economic or social dislocation in the affected community or communities, to the social and
115.1 economic benefits to be obtained and to determine whether or not such effluent limitation
115.2 can be implemented with available technology or other alternative control strategies. If a

115.3 person affected by such limitation demonstrates at such hearing that, whether or not such
115.4 technology or other alternative control strategies are available, there is no reasonable
115.5 relationship between the economic and social costs and the benefits to be obtained, such
115.6 limitation shall not become effective and shall be adjusted as it applies to such person;

115.7 (ix) modifying, in its discretion, any requirement or limitation based upon best available
115.8 technology with respect to any point source for which a permit application is filed after July
115.9 1, 1977, upon a showing by the owner or operator of such point source satisfactory to the
115.10 agency that such modified requirements will represent the maximum use of technology
115.11 within the economic capability of the owner or operator and will result in reasonable further
115.12 progress toward the elimination of the discharge of pollutants; and

115.13 (x) requiring that applicants for wastewater discharge permits evaluate in their
115.14 applications the potential reuses of the discharged wastewater;

115.15 (6) to require to be submitted and to approve plans and specifications for disposal systems
115.16 or point sources, or any part thereof and to inspect the construction thereof for compliance
115.17 with the approved plans and specifications thereof;

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

115.23 (8) to conduct such investigations, issue such notices, public and otherwise, and hold
115.24 such hearings as are necessary or which it may deem advisable for the discharge of its duties
115.25 under this chapter and, with respect to the pollution of waters of the state, under chapter
115.26 116, including, but not limited to, the issuance of permits, and to authorize any member,
115.27 employee, or agent appointed by it to conduct such investigations or, issue such notices and
115.28 hold such hearings;

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

116.3 (10) to train water pollution control personnel and charge training fees as are necessary
116.4 to cover the agency's costs. All such fees received must be paid into the state treasury and
116.5 credited to the Pollution Control Agency training account;

116.6 (11) to provide chloride reduction training and charge training fees as necessary to cover
116.7 the agency's costs not to exceed \$350. All training fees received must be paid into the state
116.8 treasury and credited to the Pollution Control Agency training account;

14.13 Sec. 2. Minnesota Statutes 2022, section 115.071, subdivision 1, is amended to read:

14.14 Subdivision 1. **Remedies available.** The provisions of sections 103F.701 to 103F.755,

14.15 this chapter and chapters 114C, 115A, and 116, and sections 325E.10 to 325E.1251 and

14.16 325E.32 and all rules, standards, orders, stipulation agreements, schedules of compliance,

14.17 and permits adopted or issued by the agency thereunder or under any other law now in force

14.18 or hereafter enacted for the prevention, control, or abatement of pollution may be enforced

14.19 by any one or any combination of the following: criminal prosecution; action to recover

14.20 civil penalties; injunction; action to compel or cease performance; or other appropriate

14.21 action, in accordance with the provisions of said chapters and this section.

116.9 (12) to impose as additional conditions in permits to publicly owned disposal systems

116.10 appropriate measures to insure compliance by industrial and other users with any pretreatment

116.11 standard, including, but not limited to, those related to toxic pollutants, and any system of

116.12 user charges ratably as is hereby required under state law or said Federal Water Pollution

116.13 Control Act, as amended, or any regulations or guidelines promulgated thereunder;

116.14 (13) to set a period not to exceed five years for the duration of any national pollutant

116.15 discharge elimination system permit or not to exceed ten years for any permit issued as a

116.16 state disposal system permit only;

116.17 (14) to require each governmental subdivision identified as a permittee for a wastewater

116.18 treatment works to evaluate in every odd-numbered year the condition of its existing system

116.19 and identify future capital improvements that will be needed to attain or maintain compliance

116.20 with a national pollutant discharge elimination system or state disposal system permit; ~~and~~

116.21 (15) to train subsurface sewage treatment system personnel, including persons who

116.22 design, construct, install, inspect, service, and operate subsurface sewage treatment systems,

116.23 and charge fees as necessary to pay the agency's costs. All fees received must be paid into

116.24 the state treasury and credited to the agency's training account. Money in the account is

116.25 appropriated to the agency to pay expenses related to training; and

116.26 (16) to encourage practices that enable the recovery and use of waste heat from

116.27 wastewater treatment operations, in accordance with the federal Clean Water Act, United

116.28 States Code, title 33, section 1281(e).

116.29 (b) The information required in paragraph (a), clause (14), must be submitted in every

116.30 odd-numbered year to the commissioner on a form provided by the commissioner. The

116.31 commissioner shall provide technical assistance if requested by the governmental subdivision.

116.32 (c) The powers and duties given the agency in this subdivision also apply to permits

116.33 issued under chapter 114C.

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34.6 Sec. 17. Minnesota Statutes 2022, section 115.071, subdivision 1, is amended to read:

34.7 Subdivision 1. **Remedies available.** The provisions of sections 103F.701 to 103F.755,

34.8 this chapter and chapters 114C, 115A, and 116, and sections 325E.10 to 325E.1251 and

34.9 325E.32 and all rules, standards, orders, stipulation agreements, schedules of compliance,

34.10 and permits adopted or issued by the agency thereunder or under any other law now in force

34.11 or hereafter enacted for the prevention, control, or abatement of pollution may be enforced

34.12 by any one or any combination of the following: criminal prosecution; action to recover

34.13 civil penalties; injunction; action to compel or cease performance; or other appropriate

34.14 action, in accordance with the provisions of said chapters and this section.

14.22 Sec. 3. Minnesota Statutes 2022, section 115.071, subdivision 3, is amended to read:

14.23 Subd. 3. **Civil penalties.** (a) Any person who violates any provision of this chapter or
14.24 chapter 114C or 116, except any provisions of chapter 116 relating to air and land pollution
14.25 caused by agricultural operations ~~which~~ that do not involve national pollutant discharge
14.26 elimination system permits, or of (1) any effluent standards and limitations or water quality
14.27 standards, (2) any permit or term or condition thereof, (3) any national pollutant discharge
14.28 elimination system filing requirements, (4) any duty to permit or carry out inspection, entry
14.29 or monitoring activities, or (5) any rules, stipulation agreements, variances, schedules of
14.30 compliance, or orders issued by the agency, ~~shall forfeit~~ forfeits and must pay to the state
14.31 a penalty, in an amount to be determined by the court, of not more than ~~\$10,000~~ \$70,000
14.32 per day of violation, except that if the violation relates to hazardous waste, the person ~~shall~~
15.1 ~~forfeit~~ forfeits and must pay to the state a penalty, in an amount to be determined by the
15.2 court, of not more than ~~\$25,000~~ \$80,000 per day of violation.

15.3 (b) A person who commits a violation subject to paragraph (a) within 36 months of a
15.4 previous violation that was also subject to paragraph (a) forfeits and must pay to the state
15.5 a penalty, in an amount to be determined by the court, that is at least ten percent higher per
15.6 day of violation than the penalty amount assessed for the most recent violation.

15.7 (c) In addition, in the discretion of the court, the defendant may be required to:

15.8 ~~(a)~~ (1) forfeit and pay to the state a sum which will adequately compensate the state for
15.9 the reasonable value of cleanup and other expenses directly resulting from unauthorized
15.10 discharge of pollutants, whether or not accidental; and

15.11 ~~(b)~~ (2) forfeit and pay to the state an additional sum to constitute just compensation for
15.12 any loss or destruction to wildlife, fish or other aquatic life and for other actual damages to
15.13 the state caused by an unauthorized discharge of pollutants.

15.14 (d) As a defense to any of said damages, the defendant may prove that the violation was
15.15 caused solely by (1) an act of God, (2) an act of war, (3) negligence on the part of the state
15.16 of Minnesota, or (4) an act or failure to act which constitutes sabotage or vandalism, or any
15.17 combination of the foregoing clauses.

15.18 (e) The civil penalties and damages provided for in this subdivision may be recovered
15.19 by a civil action brought by the attorney general in the name of the state.

15.20 Sec. 4. Minnesota Statutes 2022, section 115.071, subdivision 4, is amended to read:

15.21 Subd. 4. **Injunctions.** Any violation of the provisions, rules, standards, orders, stipulation
15.22 agreements, variances, schedules of compliance, or permits specified in this chapter and
15.23 chapters 114C and 116 ~~shall constitute~~ constitutes a public nuisance and may be enjoined
15.24 as provided by law in an action, in the name of the state, brought by the attorney general.
15.25 Injunctive relief under this subdivision may include but is not limited to a requirement that
15.26 a facility or person immediately cease operation or activities until such time as the
15.27 commissioner has reasonable assurance that renewed operation or activities will not violate

34.15 Sec. 18. Minnesota Statutes 2022, section 115.071, subdivision 4, is amended to read:

34.16 Subd. 4. **Injunctions.** Any violation of the provisions, rules, standards, orders, stipulation
34.17 agreements, variances, schedules of compliance, or permits specified in this chapter and
34.18 chapters 114C and 116 ~~shall constitute~~ constitutes a public nuisance and may be enjoined
34.19 as provided by law in an action, in the name of the state, brought by the attorney general.
34.20 Injunctive relief under this subdivision may include but is not limited to a requirement that
34.21 a facility or person immediately cease operation or activities until such time as the
34.22 commissioner has reasonable assurance that renewed operation or activities will not violate

15.28 state pollution requirements, cause harm to human health, or result in a serious violation of
15.29 an applicable permit.

16.1 Sec. 5. Minnesota Statutes 2022, section 115.071, is amended by adding a subdivision to
16.2 read:

16.3 Subd. 8. **Stipulation agreements.** If a party to a stipulation agreement asserts a good
16.4 cause or force majeure claim for an extension of time to comply with a stipulated term, the
16.5 commissioner may deny the extension if the assertion is based solely on increased costs.

16.6 Sec. 6. Minnesota Statutes 2022, section 115.071, is amended by adding a subdivision to
16.7 read:

16.8 Subd. 9. **Compliance when required permit not obtained.** The commissioner may
16.9 require a person or facility that fails to obtain a required permit to comply with any terms
16.10 of a permit that would have been issued had the person or facility obtained a permit, including
16.11 but not limited to reporting, monitoring, controlling pollutant discharge, and creating and
16.12 implementing operations and maintenance plans. The person or facility is subject to liability
16.13 and penalties, including criminal liability, for failing to operate in compliance with a permit
16.14 not obtained beginning at the time a permit should have been obtained.

34.23 state pollution requirements, cause harm to human health, or result in a serious violation of
34.24 an applicable permit.

34.25 Sec. 19. Minnesota Statutes 2022, section 115.071, is amended by adding a subdivision
34.26 to read:

34.27 Subd. 8. **Stipulation agreements.** If a party to a stipulation agreement asserts a good
34.28 cause or force majeure claim for an extension of time to comply with a stipulated term, the
34.29 commissioner may deny the extension if the assertion is based solely on increased costs.

35.1 Sec. 20. Minnesota Statutes 2022, section 115.071, is amended by adding a subdivision
35.2 to read:

35.3 Subd. 9. **Compliance when required permit not obtained.** The commissioner may
35.4 require a person or facility that fails to obtain a required permit to comply with any terms
35.5 of a permit that would have been issued had the person or facility obtained a permit, including
35.6 but not limited to reporting, monitoring, controlling pollutant discharge, and creating and
35.7 implementing operations and maintenance plans. The person or facility is subject to liability
35.8 and penalties, including criminal liability, for failing to operate in compliance with a permit
35.9 not obtained beginning at the time a permit should have been obtained.

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117.1 Sec. 77. **[115.544] REGULATION OF DISCHARGES OF GRAY WATER BY**
117.2 **COMMERCIAL HOUSEBOATS IN CERTAIN COUNTIES.**

117.3 Notwithstanding chapter 115 or 116 or any other provision of law, the Pollution Control
117.4 Agency may not regulate the discharge of sewage that does not contain toilet wastes by
117.5 commercial houseboat operators operating in St. Louis, Koochiching, or Lake County.
117.6 Instead, St. Louis, Koochiching, and Lake Counties must regulate those discharges in their
117.7 respective counties. A county ordinance adopted under this section must comply with the
117.8 federal Clean Boating Act of 2008 and all other applicable federal laws.

117.9 Sec. 78. Minnesota Statutes 2022, section 115.55, is amended by adding a subdivision to
117.10 read:

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

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

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

16.15 Sec. 7. Minnesota Statutes 2022, section 115A.02, is amended to read:

16.16 **115A.02 LEGISLATIVE DECLARATION OF POLICY; PURPOSES.**

16.17 (a) It is the goal of this chapter to protect the state's land, air, water, and other natural
16.18 resources and the public health by improving waste management in the state to serve the
16.19 following purposes:

16.20 (1) reduction in the amount and toxicity of waste generated;

16.21 (2) separation and recovery of materials and energy from waste;

16.22 (3) reduction in indiscriminate dependence on disposal of waste;

16.23 (4) coordination of solid waste management among political subdivisions; and

16.24 (5) orderly and deliberate development and financial security of waste facilities including
16.25 disposal facilities.

16.26 (b) The waste management goal of the state is to foster an integrated waste management
16.27 system in a manner appropriate to the characteristics of the waste stream and thereby protect
16.28 the state's land, air, water, and other natural resources and the public health. The following
16.29 waste management practices are in order of preference:

16.30 (1) waste reduction and reuse;

17.1 (2) waste recycling;

17.2 (3) composting of source-separated compostable materials, including but not limited to,
17.3 yard waste and food waste;

17.4 (4) resource recovery through mixed municipal solid waste composting or incineration;

17.5 (5) land disposal which produces no measurable methane gas or which involves the
17.6 retrieval of methane gas as a fuel for the production of energy to be used on site or for sale;
17.7 and

17.8 (6) land disposal which produces measurable methane and which does not involve the
17.9 retrieval of methane gas as a fuel for the production of energy to be used on site or for sale.

17.10 (c) As a means of accomplishing state waste management goals with respect to surplus
17.11 food and food waste, the following waste management practices are in order of preference:

17.12 (1) waste reduction at the source;

17.13 (2) upcycling or donating for human consumption;

17.14 (3) diverting for consumption by animals or leaving crops unharvested;

- 17.15 (4) composting or anaerobic digestion when the biogas and digestate are not disposed
17.16 of but are used as a salable product; and
- 17.17 (5) anaerobic digestion when the biogas is used as a salable product but the digestate is
17.18 disposed of or land application of surplus food and food waste.
- 17.19 (d) For the purposes of this section, the following terms have the meanings given:
- 17.20 (1) "anaerobic digestion" means a process through which microorganisms break down
17.21 organic material in the absence of oxygen and generate biogas and digestate;
- 17.22 (2) "biogas" means a gas that is produced when organic materials decompose and is
17.23 primarily composed of methane and carbon dioxide;
- 17.24 (3) "composting" means controlled, aerobic biological decomposition of organic material
17.25 to produce a nutrient-rich material;
- 17.26 (4) "digestate" means the solid or liquid residual material remaining after the anaerobic
17.27 digestion process has been completed;
- 17.28 (5) "food" means any raw, cooked, processed, or prepared substance, beverage, or
17.29 ingredient used or intended for human consumption;
- 18.1 (6) "food scraps" means inedible food, trimmings from preparing food, surplus food that
18.2 is not donated, and food-processing waste. Food scraps does not include used cooking oil,
18.3 grease, or any food that is subject to a recall;
- 18.4 (7) "food waste" means all discarded food, food subject to governmental or producer
18.5 recall due to food safety, and food scraps;
- 18.6 (8) "land application of food waste" means the direct application of food waste from
18.7 food manufacturing or processing activities onto or below the surface of the land to enhance
18.8 soil health;
- 18.9 (9) "leaving crops unharvested" means not harvesting crops that are otherwise ready for
18.10 harvesting and instead leaving them in the field or tilling them into the soil;
- 18.11 (10) "surplus food" means food that is not sold or used and that is still safe to be
18.12 consumed. Surplus food does not include food damaged by pests, mold, bacteria, or other
18.13 contamination or food subject to governmental or producer recall due to food safety; and
- 18.14 (11) "upcycling" means capturing, processing, and remaking parts of food and food
18.15 scraps into new food products for human consumption when the parts of food and food
18.16 scraps are safe for human consumption and would have been otherwise managed.
- 18.17 **EFFECTIVE DATE.** This section is effective the day following final enactment.

18.18 Sec. 8. Minnesota Statutes 2022, section 115A.03, is amended by adding a subdivision to
18.19 read:

18.20 Subd. 10d. **Finished sewage sludge product.** "Finished sewage sludge product" means
18.21 a fertilizer product consisting in whole or in part of sewage sludge that is disinfected by
18.22 means of composting, pasteurization, wet air oxidation, heat treatment, or other means and
18.23 sold to the public.

18.24 Sec. 9. **[115A.1416] BOAT WRAP PRODUCT STEWARDSHIP PROGRAM.**

18.25 Subdivision 1. **Definitions.** (a) For the purposes of this section, the following terms have
18.26 the meanings given.

18.27 (b) "Boat" has the meaning given to watercraft under section 86B.005, subdivision 18.

18.28 (c) "Boat wrap" means low-density polyethylene plastic that is used to wrap around a
18.29 boat to protect it against moisture and damage from other potentially harmful elements
18.30 during storage.

19.1 (d) "Brand" means a name, symbol, word, or mark that identifies boat wrap and attributes
19.2 it to the boat wrap producer.

19.3 (e) "Producer" means:

19.4 (1) a manufacturer of boat wrap sold under the manufacturer's own brand; or

19.5 (2) the owner or licensee of a brand of boat wrap that is manufactured by others.

19.6 (f) "Recycle" or "recycling" means the process of transforming boat wrap through
19.7 mechanical processes into a finished product for use or into a new material capable of being
19.8 processed into a finished product. Recycle or recycling does not include:

19.9 (1) altering the chemical structure of boat wrap;

19.10 (2) using boat wrap as or processing boat wrap into a feedstock to produce transportation
19.11 fuels or plastics; or

19.12 (3) destroying boat wrap by incineration or other processes.

19.13 (g) "Retailer" means a person that offers boat wrap for sale at retail in or into this state.

19.14 (h) "Stewardship organization" means an organization designated by one or more
19.15 producers to act on their behalf as an agent to design, submit, and implement a product
19.16 stewardship plan under this section.

19.17 Subd. 2. **Product stewardship program.** A producer selling or offering boat wrap for
19.18 sale in or into this state must, through membership in a stewardship organization, implement
19.19 and finance a statewide product stewardship program to reduce the volume of boat wrap

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35.10 Sec. 21. **[115A.1416] BOAT WRAP; PRODUCT STEWARDSHIP PROGRAM.**

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

35.13 (b) "Boat" has the meaning given to watercraft under section 86B.005, subdivision 18.

35.14 (c) "Boat wrap" means low-density polyethylene plastic that is used to wrap a boat to
35.15 protect it against moisture, scratches, and other potentially harmful elements during storage.

35.16 (d) "Producer" means a manufacturer of boat wrap.

35.17 Subd. 2. **Product stewardship program.** For boat wrap sold in or into this state, a
35.18 producer must, individually or through a stewardship organization, implement and finance
35.19 a statewide product stewardship program that reduces the volume of boat wrap disposed of

19.20 disposed of in landfills by promoting and providing for the negotiation and execution of
19.21 agreements to collect, transport, and recycle boat wrap.

19.22 Subd. 3. **Participation required to sell.** (a) On and after July 1, 2025, or, for boat wrap
19.23 brands not sold in or into this state before that date, no later than three months after a
19.24 producer's stewardship plan is approved by the commissioner under this section, no producer,
19.25 wholesaler, or retailer may sell or offer boat wrap for sale in or into this state unless the
19.26 producer participates in an approved stewardship plan through a stewardship organization.

19.27 (b) Each producer must enter into an agreement with a stewardship organization to
19.28 operate, on the producer's behalf, a product stewardship program approved by the
19.29 commissioner.

19.30 (c) All producers offering boat wrap for sale in or into this state must become a member
19.31 of a single stewardship organization implementing a single stewardship plan.

20.1 Subd. 4. **Stewardship plan required.** On or before March 1, 2025, and before first
20.2 offering boat wrap for sale in or into this state, a producer must submit a stewardship plan
20.3 to the commissioner or must submit documentation to the commissioner demonstrating that
20.4 the producer has entered into an agreement with a stewardship organization to be an active
20.5 participant in a product stewardship program approved by the commissioner under
20.6 subdivision 7. A stewardship plan must include all elements required under subdivision 5.

20.7 Subd. 5. **Plan content.** A stewardship plan must contain:

20.8 (1) contact information for the individual and the entity submitting the plan, a list of all
20.9 producers participating in the product stewardship program, and the brands of boat wrap
20.10 included in the product stewardship program;

20.11 (2) certification that the product stewardship program will accept all discarded boat wrap
20.12 regardless of who produced it;

20.13 (3) a description of methods by which boat wrap will be collected in all areas of the state
20.14 without relying on end-of-life fees paid by boat wrap purchasers, including an explanation
20.15 of how the collection system will be convenient and adequate to serve the needs of boat
20.16 owners, marinas, and boat storage establishments in both urban and rural areas on an ongoing

35.20 in landfills, promotes boat wrap recycling, and provides for negotiation and execution of
35.21 agreements to collect, transport, and process boat wrap for end-of-life recycling and reuse.

35.22 Subd. 3. **Participation required to sell.** (a) On and after July 1, 2025, or three months
35.23 after program plan approval, whichever is sooner, no producer, wholesaler, or retailer may
35.24 sell or offer for sale in or into this state boat wrap unless the boat wrap's producer participates
35.25 in an approved stewardship plan, either individually or through a stewardship organization.

35.26 (b) Each producer must operate a product stewardship program approved by the
35.27 commissioner or enter into an agreement with a stewardship organization to operate, on the
35.28 producer's behalf, a product stewardship program approved by the commissioner.

35.29 Subd. 4. **Stewardship plan required.** (a) On or before March 1, 2025, and before
35.30 offering boat wrap for sale in or into this state, a producer must:

35.31 (1) submit a stewardship plan that complies with subdivision 5 to the commissioner for
35.32 approval and receive approval of the plan from the commissioner; or

36.1 (2) submit documentation to the commissioner that demonstrates that the producer has
36.2 entered into an agreement with a stewardship organization to be an active participant in an
36.3 approved product stewardship program as described in subdivision 2.

36.4 (b) It is the responsibility of the entities responsible for each stewardship plan to notify
36.5 the commissioner of any proposed changes or modifications to the plan or its implementation.
36.6 A written plan revision must be submitted to the commissioner for review and may not be
36.7 implemented without written approval from the commissioner.

36.8 Subd. 5. **Plan content.** A stewardship plan must contain:

36.11 (2) contact information for the individual and the entity submitting the plan, a list of all
36.12 producers participating in the product stewardship program, and the brands covered by the
36.13 product stewardship program;

36.9 (1) certification that the product stewardship program will accept all discarded boat wrap
36.10 regardless of which producer produced the boat wrap and its individual components;

36.14 (3) a description of the methods by which the boat wrap will be collected in all areas in
36.15 the state without relying on end-of-life fees, including;

20.17 basis and a discussion of how existing marinas, boat storage establishments, and sites
20.18 designated as recycling centers under section 115A.555 will be considered when selecting
20.19 collection sites;

20.20 (4) a description of how the performance of the collection and recycling program will
20.21 be measured, monitored, and maintained;

20.22 (5) the names and locations of collectors, transporters, and recyclers that will manage
20.23 discarded boat wrap;

20.24 (6) a description of how discarded boat wrap will be safely and securely transported,
20.25 tracked, and handled from collection through final recycling and disposal;

20.26 (7) a description of the methods that will be used to separate and manage nonrecyclable
20.27 materials attached to boat wrap and to recycle discarded boat wrap;

20.28 (8) a description of:

20.29 (i) the promotion and outreach activities that will be undertaken to encourage participation
20.30 in the boat wrap collection and recycling programs and how their effectiveness will be
20.31 evaluated; and

20.32 (ii) the process that will be followed to modify the program, when necessary;

21.1 (9) the annual performance goals established by the commissioner under subdivision
21.2 12;

36.16 (i) an explanation of how the collection system will be convenient and adequate to serve
36.17 the needs of boat owners, marinas, and boat storage businesses in both urban and rural areas
36.18 on an ongoing basis; and

36.19 (ii) a discussion of how existing sites for collecting materials for recycling will be
36.20 considered when selecting collection sites;

36.21 (4) a description of how the adequacy of the collection program will be measured,
36.22 monitored, and maintained;

36.23 (5) the names and locations of collectors, transporters, and recyclers that will manage
36.24 discarded boat wrap;

36.25 (6) a description of how the discarded boat wrap and the boat wrap's components will
36.26 be safely and securely transported, tracked, and handled from collection through final
36.27 recycling and processing;

36.28 (7) a description of the method that will be used to reuse, deconstruct, or recycle the
36.29 discarded boat wrap to ensure that the boat wrap's components, to the extent feasible, are
36.30 transformed or remanufactured into finished products for use or into new materials capable
36.31 of being processed into finished products;

37.1 (8) a description of the promotion and outreach activities that will be undertaken to
37.2 encourage participation in the collection and recycling programs and how the activities'
37.3 effectiveness will be evaluated and the program modified, if necessary;

37.6 (10) five-year performance goals, including an estimate of the percentage of discarded
37.7 boat wrap that will be collected, reused, and recycled during each of the first five years of
37.8 the stewardship plan. The stewardship plan must state the methodology used to determine
37.9 these goals. The performance goals must include a specific goal for the amount of discarded
37.10 boat wrap that will be collected and recycled during each year of the plan. The performance
37.11 goals must be based on;

21.3 (10) evidence of adequate insurance and financial assurance that may be required for
21.4 collection, handling, and disposal operations; and

21.5 (11) a discussion of the status of end markets for collected boat wrap and what, if any,
21.6 additional end markets are needed to improve the functioning of the program.

21.7 Subd. 6. Consultation required. In developing a stewardship plan, a stewardship
21.8 organization or individual producer submitting a stewardship plan must consult with
21.9 stakeholders, including boat owners, owners of marinas and boat storage establishments,
21.10 contractors, collectors, recyclers, and local units of government.

21.11 Subd. 7. Agency review and approval. (a) Within 90 days after receiving a proposed
21.12 stewardship plan, the commissioner must determine whether the plan complies with
21.13 subdivision 5. If the commissioner approves a plan, the commissioner must notify the
21.14 applicant of the plan approval in writing. If the commissioner rejects a plan, the commissioner
21.15 must notify the applicant in writing of the reasons for rejection. An applicant whose plan
21.16 is rejected by the commissioner must submit a revised plan to the commissioner within 60
21.17 days after receiving notice of rejection. If a revised plan is rejected by the commissioner,
21.18 the commissioner may elect to write a plan that the applicant must implement.

21.19 (b) A stewardship organization is responsible for notifying the commissioner of any
21.20 proposed changes or modifications to the plan or its implementation. A written plan revision
21.21 must be submitted to the commissioner for review and may not be implemented without
21.22 written approval from the commissioner.

21.23 (c) A stewardship organization may operate under an approved stewardship plan for
21.24 five years.

21.25 (d) Six months before an approved stewardship plan expires, a stewardship organization
21.26 must submit a new plan for commissioner approval that meets the requirements of this
21.27 section. The commissioner must review the new plan according to this subdivision.

21.28 Subd. 8. Plan availability. The commissioner must make a draft stewardship plan
21.29 available on the agency's website and at the agency's headquarters for public review and
21.30 comment at least 30 days before the commissioner's decision regarding plan approval. The
21.31 commissioner must make an approved stewardship plan available on the agency's website
21.32 and at the agency's headquarters.

37.12 (i) the most recent collection data available for the state;
37.13 (ii) the estimated amount of boat wrap disposed of annually;
37.14 (iii) the weight of the boat wrap that is expected to be available for collection annually;
37.15 and

37.16 (iv) actual collection data from other existing boat wrap recycling or stewardship
37.17 programs; and

37.4 (9) evidence of adequate insurance and financial assurance that may be required for
37.5 collection, handling, and disposal operations;

37.18 (11) a discussion of the status of end markets for collected boat wrap and what, if any,
37.19 additional end markets are needed to improve the program.

37.20 Subd. 6. Consultation required. Each stewardship organization or individual producer
37.21 submitting a stewardship plan must consult with stakeholders, including boat owners, owners
37.22 of marinas and boat storage businesses, contractors, collectors, recyclers, and local
37.23 government, during the development of a stewardship plan.

37.24 Subd. 7. Agency review and approval. Within 90 days after receiving a proposed
37.25 stewardship plan, the commissioner must determine whether the plan complies with
37.26 subdivision 5. If the commissioner approves a plan, the commissioner must notify the
37.27 applicant of the plan approval in writing. If the commissioner rejects a plan, the commissioner
37.28 must notify the applicant in writing of the reasons for rejecting the plan. An applicant whose
37.29 plan is rejected by the commissioner must submit a revised plan to the commissioner within
37.30 60 days after receiving notice of rejection.

37.31 Subd. 8. Plan availability. The commissioner must make a draft stewardship plan
37.32 available on the agency website and at the agency headquarters for public review and
37.33 comment at least 30 days before the commissioner's decision regarding plan approval. The
38.1 commissioner must make an approved stewardship plan available on the agency website
38.2 and at the agency headquarters.

22.1 Subd. 9. **Conduct authorized.** A stewardship organization that organizes collection,
22.2 transport, and recycling of boat wrap under this section is immune from liability for conduct
22.3 under state laws relating to antitrust, restraint of trade, unfair trade practices, and other
22.4 regulation of trade or commerce only to the extent that the conduct is necessary to plan and
22.5 implement the producer's or organization's chosen organized collection or recycling program.

22.6 Subd. 10. **Stewardship organization responsibilities.** A stewardship organization must
22.7 provide boat wrap purchasers with educational materials regarding the product stewardship
22.8 program. The materials must include, but are not limited to, information regarding available
22.9 end-of-life management options for boat wrap offered through the product stewardship
22.10 program.

22.11 Subd. 11. **Retailer responsibilities.** (a) A retailer is responsible for reviewing the list
22.12 of compliant producers on the agency's website, maintained under subdivision 12, to
22.13 determine whether a producer is compliant with this section.

22.14 (b) A retailer or wholesaler of boat wrap is not in violation of this subdivision if, on the
22.15 date the boat wrap was ordered from a producer or wholesaler, the producer was listed as
22.16 compliant on the agency's website.

22.17 (c) A retailer may elect to participate as a designated point where boat wrap is collected
22.18 as part of a product stewardship program approved under this section and in accordance
22.19 with applicable law.

22.20 Subd. 12. **Agency responsibilities.** (a) The commissioner must maintain on the agency
22.21 website a list of all compliant producers and brands participating in stewardship plans that
22.22 the commissioner has approved and a list of all producers and brands the commissioner has
22.23 identified as noncompliant with this section.

22.24 (b) The commissioner must, in consultation with the stewardship organization, establish
22.25 annual performance goals regarding the percentage and weight of boat wrap collected and
22.26 recycled that the stewardship organization must incorporate into its stewardship plan and
22.27 meet annually. The goals must increase each year. By the end of the fifth year of the initial

38.3 Subd. 9. **Conduct authorized.** A producer or stewardship organization that organizes
38.4 collection, transport, and processing of boat wrap under this section is immune from liability
38.5 for the conduct under state laws relating to antitrust, restraint of trade, unfair trade practices,
38.6 and other regulation of trade or commerce only to the extent that the conduct is necessary
38.7 to plan and implement the producer's or organization's chosen organized collection or
38.8 recycling system.

38.9 Subd. 10. **Producer responsibilities.** Producers of boat wrap or the stewardship
38.10 organization must provide consumers with educational materials regarding the product
38.11 stewardship program. The materials must include but are not limited to information regarding
38.12 available end-of-life management options for boat wrap offered through the product
38.13 stewardship program.

38.14 Subd. 11. **Recycler responsibilities.** (a) No recycler or downstream recycler who receives
38.15 boat wrap collected under a stewardship plan approved under this section may use the boat
38.16 wrap as a feedstock to produce transportation fuels.

38.17 (b) For the purposes of this subdivision, "downstream recycler" means a recycler other
38.18 than the recycler to whom a collector initially sends boat wrap under a stewardship plan
38.19 approved under this subdivision.

38.20 Subd. 12. **Retailer responsibilities.** (a) On and after July 1, 2025, or three months after
38.21 stewardship plan approval, whichever is sooner, no boat wrap may be sold in or into the
38.22 state unless the boat wrap's producer is participating in a stewardship plan approved by the
38.23 commissioner under this section.

38.24 (b) A retailer is responsible for reviewing the list of compliant producers on the agency
38.25 website under subdivision 13 to determine whether a producer is compliant with this section.

38.26 (c) A retailer may elect to participate as a designated collection point as part of a product
38.27 stewardship program approved under this section and in accordance with applicable law.

38.28 (d) A retailer or distributor is not in violation of this subdivision if, on the date the boat
38.29 wrap was ordered from a producer or a distributor, the producer was listed as compliant on
38.30 the agency website.

38.31 Subd. 13. **Agency responsibilities.** The commissioner must maintain on the agency
38.32 website a list of all compliant producers and brands participating in stewardship plans that
39.1 the commissioner has approved and a list of all producers and brands the commissioner has
39.2 identified as noncompliant with this section.

22.28 product stewardship plan approved by the commissioner, no less than 50 percent of the total
22.29 weight of boat wrap sold in this state must be collected and recycled, and by the end of the
22.30 fifth year of the second product stewardship plan, no less than 80 percent of the total weight
22.31 of boat wrap sold in this state must be collected and recycled. The performance goals, whose
22.32 derivation must be described, must be based on:

22.33 (1) the most recent collection data available for the state;

23.1 (2) the estimated weight of boat wrap discarded annually; and

23.2 (3) actual collection data from boat wrap recycling or stewardship programs operating
23.3 in other states.

23.4 Subd. 13. **Administrative fee.** (a) A stewardship organization must pay an annual
23.5 administrative fee to the commissioner. Before June 1, 2025, and before each June 1
23.6 thereafter, the commissioner must identify the costs the agency incurs to administer and
23.7 enforce this section. The commissioner must set the fee at an amount that, when paid by
23.8 the stewardship organization, is sufficient to reimburse the agency's full costs of administering
23.9 and enforcing this section but does not exceed those costs.

23.10 (b) A stewardship organization must pay the administrative fee required under this
23.11 subdivision on or before July 1, 2025, and annually thereafter, on a schedule and in a manner
23.12 prescribed by the commissioner.

23.13 (c) The commissioner must deposit all fees received under this subdivision in the account
23.14 established in subdivision 15.

23.15 Subd. 14. **User fees prohibited.** A stewardship organization or retailer may not charge
23.16 a fee to a person for providing boat wrap for collection and recycling under a stewardship
23.17 program approved by the commissioner under this section.

23.18 Subd. 15. **Account established.** (a) A boat wrap stewardship account is established in
23.19 the special revenue fund in the state treasury. The account consists of money received from
23.20 the administrative fee established in subdivision 13. The commissioner must manage the
23.21 account.

23.22 (b) Money in the account is appropriated annually to the commissioner for administering
23.23 and enforcing this section.

23.24 Subd. 16. **Stewardship reports.** Beginning March 1, 2026, and each March 1 thereafter,
23.25 a stewardship organization operating under this section must submit an annual report to the
23.26 commissioner describing the program operations of the stewardship plan during the previous
23.27 calendar year. At a minimum, the report must contain:

23.28 (1) a description of the methods used to collect, transport, and process discarded boat
23.29 wrap in all regions of the state;

39.3 Subd. 14. **Stewardship reports.** Beginning October 1, 2026, producers of boat wrap
39.4 sold in or into the state must individually or through a stewardship organization submit an
39.5 annual report to the commissioner describing the product stewardship program. At a
39.6 minimum, the report must contain:

39.7 (1) a description of the methods used to collect, transport, and process boat wrap in all
39.8 regions of the state;

23.30 (2) the weight of all boat wrap collected in each separate region of the state;

24.1 (3) a comparison of the amount of boat wrap collected with the performance goals
24.2 established in the stewardship plan and, if the goals have not been met, a discussion of
24.3 actions the stewardship organization will take to ensure that they are achieved in the future;

24.4 (4) the weight of discarded boat wrap collected in the state by method of disposition,
24.5 including recycling and other methods of processing;

24.6 (5) a comparison of program performance with the performance goals established by
24.7 the commissioner under subdivision 12 and, if applicable, a discussion of why the
24.8 performance goals were not met and proposed modifications to the collection program the
24.9 stewardship organization will implement to ensure that future performance goals will be
24.10 met;

24.11 (6) samples of educational materials provided to boat wrap consumers, marinas, and
24.12 boat storage establishments and an evaluation of the effectiveness of the materials and the
24.13 methods used to disseminate the materials; and

24.14 (7) an independent financial audit of stewardship organization activities.

24.15 Subd. 17. **Data classification.** Trade secret and sales information, as defined under
24.16 section 13.37, submitted to the commissioner under this section are private or nonpublic
24.17 data under section 13.37.

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

24.19 Sec. 10. **[115A.412] WASTE COMPOSITION; INFORMATION REQUIRED.**

24.20 Subdivision 1. **Study required.** (a) Every three years, beginning in 2029, the
24.21 commissioner must direct the owners and operators at 20 percent of each of the following
24.22 facility types to perform a waste composition study:

24.23 (1) mixed municipal solid waste land disposal facilities;

24.24 (2) industrial solid waste land disposal facilities;

24.25 (3) demolition debris land disposal facilities;

24.26 (4) transfer stations that annually transfer more than 5,000 tons of waste to a facility
24.27 outside Minnesota; and

24.28 (5) other facilities identified by the commissioner.

24.29 (b) The waste composition study must be performed at the sole expense of each owner
24.30 or operator as directed by the commissioner.

39.9 (2) the weight of all boat wrap collected in all regions of the state and a comparison to
39.10 the performance goals and recycling rates established in the stewardship plan;

39.11 (3) the amount of unwanted boat wrap collected in the state by method of disposition,
39.12 including reuse, recycling, and other methods of processing;

39.13 (4) samples of educational materials provided to consumers and an evaluation of the
39.14 effectiveness of the materials and the methods used to disseminate the materials; and

39.15 (5) an independent financial audit of stewardship organization activities.

39.16 Subd. 15. **Data classification.** Trade secret information, as defined under section 13.37,
39.17 submitted to the commissioner under this section are private or nonpublic data under section
39.18 13.37.

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

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117.16 Sec. 79. **[115A.412] WASTE COMPOSITION; INFORMATION REQUIRED.**

117.17 Subdivision 1. **Study required.** (a) Every two years, beginning in ..., the commissioner
117.18 must direct the owners and operators at 20 percent of each of the following facility types
117.19 to perform a waste composition study:

117.20 (1) mixed municipal solid waste land disposal facilities;

117.21 (2) industrial solid waste land disposal facilities;

117.22 (3) demolition debris land disposal facilities;

117.23 (4) resource recovery facilities;

117.24 (5) transfer stations; and

117.25 (6) other facilities identified by the commissioner.

25.1 (c) When selecting facilities for waste composition studies, the commissioner must rotate
25.2 the participants so that, over time, the studies cover the entirety of the facilities identified
25.3 under paragraph (a). The commissioner must determine the time frame for each study in
25.4 the three-year cycle. The owner or operator of each selected facility must complete the study
25.5 within one year of being notified by the commissioner of selection to perform a waste
25.6 composition study.

25.7 Subd. 2. **Study requirements.** (a) The commissioner must:

25.8 (1) determine the sampling methods to be used and the categories of materials to be
25.9 sampled for waste composition studies; and

25.10 (2) provide the sampling methods and any additional requirements identified by the
25.11 commissioner to each owner or operator directed to perform a study.

25.12 (b) The sampling methods must include the number of samples to be taken, the size or
25.13 weight of each sample, the duration of a sampling event, the sampling interval, and any
25.14 additional methods identified by the commissioner. The categories of materials to be sampled
25.15 must include categories and subcategories identified by the commissioner to represent the
25.16 materials present at each facility.

25.17 (c) Resource recovery facilities required to do waste sorts required under air rules adopted
25.18 under section 116.07 must use the study requirements developed under this section when
25.19 conducting waste composition analysis to meet the rule requirements.

25.20 (d) The commissioner must obtain input from counties, cities, and owners or operators
25.21 of waste facilities before finalizing the sampling methods and requirements. The
25.22 commissioner must consider cost effectiveness and data quality when determining the
25.23 sampling methods.

25.24 Subd. 3. **Report.** Within six months after completing a waste composition study required
25.25 under this section, the owner or operator of a facility must submit the raw data and results
25.26 of the study to the commissioner in a form and manner prescribed by the commissioner.

25.27 Subd. 4. **Compilation.** After each ~~three~~-year cycle, the commissioner must compile and
25.28 summarize the waste composition data received under subdivision 3. The commissioner
25.29 must make the summary information available to the public.

25.30 Subd. 5. **Additional studies; information.** (a) The commissioner may conduct additional
25.31 waste composition studies at facilities described in subdivision 1.

117.26 (b) The waste composition study must be performed at the sole expense of each owner
117.27 or operator as directed by the commissioner.

117.28 (c) When selecting facilities for waste composition studies, the commissioner must rotate
117.29 the participants so that, over time, the studies cover the entirety of the facilities identified
117.30 under paragraph (a). The commissioner must determine the time frame for each study in
118.1 the two-year cycle. The owner or operator of each selected facility must complete the study
118.2 within one year of being notified by the commissioner of selection to perform a waste
118.3 composition study.

118.4 Subd. 2. **Study requirements.** (a) The commissioner must:

118.5 (1) determine the sampling methods to be used and the categories of materials to be
118.6 sampled for waste composition studies; and

118.7 (2) provide the sampling methods and any additional requirements identified by the
118.8 commissioner to each owner or operator directed to perform a study.

118.9 (b) The sampling methods must include the number of samples to be taken, the size or
118.10 weight of each sample, the duration of a sampling event, the sampling interval, and any
118.11 additional methods identified by the commissioner. The categories of materials to be sampled
118.12 must include categories and subcategories identified by the commissioner to represent the
118.13 materials present at each facility.

118.14 Subd. 3. **Report.** Within six months after completing a waste composition study required
118.15 under this section, the owner or operator of a facility must submit the raw data and results
118.16 of the study to the commissioner in a form and manner prescribed by the commissioner.

118.17 Subd. 4. **Compilation.** After each ~~three~~-year cycle, the commissioner must compile and
118.18 summarize the waste composition data received under subdivision 3. The commissioner
118.19 must make the summary information available to the public.

118.20 Subd. 5. **Additional studies; information.** (a) The commissioner may conduct additional
118.21 waste composition studies at facilities described in subdivision 1.

26.1 (b) Upon request of the commissioner for purposes of determining compliance with this
26.2 section, a person must furnish to the commissioner any information that the person has or
26.3 may reasonably obtain.

26.4 (c) The owner or operator of a facility shall allow access upon reasonable notice to
26.5 authorized agency staff for the purpose of conducting waste composition studies.

26.6 Sec. 11. Minnesota Statutes 2022, section 115A.5502, is amended to read:

26.7 **115A.5502 PACKAGING PRACTICES; PREFERENCES; GOALS.**

26.8 Packaging forms a substantial portion of solid waste and contributes to environmental
26.9 degradation and the costs of managing solid waste. It is imperative to reduce the amount
26.10 and toxicity of packaging that must be managed as solid waste. In order to achieve significant
26.11 reduction of packaging in solid waste and to assist packagers and others to meet the packaging
26.12 reduction goal in section 115A.5501, the goal of the state is that items be distributed without
26.13 any packaging where feasible and, only when necessary to protect health and safety or
26.14 product integrity, with the minimal amount of packaging possible. The following categories
26.15 of packaging are listed in order of preference for use by all persons who find it necessary
26.16 to package items for distribution or use in the state:

26.17 (1) minimal packaging that contains no intentionally introduced toxic materials and that
26.18 is designed to be and actually is reused for its original purpose at least five times;

26.19 (2) minimal packaging that contains no intentionally introduced toxic materials and
26.20 consists of a significant percentage of postconsumer material;

26.21 (3) minimal packaging that contains no intentionally introduced toxic materials, that is
26.22 recyclable, and is regularly collected through recycling collection programs available to at
26.23 least 75 percent of the residents of the state;

26.24 (4) minimal packaging that does not comply with clause (1), (2), or (3) because it is
26.25 required under federal or state law and for which there does not exist a commercially feasible
26.26 alternative that does comply with clause (1), (2), or (3);

26.27 (5) packaging that contains no intentionally introduced toxic materials but does not
26.28 comply with clauses (1) to (4); and

26.29 (6) all other packaging.

27.1 Sec. 12. Minnesota Statutes 2022, section 115B.421, is amended to read:

27.2 **115B.421 CLOSED LANDFILL INVESTMENT FUND.**

27.3 Subdivision 1. **Establishment.** (a) The closed landfill investment fund is established in
27.4 the state treasury. The fund consists of money credited to the fund and interest and other
27.5 earnings on money in the fund. Funds must be deposited as described in section 115B.445.
27.6 The fund must be managed to maximize long-term gain through the State Board of
27.7 Investment.

118.22 (b) Upon request of the commissioner for purposes of determining compliance with this
118.23 section, a person must furnish to the commissioner any information that the person has or
118.24 may reasonably obtain.

118.25 (c) The owner or operator of a facility shall allow access upon reasonable notice to
118.26 authorized agency staff for the purpose of conducting waste composition studies.

118.27 Sec. 80. Minnesota Statutes 2022, section 115A.5502, is amended to read:

118.28 **115A.5502 PACKAGING PRACTICES; PREFERENCES; GOALS.**

118.29 Packaging forms a substantial portion of solid waste and contributes to environmental
118.30 degradation and the costs of managing solid waste. It is imperative to reduce the amount
118.31 and toxicity of packaging that must be managed as solid waste. In order to achieve significant
118.32 reduction of packaging in solid waste and to assist packagers and others to meet the packaging
119.1 reduction goal in section 115A.5501, the goal of the state is that items be distributed without
119.2 any packaging where feasible and, only when necessary to protect health and safety or
119.3 product integrity, with the minimal amount of packaging possible. The following categories
119.4 of packaging are listed in order of preference for use by all persons who find it necessary
119.5 to package items for distribution or use in the state:

119.6 (1) minimal packaging that contains no intentionally introduced toxic materials and that
119.7 is designed to be and actually is reused for its original purpose at least five times;

119.8 (2) minimal packaging that contains no intentionally introduced toxic materials and
119.9 consists of a significant percentage of postconsumer material;

119.10 (3) minimal packaging that contains no intentionally introduced toxic materials, that is
119.11 recyclable, and is regularly collected through recycling collection programs available to at
119.12 least 75 percent of the residents of the state;

119.13 (4) minimal packaging that does not comply with clause (1), (2), or (3) because it is
119.14 required under federal or state law and for which there does not exist a commercially feasible
119.15 alternative that does comply with clause (1), (2), or (3);

119.16 (5) packaging that contains no intentionally introduced toxic materials but does not
119.17 comply with clauses (1) to (4); and

119.18 (6) all other packaging.

27.8 (b) Each fiscal year, up to \$4,500,000 is appropriated from the closed landfill investment
27.9 fund to the commissioner for the purposes of sections 115B.39 to 115B.444.

27.10 (c) If the commissioner determines that a release or threatened release from a qualified
27.11 facility for which the commissioner has assumed obligations for environmental response
27.12 actions under section 115B.40 or 115B.406 constitutes an emergency requiring immediate
27.13 action to prevent, minimize, or mitigate damage either to the public health or welfare or the
27.14 environment or to a system designed to protect the public health or welfare or the
27.15 environment, up to \$9,000,000 in addition to the amount appropriated under paragraph (b)
27.16 is appropriated to the commissioner in the first year of the biennium and may be spent by
27.17 the commissioner to take reasonable and necessary emergency response actions. Money
27.18 not spent in the first year of the biennium may be spent in the second year. If money is
27.19 appropriated under this paragraph, the commissioner must notify the chairs of the senate
27.20 and house of representatives committees having jurisdiction over environment policy and
27.21 finance as soon as possible. The commissioner must maintain the fund balance to ensure
27.22 long-term viability of the fund and reflect the responsibility of the landfill cleanup program
27.23 in perpetuity.

27.24 (d) Paragraphs (b) and (c) expire June 30, 2025.

27.25 Subd. 2. **Local notification.** If money in the closed landfill investment fund is spent or
27.26 transferred for purposes other than the purposes provided under sections 115B.39 to
27.27 115B.444, the commissioner must provide written notification to each county with a qualified
27.28 facility within 30 days of the transfer or expenditure that includes the amount, purpose, and
27.29 authority used to spend or transfer the money.

27.30 Sec. 13. Minnesota Statutes 2022, section 116.07, subdivision 9, is amended to read:

27.31 Subd. 9. **Orders; investigations.** The ~~agency shall have~~ commissioner has the following
27.32 powers and duties for ~~the enforcement of enforcing~~ any provision of this chapter and chapter
27.33 114C, relating to air contamination or waste:

28.1 (1) to adopt, issue, reissue, modify, deny, revoke, reopen, enter into or enforce reasonable
28.2 orders, schedules of compliance and stipulation agreements;

28.3 (2) to require the owner or operator of any emission facility, air contaminant treatment
28.4 facility, potential air contaminant storage facility, or any system or facility related to the
28.5 storage, collection, transportation, processing, or disposal of waste to establish and maintain
28.6 records; to make reports; to install, use, and maintain monitoring equipment or methods;
28.7 and to make tests, including testing for odor where a nuisance may exist, in accordance with
28.8 methods, at locations, at intervals, and in a manner as the agency shall prescribe; and to
28.9 provide other information as the agency may reasonably require;

28.10 (3) to conduct investigations, issue notices, public and otherwise, and order hearings as
28.11 it may deem necessary or advisable for the discharge of its duties under this chapter and

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39.20 Sec. 22. Minnesota Statutes 2022, section 116.07, subdivision 9, is amended to read:

39.21 Subd. 9. **Orders; investigations.** The ~~agency shall have~~ commissioner has the following
39.22 powers and duties for ~~the enforcement of enforcing~~ any provision of this chapter and chapter
39.23 114C, relating to air contamination or waste:

39.24 (1) to adopt, issue, reissue, modify, deny, revoke, reopen, enter into or enforce reasonable
39.25 orders, schedules of compliance and stipulation agreements;

39.26 (2) to require the owner or operator of any emission facility, air contaminant treatment
39.27 facility, potential air contaminant storage facility, or any system or facility related to the
39.28 storage, collection, transportation, processing, or disposal of waste to establish and maintain
39.29 records; to make reports; to install, use, and maintain monitoring equipment or methods;
39.30 and to make tests, including testing for odor where a nuisance may exist, in accordance with
39.31 methods, at locations, at intervals, and in a manner as the agency shall prescribe; and to
39.32 provide other information as the agency may reasonably require;

40.1 (3) to conduct investigations, issue notices, public and otherwise, and order hearings as
40.2 it may deem necessary or advisable for the discharge of its duties under this chapter and

28.12 chapter 114C, including but not limited to the issuance of permits; and to authorize any
28.13 member, employee, or agent appointed by it to conduct the investigations and issue the
28.14 notices; and

28.15 (4) when appropriate, to require parties who enter into a negotiated agreement to settle
28.16 an enforcement matter with the agency to reimburse the agency according to this clause for
28.17 oversight costs that are incurred by the agency and associated with implementing the
28.18 negotiated agreement, including oversight costs exceeding \$25,000. Oversight costs may
28.19 include but are not limited to any costs associated with inspections, sampling, monitoring,
28.20 modeling, risk assessment, permit writing, engineering review, economic analysis and
28.21 review, and other record or document review. The agency's legal and litigation costs are
28.22 not covered by this clause. In addition to settlement agreements, the commissioner has
28.23 discretion as to whether to apply this clause in cases where the agency is using schedules
28.24 of compliance to bring a class of regulated parties into compliance. Oversight funds
28.25 reimbursed under this item are to be deposited in a settlement oversight reimbursement
28.26 account established in the environmental fund. The commissioner shall manage the account.
28.27 Earnings, such as interest, dividends, and any other earnings arising from assets of the
28.28 account, must be credited to the account. Funds remaining in the account at the end of a
28.29 fiscal year remain in the account. Money in the account is appropriated to the commissioner
28.30 for the purposes of the environmental fund.

29.1 Sec. 14. Minnesota Statutes 2022, section 116.07, is amended by adding a subdivision to
29.2 read:

29.3 Subd. 9a. **Stipulation agreements.** If a party to a stipulation agreement asserts a good
29.4 cause or force majeure claim for an extension of time to comply with a stipulated term, the
29.5 commissioner may deny the extension if the assertion is based solely on increased costs.

29.6 Sec. 15. Minnesota Statutes 2022, section 116.07, is amended by adding a subdivision to
29.7 read:

29.8 Subd. 9b. **Compliance when required permit not obtained.** The commissioner may
29.9 require a person or facility that fails to obtain a required permit to comply with any terms
29.10 of a permit that would have been issued had the person or facility obtained a permit, including
29.11 but not limited to reporting, monitoring, controlling pollutant discharge, and creating and
29.12 implementing operations and maintenance plans. The person or facility is subject to liability
29.13 and penalties, including criminal liability, for failing to operate in compliance with a permit
29.14 not obtained beginning at the time a permit should have been obtained.

29.15 Sec. 16. [116.0718] **AIR POLLUTION FACILITIES; PRIORITIZATION;**
29.16 **COMPLIANCE PROTOCOLS.**

29.17 Subdivision 1. **Definitions.** (a) For purposes of this section, the following terms have
29.18 the meanings given.

29.19 (b) "Air toxics" has the meaning given in section 116.062.

40.3 chapter 114C, including but not limited to the issuance of permits; and to authorize any
40.4 member, employee, or agent appointed by it to conduct the investigations and issue the
40.5 notices; and

40.6 (4) to require parties who enter into a negotiated agreement to settle an enforcement
40.7 matter with the agency to reimburse the agency according to this clause for oversight costs
40.8 that are incurred by the agency and associated with implementing the negotiated agreement.
40.9 The agency may recover oversight costs exceeding \$25,000. Oversight costs may include
40.10 but are not limited to any costs associated with inspections, sampling, monitoring, modeling,
40.11 risk assessment, permit writing, engineering review, economic analysis and review, and
40.12 other record or document review. The agency's legal and litigation costs are not covered by
40.13 this clause. The commissioner has discretion as to whether to apply this clause in cases
40.14 where the agency is using schedules of compliance to bring a class of regulated parties into
40.15 compliance. Reimbursement amounts are appropriated to the commissioner.

40.16 Sec. 23. Minnesota Statutes 2022, section 116.07, is amended by adding a subdivision to
40.17 read:

40.18 Subd. 9a. **Stipulation agreements.** If a party to a stipulation agreement asserts a good
40.19 cause or force majeure claim for an extension of time to comply with a stipulated term, the
40.20 commissioner may deny the extension if the assertion is based solely on increased costs.

40.21 Sec. 24. Minnesota Statutes 2022, section 116.07, is amended by adding a subdivision to
40.22 read:

40.23 Subd. 9b. **Compliance when required permit not obtained.** The commissioner may
40.24 require a person or facility that fails to obtain a required permit to comply with any terms
40.25 of a permit that would have been issued had the person or facility obtained a permit, including
40.26 but not limited to reporting, monitoring, controlling pollutant discharge, and creating and
40.27 implementing operations and maintenance plans. The person or facility is subject to liability
40.28 and penalties, including criminal liability, for failing to operate in compliance with a permit
40.29 not obtained beginning at the time a permit should have been obtained.

29.20 (c) "Continuous emission monitoring system" has the meaning given in Minnesota Rules,
29.21 part 7017.1002, subpart 4.

29.22 (d) "Facility" means a facility that has been issued an air quality permit by the agency
29.23 and is located within any of the counties of Anoka, Carver, Dakota, Hennepin, Ramsey,
29.24 Scott, or Washington.

29.25 (e) "Performance test" has the meaning given in Minnesota Rules, part 7017.2005,
29.26 subpart 4.

29.27 (f) "Potential to emit" has the meaning given in Minnesota Rules, part 7005.0100, subpart
29.28 35a.

29.29 (g) "Priority facility" means a facility that the commissioner has placed on the priority
29.30 list established under subdivision 2.

30.1 (h) "Sensitive receptors" means people whose age or health status make them particularly
30.2 susceptible to harmful impacts from exposure to air toxics.

30.3 Subd. 2. **Prioritization.** (a) The commissioner must develop and establish a list of the
30.4 30 facilities whose potential to emit air toxics poses the greatest risks to the environment
30.5 and human health. In assessing risks, the commissioner must consider the most recent
30.6 available credible scientific information regarding environmental and health risks resulting
30.7 from exposure to air toxics, including but not limited to:

30.8 (1) the information submitted by a facility to the agency in an air emissions risk analysis;

30.9 (2) toxicity values for individual air toxics listed in the agency's risk analysis screening
30.10 spreadsheet; and

30.11 (3) inhalation health benchmarks developed by the Department of Health and, for
30.12 pollutants for which inhalation health benchmarks have not been developed, health
30.13 benchmark values developed by the following sources, in order of priority:

30.14 (i) the United States Environmental Protection Agency's Integrated Risk Information
30.15 System (IRIS);

30.16 (ii) the California Environmental Protection Agency's reference exposure levels and
30.17 cancer potency values; and

30.18 (iii) provisional peer-reviewed toxicity values derived by the United States Environmental
30.19 Protection Agency's Superfund Health Risk Technical Support Center for the agency's
30.20 Superfund Program.

30.21 (b) In determining which facilities to place on the list, the commissioner must consider:

- 30.22 (1) the risks posed by the nature of each air toxic emitted by a facility, as quantified in
30.23 the total cancer risks and noncancer risks estimated in the sources of information identified
30.24 in paragraph (a);
- 30.25 (2) the volume of each air toxic emitted, calculated as a facility's potential to emit that
30.26 air toxic;
- 30.27 (3) the number of people potentially exposed to a facility's air toxics emissions through
30.28 direct inhalation, ingesting pollutants in food, and other pathways and the number of persons
30.29 potentially exposed that are estimated to be:
- 30.30 (i) sensitive receptors; and
- 30.31 (ii) residents of an environmental justice area; and
- 31.1 (4) the presence of environmentally sensitive resources that may be exposed to a facility's
31.2 air toxics emissions, such as surface waters, wetlands, and land on which food is grown.
- 31.3 Subd. 3. **Compliance protocols; quality control.** (a) The commissioner must develop
31.4 a compliance protocol for each priority facility that consists of:
- 31.5 (1) methods the agency requires the priority facility to employ to physically measure
31.6 the actual emissions of each air toxic the priority facility emits; and
- 31.7 (2) the frequency with which the priority facility must employ each method.
- 31.8 (b) The compliance protocol must be designed to minimize the length of time between
31.9 physical measures of each air toxic emitted by the priority facility. Methods of physical
31.10 measurement the agency may employ include but are not limited to:
- 31.11 (1) continuous emission monitoring systems;
- 31.12 (2) performance tests;
- 31.13 (3) ambient monitoring near the priority facility;
- 31.14 (4) portable monitoring units that have been calibrated with performance tests or
31.15 continuous emission monitors; and
- 31.16 (5) any other physical method of measuring actual emissions that the commissioner
31.17 determines is accurate and technically and physically feasible.
- 31.18 (c) The commissioner must require priority facilities to employ quality control measures
31.19 and procedures to ensure that pollution control equipment and emissions monitoring
31.20 equipment are properly calibrated, operated, and maintained to ensure accuracy.
- 31.21 (d) The commissioner must incorporate the compliance protocol developed under this
31.22 subdivision into the permits of priority facilities as permits are renewed, amended, or

31.23 modified. Priority facilities issued nonexpiring permits must incorporate the compliance
31.24 protocol no later than December 31, 2027.

31.25 Subd. 4. **Reporting requirements.** (a) A permit that requires a priority facility to maintain
31.26 records of parameters that serve as indirect measures of the priority facility's air emissions
31.27 must require the priority facility to transmit the records to the agency at least monthly. For
31.28 purposes of this subdivision, "indirect measures of the priority facility's air emissions" means
31.29 proxy measures or calculations that affect, indicate, or are correlated with the volume of
31.30 emissions released by the priority facility, including but not limited to measurements of the
31.31 pollution removal efficiency of pollution control equipment, the temperature or pressure of
32.1 equipment or processes, and the volume of inputs the priority facility purchases or uses that
32.2 emit hazardous air pollutants during the production process.

32.3 (b) The agency must review the records submitted under paragraph (a) within 60 days
32.4 of receipt.

32.5 (c) A third party under contract to a priority facility must report the results of any tests
32.6 or measurements required under the permit or ordered by the commissioner directly to the
32.7 agency at the same time the results are reported to the priority facility.

32.8 Subd. 5. **Performance tests.** (a) A priority facility that exceeds an emissions limit
32.9 established in its permit for an air toxic must conduct a performance test for that air toxic
32.10 within 12 months of the date of the exceedance.

32.11 (b) A priority facility whose pollution control equipment has undergone a significant
32.12 alteration, repair, or parts replacement that may affect the priority facility's ability to meet
32.13 an emissions limit, as determined by the commissioner, must conduct a performance test
32.14 within 90 days of the pollution control equipment becoming operational following the
32.15 modification.

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

32.17 Sec. 17. Minnesota Statutes 2022, section 116.072, subdivision 2, is amended to read:

32.18 Subd. 2. **Amount of penalty; considerations.** (a) The commissioner or county board
32.19 may issue orders assessing penalties up to ~~\$20,000~~ \$25,000 for violations identified during
32.20 an inspection or other compliance review.

32.21 (b) In determining the amount of a penalty, the commissioner or county board ~~may~~ must
32.22 consider:

32.23 (1) the willfulness of the violation;

32.24 (2) the gravity of the violation, including damage to humans, animals, air, water, land,
32.25 or other natural resources of the state;

32.26 (3) the history of past violations;

32.27 (4) the number of violations;

32.28 (5) the economic benefit gained by the person by allowing or committing the violation;
32.29 and

32.30 (6) other factors as justice may require, if the commissioner or county board specifically
32.31 identifies the additional factors in the commissioner's or county board's order.

33.1 (c) For a violation after an initial violation, the commissioner or county board ~~shall~~ must,
33.2 in determining the amount of a penalty, consider the factors in paragraph (b) and the:

33.3 (1) similarity of the most recent previous violation and the violation to be penalized;
33.4 (2) time elapsed since the last violation;
33.5 (3) number of previous violations; and
33.6 (4) response of the person to the most recent previous violation identified.

33.7 Sec. 18. Minnesota Statutes 2022, section 116.072, subdivision 5, is amended to read:

33.8 Subd. 5. **Penalty.** (a) Except as provided in paragraph (b), if the commissioner or county
33.9 board determines that the violation has been corrected or appropriate steps have been taken
33.10 to correct the action, the penalty must be forgiven. Unless the person requests review of the
33.11 order under subdivision 6 or 7 before the penalty is due, the penalty in the order is due and
33.12 payable:

33.13 (1) on the 31st day after the order was received, if the person subject to the order fails
33.14 to provide information to the commissioner or county board showing that the violation has
33.15 been corrected or that appropriate steps have been taken toward correcting the violation; or

33.16 (2) on the 20th day after the person receives the commissioner's or county board's
33.17 determination under subdivision 4, paragraph (b), if the person subject to the order has
33.18 provided information to the commissioner or county board that the commissioner or county
33.19 board determines is not sufficient to show the violation has been corrected or that appropriate
33.20 steps have been taken toward correcting the violation.

33.21 (b) For a repeated or serious violation, the commissioner or county board ~~may~~ must
33.22 issue an order with a penalty that will not be forgiven after the corrective action is taken.
33.23 A penalty for a repeated violation that occurs within 36 months after one or more previous
33.24 violations must be at least ten percent higher than the penalty imposed for the most recent
33.25 violation, except the amount must not exceed the maximum penalty established in subdivision
33.26 2. The penalty is due by 31 days after the order was received unless review of the order
33.27 under subdivision 6, 7, or 8 has been sought.

33.28 (c) Interest at the rate established in section 549.09 begins to accrue on penalties under
33.29 this subdivision on the 31st day after the order with the penalty was received.

34.1 Sec. 19. Minnesota Statutes 2022, section 116.11, is amended to read:

34.2 **116.11 EMERGENCY POWERS.**

34.3 Subdivision 1. **Imminent and substantial danger.** If there is imminent and substantial
34.4 danger to the health and welfare of the people of the state, or of any of them, as a result of
34.5 the pollution of air, land, or water, the ~~agency~~ commissioner may by emergency order direct
34.6 the immediate discontinuance or abatement of the pollution without notice and without a
34.7 hearing or at the request of the ~~agency~~ commissioner, the attorney general may bring an
34.8 action in the name of the state in the appropriate district court for a temporary restraining
34.9 order to immediately abate or prevent the pollution. The ~~agency~~ commissioner's order or
34.10 temporary restraining order ~~shall remain~~ is effective until notice, hearing, and determination
34.11 pursuant to other provisions of law, or, in the interim, as otherwise ordered. A final order
34.12 of the ~~agency~~ commissioner in these cases ~~shall be~~ is appealable in accordance with chapter
34.13 14.

34.14 Subd. 2. **Other acts of concern.** (a) The commissioner may exercise the authority under
34.15 paragraph (b) when the commissioner has evidence of any of the following:

34.16 (1) falsification of records;

34.17 (2) a history of noncompliance with schedules of compliance or terms of a stipulation
34.18 agreement;

34.19 (3) chronic or substantial permit violations; or

34.20 (4) operating with or without a permit where there is evidence of danger to the health
34.21 or welfare of the people of the state or evidence of environmental harm.

34.22 (b) When the commissioner has evidence of behavior specified in paragraph (a),
34.23 regardless of the presence of imminent and substantial danger, the commissioner may
34.24 investigate and may:

34.25 (1) suspend or revoke a permit;

34.26 (2) issue an order to cease operation or activities;

34.27 (3) require financial assurances;

34.28 (4) reopen and modify a permit to require additional terms;

34.29 (5) require additional agency oversight; or

34.30 (6) pursue other actions deemed necessary to abate pollution and protect human health.

41.1 Sec. 25. Minnesota Statutes 2022, section 116.11, is amended to read:

41.2 **116.11 EMERGENCY POWERS.**

41.3 Subdivision 1. **Imminent and substantial danger.** If there is imminent and substantial
41.4 danger to the health and welfare of the people of the state, or of any of them, as a result of
41.5 the pollution of air, land, or water, the ~~agency~~ commissioner may by emergency order direct
41.6 the immediate discontinuance or abatement of the pollution without notice and without a
41.7 hearing or at the request of the ~~agency~~ commissioner, the attorney general may bring an
41.8 action in the name of the state in the appropriate district court for a temporary restraining
41.9 order to immediately abate or prevent the pollution. The ~~agency~~ commissioner's order or
41.10 temporary restraining order ~~shall remain~~ is effective until notice, hearing, and determination
41.11 pursuant to other provisions of law, or, in the interim, as otherwise ordered. A final order
41.12 of the ~~agency~~ commissioner in these cases ~~shall be~~ is appealable in accordance with chapter
41.13 14.

41.14 Subd. 2. **Other acts of concern.** (a) The commissioner may exercise the authority under
41.15 paragraph (b) when the commissioner has evidence of any of the following:

41.16 (1) falsification of records;

41.17 (2) a history of noncompliance with schedules of compliance or terms of a stipulation
41.18 agreement;

41.19 (3) chronic or substantial permit violations; or

41.20 (4) operating with or without a permit where there is evidence of danger to the health
41.21 or welfare of the people of the state or evidence of environmental harm.

41.22 (b) When the commissioner has evidence of behavior specified in paragraph (a),
41.23 regardless of the presence of imminent and substantial danger, the commissioner may
41.24 investigate and may:

41.25 (1) suspend or revoke a permit;

41.26 (2) issue an order to cease operation or activities;

41.27 (3) require financial assurances;

41.28 (4) reopen and modify a permit to require additional terms;

41.29 (5) require additional agency oversight; or

41.30 (6) pursue other actions deemed necessary to abate pollution and protect human health.

35.1 Sec. 20. [116.2021] STATE SALT PURCHASE REPORT AND REDUCTION GOAL.

35.2 Subdivision 1. **Definition.** For the purposes of this section, "deicing salt" refers to salt
35.3 in its solid form used to melt snow and ice, excluding salt used on roads managed by the
35.4 Department of Transportation.

35.5 Subd. 2. **Salt purchase report.** By February 1, 2025, and every year thereafter, the
35.6 commissioner of the Pollution Control Agency, in cooperation with other state agencies,
35.7 must submit a report to the chairs and ranking minority members of the legislative committees
35.8 and divisions with jurisdiction over environment and natural resources policy and finance
35.9 that details the purchase of deicing salt by state agencies, excluding the Department of
35.10 Transportation, and strategies to meet the salt reduction goal established in subdivision 3.

35.11 Subd. 3. **Reduction goal.** It is the goal of the state that no later than January 1, 2030,
35.12 state agencies will reduce the purchase of deicing salt by 25 percent from the level first
35.13 reported under subdivision 2.

35.14 Sec. 21. [116.2022] STATE NITROGEN FERTILIZER PURCHASE REPORT AND
35.15 REDUCTION GOAL.

35.16 Subdivision 1. **Nitrogen fertilizer report.** By February 1, 2025, and every year thereafter,
35.17 the commissioner of the Pollution Control Agency, in cooperation with other state agencies,
35.18 must submit a report to the chairs and ranking minority members of the legislative committees
35.19 and divisions with jurisdiction over environment and natural resources policy and finance
35.20 that details the purchase of nitrogen fertilizer by state agencies and strategies to meet the
35.21 nitrogen fertilizer reduction goal established in subdivision 2.

35.22 Subd. 2. **Reduction goal.** It is the goal of the state that no later than January 1, 2030,
35.23 state agencies will reduce the purchase of nitrogen fertilizer by 25 percent from the level
35.24 first reported under subdivision 1.

42.1 Sec. 26. [116.2021] STATE SALT PURCHASE REPORT AND REDUCTION GOAL.

42.2 Subdivision 1. **Definition.** For the purposes of this section, "deicing salt" refers to salt
42.3 in its solid form used to melt snow and ice, excluding salt used on roads managed by the
42.4 Department of Transportation.

42.5 Subd. 2. **Salt purchase report.** By February 1, 2025, and every year thereafter, the
42.6 commissioner of the Pollution Control Agency, in cooperation with other state agencies,
42.7 must submit a report to the legislative committees and divisions with jurisdiction over
42.8 environment and natural resources policy and finance that details the purchase of deicing
42.9 salt by state agencies, excluding the Department of Transportation, and strategies to meet
42.10 the salt reduction goal established in subdivision 3.

42.11 Subd. 3. **Reduction goal.** It is the goal of the state that no later than January 1, 2030,
42.12 state agencies will reduce the purchase of deicing salt by 25 percent from the level first
42.13 reported under subdivision 2.

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120.6 Sec. 82. [116.391] RESILIENT COMMUNITY ASSISTANCE PROGRAM.

120.7 Subdivision 1. **Citation.** This section may be cited as the "Minnesota Resilient
120.8 Community Act."

120.9 Subd. 2. **Definitions.** (a) For purposes of this section, the terms defined in this subdivision
120.10 have the meanings given.

120.11 (b) "Commissioner" means the commissioner of the Pollution Control Agency.

120.12 (c) "Local government unit" means any unit of government other than a state or federal
120.13 unit of government and includes watershed districts established according to chapter 103D,
120.14 soil and water conservation districts, watershed management organizations, counties, towns,

- 120.15 cities, port authorities, housing authorities, regional development commissions, school
120.16 districts, and the Metropolitan Council.
- 120.17 (d) "Tribal government" means any of the Minnesota Tribal governments defined under
120.18 section 10.65, subdivision 2, clause (4), and includes Tribal organizations designated by
120.19 any of the Minnesota Tribal governments.
- 120.20 Subd. 3. **Establishment.** (a) The commissioner must establish a resilient community
120.21 assistance program to:
- 120.22 (1) assist local government units, Tribal governments, and other relevant organizations
120.23 as determined by the commissioner in adapting to and developing community resilience to
120.24 impacts of climate change;
- 120.25 (2) help coordinate climate adaptation planning, implementation, and evaluation efforts
120.26 among state agencies, local government units, Tribal governments, and other relevant
120.27 organizations; and
- 120.28 (3) address inequities due to social, economic, historical, and political factors that result
120.29 in some communities having less ability to prepare for, cope with, and recover from impacts
120.30 of climate change.
- 120.31 (b) To address inequities under paragraph (a), clause (3), the commissioner must seek
120.32 input and collaboration from disproportionately impacted communities.
- 121.1 Subd. 4. **Program elements.** The resilient community assistance program may include
121.2 but is not limited to:
- 121.3 (1) developing, assembling, and disseminating information on climate adaptation and
121.4 resilience;
- 121.5 (2) technical assistance for climate adaptation and resilience;
- 121.6 (3) financial assistance programs that provide grants or loans for resilience planning and
121.7 for implementing climate adaptation and resilience actions, coordinated with the Public
121.8 Facilities Authority, as necessary, for state bond-funded projects;
- 121.9 (4) outreach, including seminars, workshops, training programs, and other similar
121.10 activities, designed to provide education and information on climate adaptation and resilience
121.11 to local government units, Tribal governments, and other relevant organizations as determined
121.12 by the commissioner;
- 121.13 (5) coordinating, implementing, and measuring progress on climate adaptation and
121.14 resilience and measuring local government and Tribal government climate adaptation in
121.15 Minnesota; and
- 121.16 (6) other efforts needed to support climate adaptation and community resilience in
121.17 Minnesota as determined by the commissioner.

35.25 Sec. 22. Minnesota Statutes 2022, section 116.92, is amended by adding a subdivision to
35.26 read:

35.27 Subd. 7b. **Ban; mercury-containing general purpose lighting.** (a) For purposes of this
35.28 subdivision, the following terms have the meanings given:

35.29 (1) "compact fluorescent lamp" means a compact low-pressure, mercury-containing,
35.30 electric-discharge light source:

35.31 (i) of any tube diameter or tube length;

36.1 (ii) of any lamp size or shape for directional and nondirectional installations, including
36.2 but not limited to PL, spiral, twin tube, triple twin, 2D, U-bend, and circular;

36.3 (iii) in which a fluorescent coating transforms some of the ultraviolet energy generated
36.4 by the mercury discharge into visible light;

36.5 (iv) that has one base or end cap of any type, including but not limited to screw, bayonet,
36.6 two pins, and four pins;

36.7 (v) that is integrally ballasted or non-integrally ballasted; and

121.18 Subd. 5. **Administration.** (a) In administering the program, the commissioner may
121.19 coordinate with administrators of other public and private programs that provide technical
121.20 and financial assistance to local government units, Tribal governments, and other relevant
121.21 organizations that receive assistance under this section.

121.22 (b) The commissioner may make grants to or enter into contracts with public or private
121.23 entities to operate elements of the program. Grantees under this paragraph must provide the
121.24 commissioner with periodic reports on their efforts to assist in administering the program.

121.25 (c) When operating or participating in elements of the program according to a grant or
121.26 contract under paragraph (b), a person is an employee of the state who is certified to be
121.27 acting within the scope of employment for purposes of indemnification under section 3.736,
121.28 subdivision 9, for claims that arise out of the information, assistance, and recommendations
121.29 covered by the grant or contract. The state is not obligated to defend or indemnify a grantee
121.30 or contractor under this subdivision to the extent of the grantee's or contractor's liability
121.31 insurance. The grantee's or contractor's right to indemnity is not a waiver of limitations,
121.32 defenses, and immunities available to either the grantee or contractor or the state by law.

122.1 Subd. 6. **Award for excellence in community resilience.** The governor or commissioner
122.2 may issue annual awards in the form of a commendation for excellence in climate adaptation
122.3 and resilience. The commissioner must administer applications for the awards.

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42.14 Sec. 27. Minnesota Statutes 2022, section 116.92, is amended by adding a subdivision to
42.15 read:

42.16 Subd. 7b. **Ban; mercury-containing general purpose lighting.** (a) For purposes of this
42.17 subdivision, the following terms have the meanings given:

42.18 (1) "compact fluorescent lamp" means a compact low-pressure, mercury-containing,
42.19 electric-discharge light source:

42.20 (i) of any tube diameter or tube length;

42.21 (ii) of any lamp size or shape for directional and nondirectional installations, including
42.22 but not limited to PL, spiral, twin tube, triple twin, 2D, U-bend, and circular;

42.23 (iii) in which a fluorescent coating transforms some of the ultraviolet energy generated
42.24 by the mercury discharge into visible light;

42.25 (iv) that has one base or end cap of any type, including but not limited to screw, bayonet,
42.26 two pins, and four pins;

42.27 (v) that is integrally ballasted or non-integrally ballasted; and

36.8 (vi) that has light emission between a correlated color temperature of 1700K and 24000K
36.9 and a Duv of +0.024 and -0.024 in the International Commission on Illumination (CIE)
36.10 Uniform Color Space (CAM02-UCS);

36.11 (2) "linear fluorescent lamp" means a low-pressure, mercury-containing, electric-discharge
36.12 light source:

36.13 (i) of any tube diameter, including but not limited to T5, T8, T10, and T12;

36.14 (ii) with a tube length from 0.5 to 8.0 feet, inclusive;

36.15 (iii) of any lamp shape, including but not limited to linear, U-bend, and circular;

36.16 (iv) in which a fluorescent coating transforms some of the ultraviolet energy generated
36.17 by the mercury discharge into visible light;

36.18 (v) that has two bases or end caps of any type, including but not limited to single-pin,
36.19 two-pin, and recessed double contact; and

36.20 (vi) that has light emission between a correlated color temperature of 1700K and 24000K
36.21 and a Duv of +0.024 and -0.024 in the CIE CAM02-UCS;

36.22 (3) "mercury vapor lamp" means a high-intensity discharge lamp, including clear,
36.23 phosphor-coated, and self-ballasted screw base lamps, in which the major portion of the
36.24 light is produced by radiation from mercury typically operating at a partial vapor pressure
36.25 in excess of 100,000 pascals;

36.26 (4) "mercury vapor lamp ballast" means a device that is designed and marketed to start
36.27 and operate mercury vapor lamps intended for general illumination by providing the necessary
36.28 voltage and current; and

36.29 (5) "specialty application mercury vapor lamp ballast" means a mercury vapor lamp
36.30 ballast:

37.1 (i) that is designed and marketed for operating mercury vapor lamps used in quality
37.2 inspection, industrial processing, or scientific applications, including fluorescent microscopy
37.3 and ultraviolet curing; and

37.4 (ii) the label of which states "For specialty applications only, not for general illumination"
37.5 and indicates the specific applications for which the ballast is designed.

37.6 (b) Effective January 1, 2025, a person may not sell, offer for sale, or distribute in the
37.7 state as a new manufactured product a screw- or bayonet-base type compact fluorescent
37.8 lamp, a mercury vapor lamp, or a mercury vapor lamp ballast, whether sold separately, in
37.9 a retrofit kit, or in a luminaire. Effective January 1, 2026, a person may not sell, offer for
37.10 sale, or distribute in the state as a new manufactured product a pin-base type compact
37.11 fluorescent lamp or a linear fluorescent lamp.

42.28 (vi) that has light emission between a correlated color temperature of 1700K and 24000K
42.29 and a Duv of +0.024 and -0.024 in the International Commission on Illumination (CIE)
42.30 Uniform Color Space (CAM02-UCS);

43.1 (2) "linear fluorescent lamp" means a low-pressure, mercury-containing, electric-discharge
43.2 light source:

43.3 (i) of any tube diameter, including but not limited to T5, T8, T10, and T12;

43.4 (ii) with a tube length from 0.5 to 8.0 feet, inclusive;

43.5 (iii) of any lamp shape, including but not limited to linear, U-bend, and circular;

43.6 (iv) in which a fluorescent coating transforms some of the ultraviolet energy generated
43.7 by the mercury discharge into visible light;

43.8 (v) that has two bases or end caps of any type, including but not limited to single-pin,
43.9 two-pin, and recessed double contact; and

43.10 (vi) that has light emission between a correlated color temperature of 1700K and 24000K
43.11 and a Duv of +0.024 and -0.024 in the CIE CAM02-UCS;

43.12 (3) "mercury vapor lamp" means a high-intensity discharge lamp, including clear,
43.13 phosphor-coated, and self-ballasted screw base lamps, in which the major portion of the
43.14 light is produced by radiation from mercury typically operating at a partial vapor pressure
43.15 in excess of 100,000 pascals;

43.16 (4) "mercury vapor lamp ballast" means a device that is designed and marketed to start
43.17 and operate mercury vapor lamps intended for general illumination by providing the necessary
43.18 voltage and current; and

43.19 (5) "specialty application mercury vapor lamp ballast" means a mercury vapor lamp
43.20 ballast:

43.21 (i) that is designed and marketed for operating mercury vapor lamps used in quality
43.22 inspection, industrial processing, or scientific applications, including fluorescent microscopy
43.23 and ultraviolet curing; and

43.24 (ii) the label of which states "For specialty applications only, not for general illumination"
43.25 and indicates the specific applications for which the ballast is designed.

43.26 (b) Effective January 1, 2025, a person may not sell, offer for sale, or distribute in the
43.27 state as a new manufactured product a screw- or bayonet-base type compact fluorescent
43.28 lamp, a mercury vapor lamp, or a mercury vapor lamp ballast, whether sold separately, in
43.29 a retrofit kit, or in a luminaire. Effective January 1, 2026, a person may not sell, offer for
43.30 sale, or distribute in the state as a new manufactured product a pin-base type compact
43.31 fluorescent lamp or a linear fluorescent lamp.

37.12 (c) This subdivision does not apply to:
37.13 (1) a lamp designed and marketed exclusively for image capture and projection, including
37.14 for:
37.15 (i) photocopying;
37.16 (ii) printing, directly or in preprocessing;
37.17 (iii) lithography;
37.18 (iv) film and video projection; or
37.19 (v) holography;
37.20 (2) a lamp that has a high proportion of ultraviolet light emission and that:
37.21 (i) has high ultraviolet content and ultraviolet power greater than two milliwatts per
37.22 kilolumen;
37.23 (ii) is for germicidal use, such as for destroying DNA, and emits a peak radiation of
37.24 approximately 253.7 nanometers;
37.25 (iii) is designed and marketed exclusively for disinfection or fly-trapping and from
37.26 which:
37.27 (A) the radiation power emitted between 250 and 315 nanometers represents at least
37.28 five percent of the total radiation power emitted between 250 and 800 nanometers; or
37.29 (B) the radiation power emitted between 315 and 400 nanometers represents at least 20
37.30 percent of the total radiation power emitted between 250 and 800 nanometers;
38.1 (iv) is designed and marketed exclusively for generating ozone when the primary purpose
38.2 is to emit radiation at approximately 185.1 nanometers;
38.3 (v) is designed and marketed exclusively for coral zooxanthellae symbiosis and from
38.4 which the radiation power emitted between 400 and 480 nanometers represents at least 40
38.5 percent of the total radiation power emitted between 250 and 800 nanometers; or
38.6 (vi) is designed and marketed exclusively for use in a sunlamp product, as defined in
38.7 Code of Federal Regulations, title 21, section 1040.20(b)(9) (2022);
38.8 (3) specialty application mercury vapor lamp ballasts; or
38.9 (4) a compact fluorescent lamp used to replace a lamp in a motor vehicle if the motor
38.10 vehicle was manufactured on or before January 1, 2020.
38.11 (d) Nothing in this section limits the ability of a utility to offer energy-efficient lighting,
38.12 rebates, or lamp-recycling services or to claim energy savings resulting from such programs
38.13 through the utility's energy conservation and optimization plans approved by the

43.32 (c) This subdivision does not apply to:
44.1 (1) a lamp designed and marketed exclusively for image capture and projection, including
44.2 for:
44.3 (i) photocopying;
44.4 (ii) printing, directly or in preprocessing;
44.5 (iii) lithography;
44.6 (iv) film and video projection; or
44.7 (v) holography;
44.8 (2) a lamp that has a high proportion of ultraviolet light emission and that:
44.9 (i) has high ultraviolet content and ultraviolet power greater than two milliwatts per
44.10 kilolumen;
44.11 (ii) is for germicidal use, such as for destroying DNA, and emits a peak radiation of
44.12 approximately 253.7 nanometers;
44.13 (iii) is designed and marketed exclusively for disinfection or fly-trapping and from
44.14 which:
44.15 (A) the radiation power emitted between 250 and 315 nanometers represents at least
44.16 five percent of the total radiation power emitted between 250 and 800 nanometers; or
44.17 (B) the radiation power emitted between 315 and 400 nanometers represents at least 20
44.18 percent of the total radiation power emitted between 250 and 800 nanometers;
44.19 (iv) is designed and marketed exclusively for generating ozone when the primary purpose
44.20 is to emit radiation at approximately 185.1 nanometers;
44.21 (v) is designed and marketed exclusively for coral zooxanthellae symbiosis and from
44.22 which the radiation power emitted between 400 and 480 nanometers represents at least 40
44.23 percent of the total radiation power emitted between 250 and 800 nanometers; or
44.24 (vi) is designed and marketed exclusively for use in a sunlamp product, as defined in
44.25 Code of Federal Regulations, title 21, section 1040.20(b)(9) (2022);
44.26 (3) specialty application mercury vapor lamp ballasts; or
44.27 (4) a compact fluorescent lamp used to replace a lamp in a motor vehicle if the motor
44.28 vehicle was manufactured on or before January 1, 2020.
44.29 (d) Nothing in this section limits the ability of a utility to offer energy-efficient lighting,
44.30 rebates, or lamp-recycling services or to claim energy savings resulting from such programs
45.1 through the utility's energy conservation and optimization plans approved by the

38.14 commissioner of commerce under section 216B.241 or an energy conservation and
38.15 optimization plan filed by a consumer-owned utility under section 216B.2403.

45.2 commissioner of commerce under section 216B.241 or an energy conservation and
45.3 optimization plan filed by a consumer-owned utility under section 216B.2403.

38.16 Sec. 23. **[116.996] LAWN AND SNOW REMOVAL EQUIPMENT**
38.17 **ELECTRIFICATION REBATE PROGRAM.**

38.18 Subdivision 1. **Definitions.** (a) For the purposes of this section, the following terms have
38.19 the meanings given.

38.20 (b) "Commissioner" means the commissioner of the Pollution Control Agency.

38.21 (c) "Eligible expenses" means the amount paid for lawn and snow removal equipment
38.22 that operates solely by electricity inclusive of sales tax but exclusive of any other related
38.23 charges, including charges for a warranty, service, or delivery.

38.24 (d) "Eligible individual" means an individual who:

38.25 (1) is at least 15 years old;

38.26 (2) is a resident individual taxpayer at the time of application for a rebate certificate and
38.27 in the previous calendar year;

38.28 (3) was not claimed as a dependent on another return in the taxable year described in
38.29 subdivision 3, paragraph (c); and

38.30 (4) currently resides in the seven-county metropolitan area.

39.1 (e) "Eligible retailer" means a person who has engaged in the business of retail sales of
39.2 new lawn and snow removal equipment for at least six months before receiving the approval
39.3 of the commissioner under subdivision 5.

39.4 (f) "Lawn and snow removal equipment" means equipment that is used to perform
39.5 landscaping or remove snow from land or building surfaces. Lawn and snow removal
39.6 equipment includes but is not limited to a lawn mower, lawn edger, trimmer, leaf blower,
39.7 chainsaw, snow blower, or other equipment that emits local air pollution, including small
39.8 generators used to power community events.

39.9 Subd. 2. **Establishment.** The commissioner must establish a lawn and snow removal
39.10 equipment electrification rebate program to assist eligible individuals to purchase lawn and
39.11 snow removal equipment that operates solely by electricity and to provide public education
39.12 and outreach regarding the benefits of electrification, including to K-12 schools.

39.13 Subd. 3. **Amount of rebate.** (a) The amount of a rebate under this section equals the
39.14 lesser of:

39.15 (1) the applicable percentage, as described in paragraph (b), multiplied by the amount
39.16 of eligible expenses paid by an eligible individual; or

39.17 (2) \$1,500.

39.18 (b) The applicable percentage equals 75 percent, but is reduced by one percentage point
39.19 until the percentage equals 50 percent, for each \$4,000 of the eligible individual's adjusted
39.20 gross income in excess of:

39.21 (1) \$50,000 for a married taxpayer filing a joint return; and

39.22 (2) \$25,000 for all other filers.

39.23 (c) For the purposes of determining the applicable percentage under paragraph (b) and
39.24 subdivision 4, paragraph (a), the commissioner must use the eligible individual's adjusted
39.25 gross income for the taxable year ending in the calendar year before the year in which the
39.26 individual applied for a rebate certificate.

39.27 Subd. 4. **Rebate certificates.** (a) To qualify for a rebate under this section, an eligible
39.28 individual must apply to the commissioner for a rebate certificate in the manner specified
39.29 by the commissioner before purchasing lawn and snow removal equipment. As part of the
39.30 application, the eligible individual must include proof of the individual's adjusted gross
39.31 income for the taxable year specified in subdivision 3, paragraph (c). The commissioner
39.32 must issue a rebate certificate to an eligible individual stating the issuance date, the applicable
39.33 percentage, and the maximum rebate for which the taxpayer is eligible. For a married
40.1 taxpayer filing a joint return, each spouse may apply to the commissioner separately, and
40.2 the commissioner must issue each spouse a separate rebate certificate.

40.3 (b) The commissioner may determine the date to begin accepting applications for a
40.4 rebate certificate, and applications must not be submitted before the date determined by the
40.5 commissioner. Beginning July 1, 2025, and July 1 of each subsequent calendar year for
40.6 which there is an allocation of rebate certificates, the commissioner must allocate rebate
40.7 certificates on a first-come, first-served basis. The commissioner must reserve 40 percent
40.8 of the certificates for a married taxpayer filing a joint return with an adjusted gross income
40.9 of less than \$78,000 or any other filer with an adjusted gross income of less than \$41,000.
40.10 Any portion of the reserved amount under this paragraph that is not allocated by September
40.11 30 is available for allocation to other rebate certificate applications beginning October 1.

40.12 (c) The commissioner must not issue rebate certificates totaling more than \$500,000 in
40.13 each of calendar years 2025 and 2026, except any amount authorized but not allocated in
40.14 any calendar year does not cancel and is available for allocation in the next calendar year.
40.15 In calculating the amount of remaining allocations, the commissioner must assume that
40.16 each allocated but unclaimed certificate reduces the available allocations by \$1,500.

40.17 (d) A rebate certificate that is not assigned to a retailer expires two months after the date
40.18 the certificate was issued and may not be assigned to a retailer after expiration. The amount
40.19 of any expired rebate certificates is added to the amount available for allocation under
40.20 paragraph (c).

40.21 Subd. 5. **Eligible retailers.** To be eligible to be assigned a rebate certificate under this
40.22 section, an eligible retailer must apply to the commissioner to be certified as an eligible
40.23 retailer in the manner specified by the commissioner. The application must include proof

40.24 that the person applying has been actively involved in the business of retail sales of new
40.25 lawn and snow removal equipment for at least six months.

40.26 Subd. 6. **Application for rebate.** (a) An eligible individual who purchases lawn and
40.27 snow removal equipment that is operated solely on electricity may assign a rebate certificate
40.28 to an eligible retailer at the time of purchase. The retailer must reduce the price of the
40.29 equipment by the amount of the rebate determined under subdivision 3.

40.30 (b) The commissioner must establish the form and manner by which a taxpayer may
40.31 assign a rebate certificate to a retailer. The commissioner must establish a process allowing
40.32 retailers to quickly verify the validity of a rebate certificate at the time of purchase.

40.33 (c) An eligible retailer that was assigned a rebate certificate may apply to the
40.34 commissioner for a rebate within one month of the date of the sale, on a form and in a
41.1 manner specified by the commissioner. The commissioner must pay to an eligible retailer
41.2 who meets the requirements of this section the amount of the rebate determined under
41.3 subdivision 3.

41.4 (d) Only an eligible retailer may apply for a rebate under this subdivision. To receive
41.5 the benefit of a rebate under this section, an eligible individual must assign a rebate certificate
41.6 to an eligible retailer.

41.7 (e) A rebate certificate under this section must not be assigned or transferred more than
41.8 once.

41.9 (f) The commissioner must not pay any rebates under this section after June 30, 2027.

41.10 Subd. 7. **Limitations.** (a) The commissioner must not issue an eligible individual a
41.11 rebate certificate more than once. This limitation does not apply to a rebate certificate that
41.12 has expired.

41.13 (b) If an eligible individual purchases lawn and snow removal equipment using a rebate
41.14 under this section and returns the equipment to an eligible retailer, the eligible retailer must
41.15 repay to the commissioner the amount of the rebate received.

41.16 (c) The commissioner must not issue a rebate certificate to an eligible individual who
41.17 is subject to a claim for a refund under chapter 270A.

41.18 (d) For lawn and snow removal equipment purchased using rebates under this section:

41.19 (1) an eligible retailer must charge the same retail price for the equipment as the retailer
41.20 charges for the equipment if it is purchased without a rebate; and

41.21 (2) an eligible retailer must not charge a retail price in excess of the manufacturer's
41.22 suggested retail price.

41.23 Subd. 8. **Priority.** The commissioner must give priority to providing rebates to individuals
41.24 who currently reside in an environmental justice area as defined in section 115A.03,
41.25 subdivision 10b.

41.26 Subd. 9. **Sunset.** This section expires June 30, 2027. The expiration of this section does
41.27 not affect the commissioner's authority to audit or power of examination and assessment
41.28 for rebates claimed under this section.

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

42.1 Sec. 24. Minnesota Statutes 2022, section 116D.02, subdivision 2, is amended to read:

42.2 Subd. 2. **State responsibilities.** In order to carry out the policy set forth in Laws 1973,
42.3 chapter 412, it is the continuing responsibility of the state government to use all practicable
42.4 means, consistent with other essential considerations of state policy, to improve and
42.5 coordinate state plans, functions, programs and resources to the end that the state may:

42.6 (1) fulfill the responsibilities of each generation as trustee of the environment for
42.7 succeeding generations;

42.8 (2) assure for all people of the state safe, healthful, productive, and aesthetically and
42.9 culturally pleasing surroundings;

42.10 (3) discourage ecologically unsound aspects of population, economic and technological
42.11 growth, and develop and implement a policy such that growth occurs only in an
42.12 environmentally acceptable manner;

42.13 (4) preserve important historic, cultural, and natural aspects of our national heritage,
42.14 and maintain, wherever practicable, an environment that supports diversity, and variety of
42.15 individual choice;

42.16 (5) encourage, through education, a better understanding of natural resources management
42.17 principles that will develop attitudes and styles of living that minimize environmental
42.18 degradation;

42.19 (6) develop and implement land use and environmental policies, plans, and standards
42.20 for the state as a whole and for major regions thereof through a coordinated program of
42.21 planning and land use control;

42.22 (7) define, designate, and protect environmentally sensitive areas;

42.23 (8) establish and maintain statewide environmental information systems sufficient to
42.24 gauge environmental conditions;

42.25 (9) practice thrift in the use of energy and maximize the use of energy efficient systems
42.26 for the utilization of producing, distributing, and using energy, including recovering and

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122.4 Sec. 83. Minnesota Statutes 2022, section 116D.02, subdivision 2, is amended to read:

122.5 Subd. 2. **State responsibilities.** In order to carry out the policy set forth in Laws 1973,
122.6 chapter 412, it is the continuing responsibility of the state government to use all practicable
122.7 means, consistent with other essential considerations of state policy, to improve and
122.8 coordinate state plans, functions, programs and resources to the end that the state may:

122.9 (1) fulfill the responsibilities of each generation as trustee of the environment for
122.10 succeeding generations;

122.11 (2) assure for all people of the state safe, healthful, productive, and aesthetically and
122.12 culturally pleasing surroundings;

122.13 (3) discourage ecologically unsound aspects of population, economic and technological
122.14 growth, and develop and implement a policy such that growth occurs only in an
122.15 environmentally acceptable manner;

122.16 (4) preserve important historic, cultural, and natural aspects of our national heritage,
122.17 and maintain, wherever practicable, an environment that supports diversity, and variety of
122.18 individual choice;

122.19 (5) encourage, through education, a better understanding of natural resources management
122.20 principles that will develop attitudes and styles of living that minimize environmental
122.21 degradation;

122.22 (6) develop and implement land use and environmental policies, plans, and standards
122.23 for the state as a whole and for major regions thereof through a coordinated program of
122.24 planning and land use control;

122.25 (7) define, designate, and protect environmentally sensitive areas;

122.26 (8) establish and maintain statewide environmental information systems sufficient to
122.27 gauge environmental conditions;

122.28 (9) practice thrift in the use of energy and maximize the use of energy efficient systems
122.29 for the utilization of producing, distributing, and using energy, including recovering and

42.27 reusing waste heat, and minimize the environmental impact from energy production and
42.28 use;

42.29 (10) preserve important existing natural habitats of rare and endangered species of plants,
42.30 wildlife, and fish, and provide for the wise use of our remaining areas of natural habitation,
42.31 including necessary protective measures where appropriate;

42.32 (11) reduce wasteful practices which generate solid wastes;

43.1 (12) minimize wasteful and unnecessary depletion of nonrenewable resources;

43.2 (13) conserve natural resources and minimize environmental impact by encouraging
43.3 ~~extension of extended product lifetime, by lifetimes; reducing the number of unnecessary~~
43.4 ~~and wasteful materials practices; and by recycling materials, water, and energy to conserve~~
43.5 ~~both materials and energy;~~

43.6 (14) improve management of renewable resources in a manner compatible with
43.7 environmental protection;

43.8 (15) provide for reclamation of mined lands and assure that any mining is accomplished
43.9 in a manner compatible with environmental protection;

43.10 (16) reduce the deleterious impact on air and water quality from all sources, including
43.11 the deleterious environmental impact due to operation of vehicles with internal combustion
43.12 engines in urbanized areas;

43.13 (17) minimize noise, particularly in urban areas;

43.14 (18) prohibit, where appropriate, floodplain development in urban and rural areas; and

43.15 (19) encourage advanced waste treatment in abating water pollution.

122.30 reusing waste heat, and minimize the environmental impact from energy production and
122.31 use;

123.1 (10) preserve important existing natural habitats of rare and endangered species of plants,
123.2 wildlife, and fish, and provide for the wise use of our remaining areas of natural habitation,
123.3 including necessary protective measures where appropriate;

123.4 (11) reduce wasteful practices which generate solid wastes;

123.5 (12) minimize wasteful and unnecessary depletion of nonrenewable resources;

123.6 (13) conserve natural resources and minimize environmental impact by encouraging
123.7 ~~extension of extended product lifetime, by lifetimes; reducing the number of unnecessary~~
123.8 ~~and wasteful materials practices; and by recycling materials, water, and energy to conserve~~
123.9 ~~both materials and energy virgin resources;~~

123.10 (14) improve management of renewable resources in a manner compatible with
123.11 environmental protection;

123.12 (15) provide for reclamation of mined lands and assure that any mining is accomplished
123.13 in a manner compatible with environmental protection;

123.14 (16) reduce the deleterious impact on air and water quality from all sources, including
123.15 the deleterious environmental impact due to operation of vehicles with internal combustion
123.16 engines in urbanized areas;

123.17 (17) minimize noise, particularly in urban areas;

123.18 (18) prohibit, where appropriate, floodplain development in urban and rural areas; and

123.19 (19) encourage advanced waste treatment in abating water pollution, including practices
123.20 that enable the recovery and use of waste heat from wastewater treatment operations, in
123.21 accordance with the federal Clean Water Act, United States Code, title 33, section 1281(e).

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45.14 Sec. 29. Minnesota Statutes 2023 Supplement, section 325E.3892, subdivision 2, is
45.15 amended to read:

45.16 Subd. 2. **Prohibition.** (a) A person must not import, manufacture, sell, hold for sale, or
45.17 distribute or offer for use in this state any covered product containing:

45.18 (1) lead at more than 0.009 percent by total weight (90 parts per million); or
45.19 (2) cadmium at more than 0.0075 percent by total weight (75 parts per million).

45.20 (b) This section does not apply to covered products containing lead or cadmium, or both,
45.21 when regulation is preempted by federal law.

45.22 (c) Notwithstanding paragraph (a), a person may import, manufacture, sell, hold for sale,
45.23 or distribute a key fob, pen, or mechanical pencil that contains lead if the commissioner of

43.16 Sec. 25. Minnesota Statutes 2022, section 473.845, is amended by adding a subdivision
43.17 to read:

43.18 Subd. 3a. **Local notification.** If money in the metropolitan landfill contingency action
43.19 trust account is spent or transferred for purposes other than the purposes provided under
43.20 this section, the commissioner must provide written notification to each county with a facility
43.21 eligible for spending from the metropolitan landfill contingency action trust account within
43.22 30 days of the transfer or expenditure that includes the amount, purpose, and authority used
43.23 to spend or transfer the money.

45.24 the Pollution Control Agency determines that the use of lead in key fobs, pens, and
45.25 mechanical pencils is a currently unavoidable use. For purposes of this paragraph, a "key
45.26 fob" is a physical device that is capable of electronically transmitting a key code to a vehicle
45.27 starting system without physical connection, other than its presence in the vehicle, between
45.28 the device and the vehicle. For the purposes of this paragraph, "pen" and "mechanical pencil"
45.29 are instruments used for the general purpose of handwriting.

46.1 Sec. 30. Laws 2023, chapter 60, article 3, section 35, is amended to read:
46.2 Sec. 35. **RESOURCE MANAGEMENT; REPORT.**

46.3 (a) By July 15, 2025 January 15, 2026, the commissioner of the Pollution Control Agency
46.4 must conduct a study and prepare a report that includes a pathway to implement resource
46.5 management policies, programs, and infrastructure. The commissioner must submit the
46.6 report to the chairs and ranking minority members of the senate and house of representatives
46.7 committees with jurisdiction over environmental policy and finance and energy policy. The
46.8 report must include:

46.9 (1) an overview of how municipal solid waste is currently managed, including how much
46.10 material is generated in the state and is reused, recycled, composted, digested, or disposed
46.11 of;

46.12 (2) a summary of infrastructure, programs, policies, and resources needed to reduce the
46.13 amount of materials disposed of in landfills or incinerators statewide by more than 90 percent
46.14 over a 2021 baseline by 2045 or sooner. The summary must include analysis and
46.15 recommendations of scenarios above Waste-to-Energy on the state's Waste Hierarchy that
46.16 maximizes the environmental benefits when meeting the 90 percent reduction target;

46.17 (3) an analysis of:

46.18 (i) waste prevention program impacts and opportunities;

46.19 (ii) how much additional capacity is needed after prevention for reuse, recycling,
46.20 composting, and anaerobic digestion systems to achieve that goal; and

46.21 (iii) what steps can be taken to implement that additional capacity, including working
46.22 collaboratively with local governments, industry, and community-based organizations to

43.24 Sec. 26. SEWAGE SLUDGE FOR LAND APPLICATION ANALYZED FOR PFAS.
43.25 The commissioner of the Pollution Control Agency must develop a strategy to require
43.26 sewage sludge prepared for application to land in Minnesota to be analyzed under Minnesota
43.27 Rules, part 7041.1500, subpart 3, for the presence of perfluoroalkyl and polyfluoroalkyl

46.23 invest in such facilities and to work together to seek additional state and federal funding
46.24 assistance;

46.25 (4) strategic programmatic, regulatory, and policy initiatives that will be required to
46.26 produce source reduction, rethink and redesign products and packaging to more efficiently
46.27 use resources, and maximize diversion from disposal of materials in a way that prevents
46.28 pollution and does not discharge to land, water, or air or threaten the environment or human
46.29 health;

46.30 (5) recommendations for reducing the environmental and human health impacts of waste
46.31 management, especially across environmental justice areas as defined under Minnesota
46.32 Statutes, section 115A.03, and ensuring that the benefits of these resource management
47.1 investments, including the creation of well-paying green jobs, flow to disadvantaged
47.2 communities that are marginalized, underserved, and overburdened by pollution and that
47.3 land, water, air, and climate impacts are considered; and

47.4 (6) a review of feasibility, assumptions, costs, and milestones necessary to meet study
47.5 goals.

47.6 (b) The commissioner must obtain input from counties and cities inside and outside the
47.7 seven-county metropolitan area; reuse, recycling, and composting facilities; anaerobic
47.8 digestion facilities; waste haulers; environmental organizations; community-based
47.9 organizations; Tribal representatives; and diverse communities located in environmental
47.10 justice areas that contain a waste facility. The commissioner must provide for an open public
47.11 comment period of at least 60 days on the draft report. Written public comments and
47.12 commissioner responses to all those comments must be included in the final report.

47.13 Sec. 31. Laws 2023, chapter 60, article 8, section 6, subdivision 9, is amended to read:

47.14 Subd. 9. **Report to legislature.** No later than ~~March~~ February 15, 2025 2026, the
47.15 commissioner must submit a report to the chairs and ranking minority members of the
47.16 legislative committees with primary jurisdiction over environment policy and finance on
47.17 the results of the grant program, including:

47.18 (1) any changes in the agency's air-monitoring network that will occur as a result of data
47.19 developed under the program;

47.20 (2) any actions the agency has taken or proposes to take to reduce levels of pollution
47.21 that impact the areas that received grants under the program; and

47.22 (3) any recommendations for legislation, including whether the program should be
47.23 extended or expanded.

43.28 substances (PFAS) by December 31, 2024, and begin implementing this strategy in water
43.29 discharge permits thereafter.

44.1 Sec. 27. **CRITICAL MATERIALS RECOVERY ADVISORY TASK FORCE.**

44.2 Subdivision 1. **Definition.** For the purposes of this section, "critical materials" means
44.3 materials on the final 2023 Critical Materials List published by the United States Secretary
44.4 of Energy in the Federal Register on August 4, 2023, as amended, as required under section
44.5 7002 of the Energy Act of 2020.

44.6 Subd. 2. **Composition of task force.** (a) The commissioner of the Pollution Control
44.7 Agency must, no later than October 1, 2024, establish and appoint a Critical Materials
44.8 Recovery Advisory Task Force consisting of 13 members appointed as follows:

44.9 (1) the commissioner of the Pollution Control Agency or the commissioner's designee;

44.10 (2) the commissioner of employment and economic development or the commissioner's
44.11 designee;

44.12 (3) an expert in the field of industrial metallurgy;

44.13 (4) one representative from the Solid Waste Administrators Association;

44.14 (5) one representative from a company that disassembles electronic waste;

44.15 (6) one representative from an energy advocacy organization;

44.16 (7) one representative from an organization that is primarily involved in environmental
44.17 justice issues;

44.18 (8) one representative from an industrial labor union;

44.19 (9) one representative from a labor union affiliated with the Building and Construction
44.20 Trades Council;

44.21 (10) one representative from a company that recovers critical materials from end-of-life
44.22 products;

44.23 (11) one representative from a manufacturer that uses critical materials as inputs;

44.24 (12) one representative of a Minnesota Tribal government, as defined in Minnesota
44.25 Statutes, section 10.65, subdivision 2; and

44.26 (13) one representative of a utility providing retail electric service to customers in
44.27 Minnesota.

48.20 Sec. 34. **CRITICAL MATERIALS RECOVERY ADVISORY TASK FORCE.**

48.21 Subdivision 1. **Definition.** For the purposes of this section, "critical materials" means
48.22 materials on the final 2023 Critical Materials List published by the United States Secretary
48.23 of Energy in the Federal Register on August 4, 2023, as amended, as required under section
48.24 7002 of the Energy Act of 2020.

48.25 Subd. 2. **Composition of task force.** The commissioner of the Pollution Control Agency
48.26 must, no later than October 1, 2024, establish and appoint a Critical Materials Recovery
48.27 Advisory Task Force consisting of 16 members appointed as follows:

48.28 (1) the commissioner of the Pollution Control Agency or the commissioner's designee;

48.29 (2) the commissioner of employment and economic development or the commissioner's
48.30 designee;

48.31 (3) an expert in the field of industrial metallurgy;

49.1 (4) one representative from the Solid Waste Administrators Association;

49.2 (5) one representative from a company that disassembles electronic waste;

49.3 (6) one representative from an energy advocacy organization;

49.4 (7) one representative from an organization that is primarily involved in environmental
49.5 justice issues;

49.6 (8) one representative from an industrial labor union;

49.7 (9) one representative from a labor union affiliated with the Building and Construction
49.8 Trades Council;

49.9 (10) one representative from a manufacturer that uses critical materials as inputs;

49.10 (11) one representative of a Minnesota Tribal government, as defined in Minnesota
49.11 Statutes, section 10.65, subdivision 2;

49.16 (15) one representative of a utility providing retail electric service to customers in
49.17 Minnesota; and

49.12 (12) one representative from the Minnesota Resource Recovery Association;

49.13 (13) one representative from an electronics manufacturer that operates an e-waste
49.14 recycling program and is also an electronics retailer;

44.28 (b) All members appointed under paragraph (a) are voting members of the task force,
44.29 except for the representative appointed under clause (9), who is a nonvoting member.

44.30 (c) A member appointed under paragraph (a) may not be a registered lobbyist.

45.1 Subd. 3. **Duties.** (a) The task force must advise the commissioner of the Pollution Control
45.2 Agency with respect to policy and program options designed to increase the recovery of
45.3 critical materials from end-of-life products by:

45.4 (1) developing a strategic road map for achieving domestic recovery of critical materials;

45.5 (2) investigating emerging technologies employed to recover critical materials from
45.6 electronic waste, components of renewable energy generating systems, and other end-of-life
45.7 products;

45.8 (3) evaluating the economic, environmental, and social costs, benefits, and impacts
45.9 associated with various methods of recovering critical materials from end-of-life products;

45.10 (4) identifying options to prevent products containing critical materials from being
45.11 disposed of in a landfill or waste combustor;

45.12 (5) consulting with stakeholders regarding recycling and end-of-life management options
45.13 for products containing critical materials that enhance the possibility of recovery; and

45.14 (6) identifying infrastructure needed to develop an integrated system to collect, transport,
45.15 and recycle products for critical materials recovery.

45.16 (b) The **council** must convene at least one public meeting to gather comments on issues
45.17 regarding critical materials recovery.

45.18 Subd. 4. **Task force; administration.** (a) The task force must elect a chair by majority
45.19 vote at its initial meeting. The task force must meet quarterly. Additional meetings may be
45.20 held at the call of the chair. The commissioner or the commissioner's designee and the
45.21 member appointed as an expert in industrial metallurgy **must cofacilitate** task force meetings.

45.22 (b) The Pollution Control Agency must serve as staff to the task force.

45.23 Subd. 5. **Report.** No later than December **31**, 2025, the task force must submit a written
45.24 report containing its findings and recommendations for administrative and legislative action
45.25 to the commissioner of the Pollution Control Agency and the chairs and ranking minority
45.26 members of the senate and house of representatives committees with primary jurisdiction
45.27 over solid waste. The **recommendations in the report must be specific and actionable and**
45.28 may not include recommendations for further reports or studies.

49.15 (14) one representative from the Natural Resources Research Institute in Duluth;

49.18 (16) one representative from a recovery infrastructure operator, who is a nonvoting
49.19 member of the task force.

49.20 Subd. 3. **Duties.** (a) The task force must advise the commissioner of the Pollution Control
49.21 Agency with respect to policy and program options designed to increase the recovery of
49.22 critical materials from end-of-life products by:

49.23 (1) developing a strategic road map for achieving domestic recovery of critical materials;

49.24 (2) investigating emerging technologies employed to recover critical materials from
49.25 electronic waste, components of renewable energy generating systems, and other end-of-life
49.26 products;

49.27 (3) evaluating the economic, environmental, and social costs, benefits, and impacts
49.28 associated with various methods of recovering critical materials from end-of-life products;

49.29 (4) identifying options to prevent products containing critical materials from being
49.30 disposed of in a landfill or waste combustor;

50.1 (5) consulting with stakeholders regarding recycling and end-of-life management options
50.2 for products containing critical materials that enhance the possibility of recovery; and

50.3 (6) identifying infrastructure needed to develop an integrated system to collect, transport,
50.4 and recycle products for critical materials recovery.

50.5 (b) The **task force** must convene at least one public meeting to gather comments on
50.6 issues regarding critical materials recovery.

50.7 Subd. 4. **Task force; administration.** (a) The task force must elect a chair by majority
50.8 vote at its initial meeting. The task force must meet quarterly. Additional meetings may be
50.9 held at the call of the chair. The commissioner or the commissioner's designee and the
50.10 member appointed as an expert in industrial metallurgy **shall co-facilitate** task force meetings.

50.11 (b) The Pollution Control Agency must serve as staff to the task force.

50.12 Subd. 5. **Report.** No later than December **30**, 2025, the task force must submit a written
50.13 report containing its findings and recommendations for administrative and legislative action
50.14 to the commissioner of the Pollution Control Agency and the chairs and ranking minority
50.15 members of the senate and house of representatives committees with primary jurisdiction
50.16 over solid waste. The **task force expires on December 30, 2025, or upon submission of the**
50.17 report required by this subdivision, whichever occurs first.

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

46.1 Sec. 28. MINNESOTA POLLUTION CONTROL AGENCY; PFAS REMOVAL
46.2 REPORT.

46.3 On or before January 15, 2025, the commissioner of the Pollution Control Agency must
46.4 submit a report to the chairs and ranking minority members of the legislative committees
46.5 with jurisdiction over environment and natural resources finance and policy and capital
46.6 investment. The report must provide recommendations for strategies the state may use to
46.7 require manufacturers using perfluoroalkyl and polyfluoroalkyl substances (PFAS) in their
46.8 products or as part of the manufacturing process to pay the cost of purchasing and installing
46.9 infrastructure designed to remove PFAS from influent waters at municipal wastewater
46.10 facilities statewide and the cost of treating and disposing of the PFAS. The report must
46.11 specify any legislation needed to implement the strategies and must incorporate options
46.12 from the report submitted by the PFAS manufacturers fee work group required under Laws
46.13 2023, chapter 60, article 3, section 30, in developing the recommendations. The
46.14 recommendations in the report must be specific and actionable and may not include
46.15 recommendations for further reports or studies.

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

46.17 Sec. 29. POSTCLOSURE CARE; SOLID WASTE DISPOSAL FACILITIES;
46.18 RULEMAKING.

46.19 (a) The commissioner of the Pollution Control Agency must amend rules related to solid
46.20 waste disposal facilities to require the commissioner's approval to terminate the postclosure
46.21 care period.

46.22 (b) The commissioner may use the good-cause exemption under Minnesota Statutes,
46.23 section 14.388, subdivision 1, clause (3), to adopt rules under this section, and Minnesota
46.24 Statutes, section 14.386, does not apply except as provided under Minnesota Statutes, section
46.25 14.388.

46.26 Sec. 30. MANDATORY ENVIRONMENTAL IMPACT STATEMENT FOR LARGE
46.27 LIVESTOCK PROJECTS; RULEMAKING.

46.28 (a) The Environmental Quality Board must amend Minnesota Rules, part 4410.4400, to
46.29 require that construction of an animal feedlot facility with a capacity of 10,000 or more
46.30 animal units or the expansion of an existing animal feedlot facility to a total cumulative
46.31 capacity of 10,000 or more animal units requires the preparation of an environmental impact
46.32 statement.

47.1 (b) The board may use the good-cause exemption under Minnesota Statutes, section
47.2 14.388, subdivision 1, clause (3), to adopt rules under this section, and Minnesota Statutes,
47.3 section 14.386, does not apply except as provided under Minnesota Statutes, section 14.388.

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

50.19 Sec. 35. POSTCLOSURE CARE SOLID WASTE DISPOSAL FACILITIES;
50.20 RULEMAKING.

50.21 (a) The commissioner of the Pollution Control Agency must amend rules related to solid
50.22 waste disposal facilities to require the commissioner's approval to terminate the postclosure
50.23 care period.

50.24 (b) The commissioner may use the good-cause exemption under Minnesota Statutes,
50.25 section 14.388, subdivision 1, clause (3), to adopt rules under this section, and Minnesota
50.26 Statutes, section 14.386, does not apply except as provided under Minnesota Statutes, section
50.27 14.388.

47.4 **EFFECTIVE DATE.** This section is effective the day following final enactment and
47.5 applies to applications submitted on or after that date.

50.28 Sec. 36. **RULEMAKING; CAPITAL ASSISTANCE PROGRAM.**

50.29 The commissioner of the Pollution Control Agency must, using the expedited rulemaking
50.30 process in Minnesota Statutes, section 14.389, amend the rules related to the capital assistance
50.31 program in Minnesota Rules, parts 9210.0100 to 9210.0180, to conform with and implement
51.1 the changes made in Minnesota Statutes, sections 115A.03 and 115A.49 to 115A.54 by
51.2 Laws 2023, chapter 60, article 3, sections 6 and 9 to 13.

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

55.1 Sec. 41. **RESEARCHING CLIMATE ADAPTATION AND RESILIENCE COSTS**
55.2 **FOR MINNESOTA.**

55.3 (a) The commissioner of the Pollution Control Agency must research and report the
55.4 projected costs in Minnesota of climate change adaptation and resilience measures needed
55.5 to mitigate the projected impacts for at least two different future scenarios using either the
55.6 Shared Socioeconomic Pathways or Representative Concentration Pathways as described
55.7 by the Intergovernmental Panel on Climate Change. The report must identify what research,
55.8 data, modeling, stakeholder engagement, and other resources are needed in order to:

55.9 (1) estimate costs for mid-century, late-century, and end-of-century, using 2024 dollars
55.10 as a baseline;

55.11 (2) estimate costs related to hazards, including but not limited to precipitation and heat
55.12 and the impacts of precipitation and heat on soil and lakes;

55.13 (3) provide an analysis of the projected costs and impacts of additional hazards like
55.14 flooding, drought, wildfires, high-wind events, extreme cold, and vector-borne illnesses;

55.15 (4) provide analyses of how these hazards and impacts are experienced differently by
55.16 Minnesotans based on demographics, including race, gender, ability, and age, as well as
55.17 economic status and geography; and

55.18 (5) identify methods for understanding and making decisions about the trade-offs between
55.19 the financial and social costs to mitigate climate risks and the level of risk reduction achieved.

55.20 (b) The report must identify what research, data, modeling, stakeholder engagement,
55.21 and other resources are needed in order to estimate the costs of impacts on:

55.22 (1) Minnesota's natural environment, including but not limited to impacts on:

55.23 (i) working lands and natural lands;

- 55.24 (ii) water, including but not limited to surface waters, rivers, drinking water, and Lake
55.25 Superior;
- 55.26 (iii) air, including but not limited to surface temperature and air quality; and
55.27 (iv) the biodiversity of Minnesota's biomes;
- 55.28 (2) Minnesota's built environment, including but not limited to impacts on:
55.29 (i) residential, commercial, and public buildings; and
56.1 (ii) critical infrastructure, including but not limited to the infrastructure that manages
56.2 stormwater, wastewater, drinking water, transportation, electricity, gas, and communications
56.3 technologies; and
- 56.4 (3) Minnesota's social environment, including but not limited to impacts on:
56.5 (i) human settlement and migration;
56.6 (ii) statewide and regional economies, including but not limited to impacts on industries
56.7 like tourism, agriculture, and forest products; and
56.8 (iii) public health, including but not limited to impacts related to emergency response,
56.9 asthma, heat exposure, and vector-borne illnesses.
- 56.10 (c) The report should recommend best practices for integrating costs estimates with
56.11 University of Minnesota's Minnesota CliMAT (Climate Mapping and Analysis Tool) or
56.12 any related preceding or successor modeling tools.
- 56.13 (d) To prepare the report, the commissioner must engage subject-area experts and other
56.14 stakeholders, as needed, to contribute to the report.
- 56.15 (e) By February 1, 2025, the commissioner shall submit a written report to the chairs
56.16 and ranking minority members of the legislative committees with primary jurisdiction over
56.17 energy, environment, health, transportation, and capital investment summarizing the findings
56.18 of the research.
- 56.19 **EFFECTIVE DATE.** This section is effective the day following final enactment.
- 58.3 Sec. 44. **ELECTRONICS RECYCLING STUDY.**
- 58.4 (a) The commissioner of the Pollution Control Agency shall contract with an independent
58.5 third party to conduct a study that examines the barriers to electronics recycling and
58.6 recommends ways those barriers may be overcome. The study must, at a minimum, address:
58.7 (1) the status of end markets for materials recovered from electronics recycling;
58.8 (2) information regarding the toxicity of materials recovered from electronics recycling;
58.9 (3) ways to promote worker safety in facilities that recycle electronics;

47.6 Sec. 31. **REPEALER.**
47.7 Minnesota Statutes 2022, section 115A.5501, is repealed.
47.8 **ARTICLE 3**
47.9 **NATURAL RESOURCES**

58.10 (4) opportunities and methods to recover precious metals from electronic recycling
58.11 processes;
58.12 (5) measures to reduce emissions of greenhouse gases from electronic recycling facilities;
58.13 and
58.14 (6) how changes in product design that increase the recyclability of electronics products
58.15 can be encouraged.
58.16 (b) No later than March 1, 2026, the commissioner shall submit a written report containing
58.17 the findings and recommendations of the study to the chairs and ranking minority members
58.18 of the senate and house of representatives committees with primary responsibility over
58.19 recycling.
58.20 **EFFECTIVE DATE.** This section is effective the day following final enactment.
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125.1 Sec. 89. **REPEALER.**
125.2 Minnesota Statutes 2022, section 115A.5501, is repealed.

78.16 Section 1. **[11A.236] ACCOUNT TO INVEST FINANCIAL ASSURANCE MONEY**
78.17 **FROM PERMITS TO MINE.**
78.18 Subdivision 1. **Establishment; appropriation.** (a) The State Board of Investment, when
78.19 requested by the commissioner of natural resources, may invest money collected by the
78.20 commissioner as part of financial assurance provided under a permit to mine issued under
78.21 chapter 93. The State Board of Investment may establish one or more accounts into which
78.22 money may be deposited for the purposes of this section, subject to the policies and
78.23 procedures of the State Board of Investment. Use of any money in the account is restricted
78.24 to the financial assurance purposes identified in sections 93.46 to 93.51 and rules adopted
78.25 thereunder and as authorized under any trust fund agreements or other conditions established
78.26 under a permit to mine.
78.27 (b) Money in an account established under paragraph (a) is appropriated to the
78.28 commissioner of natural resources for the purposes for which the account is established
78.29 under this section.
78.30 Subd. 2. **Account maintenance and investment.** (a) The commissioner of natural
78.31 resources may deposit money in the appropriate account and may withdraw money from
79.1 the appropriate account for the financial assurance purposes identified in sections 93.46 to
79.2 93.51 and rules adopted thereunder and as authorized under any trust fund agreements or

47.10 Section 1. Minnesota Statutes 2022, section 13.7931, is amended by adding a subdivision
47.11 to read:

47.12 Subd. 7. **Forest industry data.** Information that the Department of Natural Resources
47.13 collects, receives, or maintains through voluntary responses to questionnaires or surveys
47.14 by forest industry businesses is classified under section 84.0871.

47.15 Sec. 2. Minnesota Statutes 2022, section 16A.125, subdivision 5, is amended to read:

47.16 Subd. 5. **Forest trust lands.** (a) The term "state forest trust fund lands" as used in this
47.17 subdivision, means public land in trust under the constitution set apart as "forest lands under
47.18 the authority of the commissioner" of natural resources as defined by section 89.001,
47.19 subdivision 13.

47.20 (b) The commissioner of management and budget shall credit the revenue from the forest
47.21 trust fund lands to the forest suspense account. The account must specify the trust funds
47.22 interested in the lands and the respective receipts of the lands.

47.23 (c) After a fiscal year, the commissioner of management and budget shall certify the
47.24 costs incurred for forestry during that year under appropriations for the improvement,
47.25 administration, and management of state forest trust fund lands and construction and
47.26 improvement of forest roads to enhance the forest value of the lands. The certificate must
47.27 specify the trust funds interested in the lands. After presentation to the Legislative Permanent
47.28 School Fund Commission or by June 30 each year, whichever is sooner, the commissioner
47.29 of natural resources shall supply the commissioner of management and budget with the
47.30 information needed for the certificate. The certificate shall include an analysis that compares

79.3 other conditions established under the permit to mine for which the financial assurance is
79.4 provided, subject to the policies and procedures of the State Board of Investment.

79.5 (b) Investment strategies related to an account established under this section must be
79.6 determined jointly by the commissioner of natural resources and the executive director of
79.7 the State Board of Investment. The authorized investments for an account are the investments
79.8 authorized under section 11A.24 that are made available for investment by the State Board
79.9 of Investment.

79.10 (c) Investment transactions must be at a time and in a manner determined by the executive
79.11 director of the State Board of Investment. Decisions to withdraw money from the account
79.12 must be determined by the commissioner of natural resources, subject to the policies and
79.13 procedures of the State Board of Investment. Investment earnings must be credited to the
79.14 appropriate account for financial assurance under the identified permit to mine.

79.15 (d) The commissioner of natural resources may terminate an account at any time, so
79.16 long as the termination is in accordance with applicable statutes, rules, trust fund agreements,
79.17 or other conditions established under the permit to mine, subject to the policies and
79.18 procedures of the State Board of Investment.

79.19 Sec. 2. Minnesota Statutes 2022, section 13.7931, is amended by adding a subdivision to
79.20 read:

79.21 Subd. 7. **Forest industry data.** Information that the Department of Natural Resources
79.22 collects, receives, or maintains through voluntary responses to questionnaires or surveys
79.23 by forest industry businesses is classified under section 84.0871.

79.24 Sec. 3. Minnesota Statutes 2022, section 16A.125, subdivision 5, is amended to read:

79.25 Subd. 5. **Forest trust lands.** (a) The term "state forest trust fund lands" as used in this
79.26 subdivision, means public land in trust under the constitution set apart as "forest lands under
79.27 the authority of the commissioner" of natural resources as defined by section 89.001,
79.28 subdivision 13.

79.29 (b) The commissioner of management and budget shall credit the revenue from the forest
79.30 trust fund lands to the forest suspense account. The account must specify the trust funds
79.31 interested in the lands and the respective receipts of the lands.

80.1 (c) After a fiscal year, the commissioner of management and budget shall certify the
80.2 costs incurred for forestry during that year under appropriations for the improvement,
80.3 administration, and management of state forest trust fund lands and construction and
80.4 improvement of forest roads to enhance the forest value of the lands. The certificate must
80.5 specify the trust funds interested in the lands. After presentation to the Legislative Permanent
80.6 School Fund Commission or by June 30 each year, whichever is sooner, the commissioner
80.7 of natural resources shall supply the commissioner of management and budget with the
80.8 information needed for the certificate. The certificate shall include an analysis that compares

48.1 costs certified under this section with costs incurred on other public and private lands with
48.2 similar land assets.

48.3 (d) After a fiscal year, the commissioner shall distribute the receipts credited to the
48.4 suspense account during that fiscal year as follows:

48.5 (1) the amount of the certified costs incurred by the state for forest management, forest
48.6 improvement, and road improvement during the fiscal year shall be transferred to the forest
48.7 management investment account established under section 89.039;

48.8 (2) the amount of costs incurred by the Legislative Permanent School Fund Commission
48.9 under section 127A.30, and by the school trust lands director under section 127A.353, shall
48.10 be transferred to the general fund;

48.11 (3) the balance of the certified costs incurred by the state during the fiscal year shall be
48.12 transferred to the general fund; and

48.13 (4) the balance of the receipts shall then be returned prorated to the trust funds in
48.14 proportion to their respective interests in the lands which produced the receipts.

48.15 Sec. 3. Minnesota Statutes 2022, section 84.027, subdivision 12, is amended to read:

48.16 Subd. 12. **Property disposal; gift acknowledgment; advertising sales.** (a) The
48.17 commissioner may recognize the contribution of money or in-kind services on plaques,
48.18 signs, publications, audiovisual materials, and media advertisements by allowing the
48.19 organization's contribution to be acknowledged in print of readable size.

48.20 (b) The commissioner may accept paid advertising for departmental publications.
48.21 Advertising revenues received are appropriated to the commissioner to be used to defray
48.22 costs of publications, media productions, or other informational materials. The commissioner
48.23 may not accept paid advertising from any elected official or candidate for elective office.

48.24 (c) Notwithstanding section 16B.2975, subdivision 6, clause (2), if the commissioner
48.25 determines that a transfer benefits the state's natural resources management or bison
48.26 management, the commissioner may request that the commissioner of administration donate
48.27 and convey bison to a governmental unit or nonprofit organization, in or outside Minnesota,
48.28 or sell bison. The recipient of the bison is solely responsible for all future expenses related
48.29 to the bison.

49.1 Sec. 4. **[84.0871] DATA ON FOREST INDUSTRY.**

49.2 (a) The following data that the Department of Natural Resources collects, receives, or
49.3 maintains through voluntary responses to questionnaires or surveys by forest industry
49.4 businesses are classified as private data on individuals, as defined in section 13.02,
49.5 subdivision 12, if the data are data on individuals or as nonpublic data, as defined in section
49.6 13.02, subdivision 9, if the data are data not on individuals:

80.9 costs certified under this section with costs incurred on other public and private lands with
80.10 similar land assets.

80.11 (d) After a fiscal year, the commissioner shall distribute the receipts credited to the
80.12 suspense account during that fiscal year as follows:

80.13 (1) the amount of the certified costs incurred by the state for forest management, forest
80.14 improvement, and road improvement during the fiscal year shall be transferred to the forest
80.15 management investment account established under section 89.039;

80.16 (2) the amount of costs incurred by the Legislative Permanent School Fund Commission
80.17 under section 127A.30, and by the school trust lands director under section 127A.353, shall
80.18 be transferred to the general fund;

80.19 (3) the balance of the certified costs incurred by the state during the fiscal year shall be
80.20 transferred to the general fund; and

80.21 (4) the balance of the receipts shall then be returned prorated to the trust funds in
80.22 proportion to their respective interests in the lands which produced the receipts.

84.1 Sec. 11. Minnesota Statutes 2022, section 84.027, subdivision 12, is amended to read:

84.2 Subd. 12. **Property disposal; gift acknowledgment; advertising sales.** (a) The
84.3 commissioner may recognize the contribution of money or in-kind services on plaques,
84.4 signs, publications, audiovisual materials, and media advertisements by allowing the
84.5 organization's contribution to be acknowledged in print of readable size.

84.6 (b) The commissioner may accept paid advertising for departmental publications.
84.7 Advertising revenues received are appropriated to the commissioner to be used to defray
84.8 costs of publications, media productions, or other informational materials. The commissioner
84.9 may not accept paid advertising from any elected official or candidate for elective office.

84.10 (c) Notwithstanding section 16B.2975, subdivision 6, clause (2), if the commissioner
84.11 determines that a transfer benefits the state's natural resources management or bison
84.12 management, the commissioner may request that the commissioner of administration donate
84.13 and convey bison to a governmental unit or nonprofit organization, in or outside Minnesota,
84.14 or sell bison. The recipient of the bison is solely responsible for all future expenses related
84.15 to the bison.

84.16 Sec. 12. **[84.0871] DATA ON FOREST INDUSTRY.**

84.17 (a) The following data that the Department of Natural Resources collects, receives, or
84.18 maintains through voluntary responses to questionnaires or surveys by forest industry
84.19 businesses are classified as private data on individuals, as defined in section 13.02,
84.20 subdivision 12, if the data are data on individuals or as nonpublic data, as defined in section
84.21 13.02, subdivision 9, if the data are data not on individuals:

49.7 (1) timber resource consumption;
49.8 (2) origin of timber resources;
49.9 (3) cost of delivered timber;
49.10 (4) forest industry product output; and
49.11 (5) production costs.
49.12 (b) Data that the department collects, receives, or maintains through voluntary responses
49.13 to questionnaires or surveys by forest industry businesses and that are not specified under
49.14 paragraph (a), clauses (1) to (5), are public data.
49.15 (c) Summary data, as defined in section 13.02, subdivision 19, that the department
49.16 compiles from data under paragraph (a) or (b) are public data.
49.17 (d) Data collected, received, or maintained by the department from bidders on state
49.18 timber under section 90.145 are not subject to this section.
49.19 Sec. 5. Minnesota Statutes 2022, section 84.0895, subdivision 1, is amended to read:
49.20 Subdivision 1. **Prohibition.** Notwithstanding any other law, a person may not take,
49.21 import, transport, release, or sell any portion of an endangered or threatened species of wild
49.22 animal or plant, or sell or possess with intent to sell an article made with any part of the
49.23 skin, hide, or parts of an endangered or threatened species of wild animal or plant, except
49.24 as provided in subdivisions 2 and 7.

49.25 Sec. 6. **[84.705] COMMUNITY TREE-PLANTING GRANTS.**
49.26 Subdivision 1. **Definition.** For the purposes of this section, "shade tree" means a woody
49.27 perennial grown primarily for aesthetic or environmental purposes with minimal to residual
49.28 timber value.
50.1 Subd. 2. **Grants.** (a) The commissioner must establish a grant program to provide grants
50.2 to cities, counties, townships, Tribal governments, and park and recreation boards in cities
50.3 of the first class for the following purposes:
50.4 (1) removing and planting shade trees on public or Tribal land to provide environmental
50.5 benefits;

84.22 (1) timber resource consumption;
84.23 (2) origin of timber resources;
84.24 (3) cost of delivered timber;
84.25 (4) forest industry product output; and
84.26 (5) production costs.
84.27 (b) Data that the department collects, receives, or maintains through voluntary responses
84.28 to questionnaires or surveys by forest industry businesses and that are not specified under
84.29 paragraph (a), clauses (1) to (5), are public data.
84.30 (c) Summary data, as defined in section 13.02, subdivision 19, that the department
84.31 compiles from data under paragraph (a) or (b) are public data.
85.1 (d) Data collected, received, or maintained by the department from bidders on state
85.2 timber under section 90.145 are not subject to this section.
85.3 Sec. 13. Minnesota Statutes 2022, section 84.0895, subdivision 1, is amended to read:
85.4 Subdivision 1. **Prohibition.** Notwithstanding any other law, a person may not take,
85.5 import, transport, release, or sell any portion of an endangered or threatened species of wild
85.6 animal or plant, or sell or possess with intent to sell an article made with any part of the
85.7 skin, hide, or parts of an endangered or threatened species of wild animal or plant, except
85.8 as provided in subdivisions 2 and 7.
85.9 Sec. 14. Minnesota Statutes 2022, section 84.0895, subdivision 8, is amended to read:
85.10 Subd. 8. **Application.** This section does not apply retroactively or prohibit importation
85.11 into this state and subsequent possession, transport, and sale of wild animals, wild plants,
85.12 or parts of wild animals or plants that are legally imported into the United States or legally
85.13 acquired and exported from another territory, state, possession, or political subdivision of
85.14 the United States.

- 50.6 (2) replacing trees lost to forest pests, disease, or storms; or
- 50.7 (3) establishing a more diverse community forest better able to withstand disease and
- 50.8 forest pests.
- 50.9 (b) Any tree planted with money granted under this section must be a climate-adapted
- 50.10 species to Minnesota.
- 50.11 Subd. 3. **Priority.** (a) Priority for grants awarded under this section must be given to:
- 50.12 (1) projects removing and replacing ash trees that pose significant public safety concerns;
- 50.13 and
- 50.14 (2) projects located in whole or in part in:
- 50.15 (i) a census tract where, based on the most recent decennial census data published by
- 50.16 the United States Census Bureau:
- 50.17 (A) 40 percent or more of the population is nonwhite;
- 50.18 (B) 35 percent or more of the households have an income at or below 200 percent of the
- 50.19 federal poverty level; or
- 50.20 (C) 40 percent or more of the population over the age of five has limited English
- 50.21 proficiency; or
- 50.22 (ii) Indian Country as defined in United States Code, title 18, section 1151.
- 50.23 (b) The commissioner may not prioritize projects based on criteria other than the criteria
- 50.24 established under paragraph (a).

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- 20.22 Section 1. Minnesota Statutes 2022, section 84.788, subdivision 5a, is amended to read:
- 20.23 Subd. 5a. **Report of registration transfers.** (a) Application for transfer of registration
- 20.24 under this section must be made to the commissioner within 15 days of the date of transfer.
- 20.25 (b) An application for transfer must be executed by the ~~registered~~ current owner and the
- 20.26 purchaser using a bill of sale that includes the vehicle serial number.
- 20.27 (c) The purchaser is subject to the penalties imposed by section 84.774 if the purchaser
- 20.28 fails to apply for transfer of registration as provided under this subdivision.
- 20.29 Sec. 2. Minnesota Statutes 2022, section 84.788, subdivision 6, is amended to read:
- 20.30 Subd. 6. **Registration fees.** (a) The fee for registration of an off-highway motorcycle
- 20.31 under this section, other than those registered by a dealer or manufacturer under paragraph
- 20.32 (b) or (c), is ~~\$30~~ \$45 for three years and \$4 for a duplicate or transfer.

50.25 Sec. 7. Minnesota Statutes 2022, section 84.871, is amended to read:

50.26 **84.871 EQUIPMENT MUFFLER REQUIREMENTS; PENALTIES.**

50.27 Subdivision 1. **Mufflers.** (a) Except as provided in this section under paragraph (c),

50.28 every snowmobile shall be a person may not operate a snowmobile unless:

50.29 (1) the snowmobile is equipped with a muffler meeting the requirements of rules adopted

50.30 by the commissioner; and

51.1 (2) the snowmobile is equipped at all times with a muffler in good working order which

51.2 that blends the exhaust noise into the overall snowmobile noise and is in constant operation

51.3 to prevent excessive or unusual noise. The

51.4 (b) A snowmobile operated, offered for sale, or sold in this state must have an exhaust

51.5 system shall that does not emit or produce a sharp popping or crackling sound.

51.6 (c) This section does not apply to organized races or similar competitive events held on:

51.7 (1) private lands, with the permission of the owner, lessee, or custodian of the land;

51.8 (2) public lands and water under the jurisdiction of the commissioner of natural resources,

51.9 with the commissioner's permission; or

51.10 (3) other public lands, with the consent of the public agency owning the land.

51.11 (d) No person shall have for sale, sell, or offer for sale on any new snowmobile any

51.12 muffler that fails to comply with the specifications required by the rules of the commissioner

51.13 after the effective date of the rules.

51.14 Subd. 3. **Certification.** Beginning July 1, 2026, all after-market mufflers installed on a

51.15 snowmobile must have a permanent stamp, clearly visible on the muffler, certified by the

51.16 muffler manufacturer and stating that the muffler conforms to the snowmobile muffler noise

51.17 limits specified by the rules of the commissioner.

51.18 Subd. 4. **Penalties.** (a) A person who operates a snowmobile in violation of subdivision

51.19 1, paragraph (a) or (b), is guilty of a misdemeanor.

21.1 (b) The total registration fee for off-highway motorcycles owned by a dealer and operated

21.2 for demonstration or testing purposes is \$50 per year. Dealer registrations are not transferable.

21.3 (c) The total registration fee for off-highway motorcycles owned by a manufacturer and

21.4 operated for research, testing, experimentation, or demonstration purposes is \$150 per year.

21.5 Manufacturer registrations are not transferable.

21.6 (d) The fees collected under this subdivision must be deposited in the state treasury and

21.7 credited to the off-highway motorcycle account.

- 51.20 (b) Notwithstanding section 609.101, subdivision 4, clause (2), the minimum fine for a
51.21 person who operates a snowmobile in violation of subdivision 1, paragraph (a) or (b), must
51.22 not be less than:
- 51.23 (1) \$250 for the first offense;
- 51.24 (2) \$500 for the second offense; and
- 51.25 (3) \$1,000 for the third and subsequent offenses.
- 51.26 (c) A conservation officer or other licensed peace officer may issue a civil citation to a
51.27 person who operates a snowmobile in violation of subdivision 1, paragraph (a) or (b). A
51.28 civil citation under this subdivision must impose a penalty of:
- 51.29 (1) \$250 for the first offense;
- 51.30 (2) \$500 for the second offense; and
- 51.31 (3) \$1,000 for the third and subsequent offenses.
- 52.1 Sec. 8. Minnesota Statutes 2022, section 84.943, subdivision 5, is amended to read:
- 52.2 Subd. 5. **Pledges and contributions.** (a) The commissioner of natural resources may
52.3 accept contributions and pledges to the critical habitat private sector matching account. A
52.4 pledge that is made contingent on an appropriation is acceptable and ~~shall~~ must be reported
52.5 with other pledges as required in this section. The commissioner may agree to match a
52.6 contribution contingent on a future appropriation. In the budget request for each biennium,
52.7 the commissioner ~~shall~~ must report the balance of contributions in the account and the
52.8 amount that has been pledged for payment in the succeeding two calendar years.
- 52.9 ~~(b) Money in the account is appropriated to the commissioner of natural resources only~~
52.10 ~~for the direct acquisition, restoration, or enhancement of land or interests in land as provided~~
52.11 ~~in section 84.944. Acquisition includes:~~
- 52.12 ~~(1) purchase of land or an interest in land by the commissioner; or~~
- 52.13 ~~(2) acceptance by the commissioner of gifts of land or interests in land as program~~
52.14 ~~projects.~~
- 52.15 ~~(e)~~ (b) To the extent of available appropriations other than bond proceeds, the money
52.16 matched to the nongame wildlife management account may be used for:
- 52.17 (1) the management of nongame wildlife projects as specified in section 290.431;
- 52.18 (2) restoration and enhancement activities for critical natural habitat; or
- 52.19 (3) monitoring and evaluation activities for rare resources and native plant communities
52.20 that inform the management of critical natural habitat.

52.21 No more than 30 percent of the nongame wildlife management account appropriations each
52.22 fiscal year may be used to match money from the critical habitat private sector matching
52.23 account for monitoring and evaluation activities.

52.24 Sec. 9. Minnesota Statutes 2022, section 84.943, is amended by adding a subdivision to
52.25 read:

52.26 Subd. 6. **Expenditures.** Money in the account is appropriated to the commissioner and
52.27 may be expended only as follows:

52.28 (1) revenue from license plates depicting big game, turkey, or pheasant or license plates
52.29 not otherwise specified under this subdivision must be used:

52.30 (i) to acquire, restore, or enhance land or interests in land as provided in section 84.944;

53.1 (ii) for acceptance by the commissioner of gifts of land or interests in land as program
53.2 projects; or

53.3 (iii) to inventory and monitor lands acquired under this section;

53.4 (2) revenue from license plates depicting a loon, chickadee, or lady slipper must be used
53.5 in addition to appropriations from the nongame wildlife management account for the purposes
53.6 specified in section 290.431;

53.7 (3) revenue from license plates depicting anglers or fish must be used for aquatic
53.8 management area purposes under section 86A.05, subdivision 14, including acquisition,
53.9 development, and restoration;

53.10 (4) revenue from license plates depicting bees or other pollinators must be transferred
53.11 to the Board of Water and Soil Resources for grants or payments under section 103B.104;
53.12 and

53.13 (5) private contributions and other revenue must be used for the purposes under clause
53.14 (1), unless the donor specifies another purpose under this subdivision.

53.15 Sec. 10. **[84.9736] CORN PLANTING ON STATE LANDS.**

53.16 A person may not plant corn for commercial purposes on state land administered by the
53.17 commissioner of natural resources.

53.18 **EFFECTIVE DATE.** This section is effective January 1, 2026.

21.8 Sec. 3. **[84.9766] OUTDOOR SCHOOL FOR ALL MINNESOTA STUDENTS;**
21.9 **GRANT PROGRAM.**

21.10 Subdivision 1. **Establishment.** The commissioner of natural resources must establish
21.11 and administer a program to provide grants to learning centers eligible under subdivision
21.12 2 for outdoor education programs serving students in grades 4 to 8.

21.13 Subd. 2. **Eligibility.** (a) The commissioner may award grants under this section to
21.14 accredited overnight outdoor school providers established under section 84.0875.

21.15 (b) To be eligible for a grant under this section, the outdoor education program must:

21.16 (1) provide a multiday, residential educational experience that is comprised mainly of
21.17 outdoor-based learning activities;

21.18 (2) provide students with opportunities to directly experience and understand nature and
21.19 the natural world, including field study opportunities for student learning;

21.20 (3) use a research-based environmental, ecological, agricultural, or other
21.21 natural-resource-based educational curriculum;

21.22 (4) be integrated with local school curricula to help students meet academic standards;

21.23 (5) provide students with opportunities to develop:

21.24 (i) leadership;

21.25 (ii) critical thinking;

21.26 (iii) self-sufficiency;

21.27 (iv) decision-making skills; and

21.28 (v) social and emotional skills, including understanding the impact of nature and
21.29 movement on one's mental health; and

22.1 (6) address accessibility of outdoor educational opportunities for underserved students,
22.2 including students with disabilities.

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87.6 Sec. 18. Minnesota Statutes 2022, section 84B.061, is amended to read:

87.7 **84B.061 STATE JURISDICTION OVER RAINY LAKE AND OTHER**
87.8 **NAVIGABLE WATERS; DUTIES OF GOVERNOR, ATTORNEY GENERAL, AND**
87.9 **OTHER PUBLIC OFFICERS.**

87.10 As required by this chapter and the act of Congress authorizing Voyageurs National
87.11 Park, the state of Minnesota donated in excess of 35,000 acres of state and other publicly
87.12 owned land for the park, roughly one-fourth of the land area of the park, at a cost of over
87.13 \$5,000,000 to the state. More than 24,000 acres of this land was state trust fund land which

53.19 Sec. 11. **[86B.1065] COUNTY SHERIFF COSTS FOR UNSAFE ICE SEARCH AND**
53.20 **RESCUE.**

53.21 A county sheriff may be reimbursed for all costs that are over and above the county
53.22 sheriff's regular operating budget and that are incurred from search and rescue operations
53.23 due to recreational activities on unsafe ice. Reimbursement may include reimbursements
53.24 made by the commissioner of natural resources with available appropriations, reimbursements
53.25 under section 86B.106, or other available federal, state, and local funds.

87.14 the state condemned before making its donation. Pursuant to section 84B.06, lands donated
87.15 by the state, along with other lands acquired by the National Park Service for the park, were
87.16 made subject to concurrent jurisdiction by the state and the United States under section
87.17 1.041. In making these donations, none of the navigable waters within the park and the
87.18 lands under them have been donated to the United States. These navigable waters include
87.19 the following: Rainy, Kabetogama, Namakan, Sand Point, and Crane Lakes. Pursuant to
87.20 applicable federal and state law, navigable waters and their beds are owned by the state.
87.21 Ownership of and jurisdiction over these waters, frozen waters, and their beds has not been
87.22 ceded by the state, either expressly or implicitly, to the United States. Unlike section 1.044
87.23 relating to the Upper Mississippi Wildlife and Fish Refuge, where the state expressly granted
87.24 its consent and jurisdiction to the United States to acquire interests in water, as well as land,
87.25 the consent granted by the state in section 84B.06 to acquisitions by the United States for
87.26 Voyageurs National Park is limited to land, only. In the discharge of their official duties,
87.27 the governor, attorney general, other constitutional officers, and other public officials, such
87.28 as the commissioner of natural resources, shall vigorously assert and defend, in all forums,
87.29 the state's ownership of and jurisdiction over these waters and their beds and related natural
87.30 resources, together with associated rights of the state and its citizens arising from the state's
87.31 ownership and jurisdiction. In discharging their duties, the governor, attorney general, other
87.32 constitutional officers, and other public officials shall, additionally, be especially cognizant
87.33 of the free rights of travel afforded to citizens of Minnesota and others under the
87.34 Webster-Ashburton Treaty (proclaimed November 10, 1842) and the Root-Bryce Treaty
88.1 (proclaimed May 13, 1910) on international and associated boundary waters. Also, in
88.2 furtherance of duties under this section, the commissioner of natural resources shall continue
88.3 in effect the commercial removal of native rough fish, as defined in section 97A.015,
88.4 subdivision 43, from these waters, together with any rights to do so possessed by any person
88.5 on January 1, 1995, so long as the commissioner determines that such taking is desirable
88.6 to the management of the native fishery.

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22.3 Sec. 4. **[86B.1065] COUNTY SHERIFF COSTS FOR UNSAFE ICE SEARCH AND**
22.4 **RESCUE.**

22.5 (a) A county sheriff may be reimbursed for all costs that are over and above the county
22.6 sheriff's regular operating budget and that are incurred from search and rescue operations
22.7 due to recreational activities on unsafe ice. Reimbursement may include reimbursements
22.8 made by the commissioner of natural resources with available appropriations, reimbursements
22.9 under section 86B.106, or other available federal, state, and local funds. Reimbursement
22.10 under this section is limited to 50 percent of the reimbursable costs subject to a maximum
22.11 state payment of \$5,000 per agency for each search and rescue operation.

22.12 (b) Nothing in this section is to be construed to make the state or a political subdivision
22.13 liable in a contribution claim by a person liable for reimbursement under section 86B.106.

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53.26 Sec. 12. Minnesota Statutes 2022, section 88.82, is amended to read:

53.27 **88.82 MINNESOTA RELEAF PROGRAM.**

53.28 (a) The Minnesota releaf program is established in the Department of Natural Resources
53.29 to encourage, promote, and fund the inventory, planting, assessment, maintenance,
53.30 improvement, protection, utilization, and restoration of trees and forest resources in this
54.1 state to enhance community forest ecosystem health and sustainability as well as to reduce
54.2 atmospheric carbon dioxide levels and promote energy conservation.

54.3 (b) Priority for grants awarded under this section must be given to projects located in
54.4 whole or in part in:

54.5 (1) a census tract where, based on the most recent decennial census data published by
54.6 the United States Census Bureau:

54.7 (i) 40 percent or more of the population is nonwhite;

54.8 (ii) 35 percent or more of the households have an income at or below 200 percent of the
54.9 federal poverty level; or

54.10 (iii) 40 percent or more of the population over the age of five has limited English
54.11 proficiency; or

54.12 (2) Indian Country as defined in United States Code, title 18, section 1151.

54.13 Sec. 13. Minnesota Statutes 2022, section 89.36, subdivision 1, is amended to read:

54.14 Subdivision 1. **Production at state nurseries.** The commissioner of natural resources
54.15 may produce tree planting stock for the purposes of sections 89.35 to 89.39 upon any lands
54.16 under control of the commissioner which may be deemed suitable and available therefor so
54.17 far as not inconsistent with other uses to which such lands may be dedicated by law. ~~The~~
54.18 ~~commissioner may not produce more than 10,000,000 units of planting stock annually, after~~
54.19 ~~January 1, 2003.~~

54.20 Sec. 14. Minnesota Statutes 2022, section 89.37, subdivision 3, is amended to read:

54.21 Subd. 3. **Private lands.** The commissioner may supply ~~only bare-root~~ seedlings, woody
54.22 cuttings, and transplant material for use on private land, provided that such material must
54.23 be sold in lots of not less than 250 for a sum determined by the commissioner to be equivalent
54.24 to the cost of the materials and the expenses of their distribution. The commissioner may
54.25 not directly or indirectly supply any other planting stock for use on private lands.

54.26 Sec. 15. Minnesota Statutes 2022, section 93.0015, subdivision 3, is amended to read:

54.27 Subd. 3. **Expiration.** The committee expires June 30, ~~2026~~ 2031.

88.7 Sec. 19. Minnesota Statutes 2022, section 88.82, is amended to read:

88.8 **88.82 MINNESOTA RELEAF PROGRAM.**

88.9 The Minnesota releaf program is established in the Department of Natural Resources to
88.10 encourage, promote, and fund the inventory, planting, assessment, maintenance,
88.11 improvement, protection, utilization, and restoration of trees and forest resources in this
88.12 state to enhance community forest ecosystem health and sustainability as well as to reduce
88.13 atmospheric carbon dioxide levels and promote energy conservation.

88.14 Sec. 20. Minnesota Statutes 2022, section 89.36, subdivision 1, is amended to read:

88.15 Subdivision 1. **Production at state nurseries.** The commissioner of natural resources
88.16 may produce tree planting stock for the purposes of sections 89.35 to 89.39 upon any lands
88.17 under control of the commissioner which may be deemed suitable and available therefor so
88.18 far as not inconsistent with other uses to which such lands may be dedicated by law. ~~The~~
88.19 ~~commissioner may not produce more than 10,000,000 units of planting stock annually, after~~
88.20 ~~January 1, 2003.~~

88.21 Sec. 21. Minnesota Statutes 2022, section 89.37, subdivision 3, is amended to read:

88.22 Subd. 3. **Private lands.** The commissioner may supply ~~only bare-root~~ seedlings, woody
88.23 cuttings, and transplant material for use on private land, provided that such material must
88.24 be sold in lots of not less than 250 for a sum determined by the commissioner to be equivalent
88.25 to the cost of the materials and the expenses of their distribution. The commissioner may
88.26 not directly or indirectly supply any other planting stock for use on private lands.

88.27 Sec. 22. Minnesota Statutes 2022, section 93.0015, subdivision 3, is amended to read:

88.28 Subd. 3. **Expiration.** The committee expires June 30, ~~2026~~ 2036.

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55.1 Sec. 16. Minnesota Statutes 2022, section 93.25, subdivision 1, is amended to read:

55.2 Subdivision 1. **Leases.** The commissioner may issue leases to prospect for, mine, and

55.3 remove or extract gas, oil, and minerals other than iron ore ~~upon~~ from any lands owned by

55.4 the state, including trust fund lands, lands forfeited for nonpayment of taxes whether held

55.5 in trust or otherwise, and lands otherwise acquired, and the beds of any waters belonging

55.6 to the state. For purposes of this section, iron ore means iron-bearing material where the

55.7 primary product is iron metal. For purposes of this section, "gas" includes both hydrocarbon

55.8 and nonhydrocarbon gases.

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

55.10 Sec. 17. Minnesota Statutes 2022, section 93.25, subdivision 2, is amended to read:

55.11 Subd. 2. **Lease requirements.** All leases for nonferrous metallic minerals ~~or petroleum,~~

55.12 gas, or oil must be approved by the Executive Council, and any other mineral lease issued

55.13 pursuant to this section that covers 160 or more acres must be approved by the Executive

55.14 Council. The rents, royalties, terms, conditions, and covenants of all such leases ~~shall~~ must

55.15 be fixed by the commissioner according to rules adopted by the commissioner, but no lease

55.16 shall be for a longer term than 50 years, and all rents, royalties, terms, conditions, and

55.17 covenants ~~shall~~ must be fully set forth in each lease issued. No nonferrous metallic mineral

55.18 lease shall be canceled by the state for failure to meet production requirements prior to the

55.19 36th year of the lease. The rents and royalties ~~shall~~ must be credited to the funds as provided

55.20 in section 93.22. For purposes of this section, "gas" includes both hydrocarbon and

55.21 nonhydrocarbon gases.

22.14 Sec. 5. Minnesota Statutes 2022, section 93.222, is amended to read:

22.15 **93.222 TACONITE IRON ORE SPECIAL ADVANCE ROYALTY ACCOUNT.**

22.16 The taconite iron ore special advance royalty account is created as an account in the

22.17 state treasury for disposal of certain mineral lease money received under negotiated state

22.18 iron ore or taconite iron ore mining leases and under the terms of extension agreements

22.19 adopted under section 93.193, relating to state iron ore or taconite iron ore mining leases.

22.20 The principal of the account is distributed under the terms of the negotiated leases or

22.21 extension agreements to the account or entity entitled by applicable law and lease terms to

22.22 receive the income from the class of land being leased. Interest accruing from investment

22.23 of the account remains with the account until distributed as provided in this section. The

22.24 interest accrued through June 30 under each extension agreement is distributed annually,

22.25 as soon as possible after June 30, to the account or entity entitled by applicable law and

22.26 lease terms to receive the income from the class of land being leased in the same proportion

22.27 that the total acres included in a particular class of land bears to the total acreage of the

22.28 leased land covered by each extension agreement. Money in the taconite iron ore special

22.29 advance royalty account is appropriated for distribution as provided in this section.

22.30 Sec. 6. Minnesota Statutes 2022, section 93.25, subdivision 1, is amended to read:

22.31 Subdivision 1. **Leases.** The commissioner may issue leases to prospect for, mine, and

22.32 remove or extract gas, oil, and minerals other than iron ore ~~upon~~ from any lands owned by

23.1 the state, including trust fund lands, lands forfeited for nonpayment of taxes whether held

23.2 in trust or otherwise, and lands otherwise acquired, and the beds of any waters belonging

23.3 to the state. For purposes of this section, iron ore means iron-bearing material where the

23.4 primary product is iron metal. For purposes of this section, "gas" includes both hydrocarbon

23.5 and nonhydrocarbon gases.

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

23.7 Sec. 7. Minnesota Statutes 2022, section 93.25, subdivision 2, is amended to read:

23.8 Subd. 2. **Lease requirements.** All leases for nonferrous metallic minerals ~~or petroleum,~~

23.9 gas, or oil must be approved by the Executive Council, and any other mineral lease issued

23.10 pursuant to this section that covers 160 or more acres must be approved by the Executive

23.11 Council. The rents, royalties, terms, conditions, and covenants of all such leases ~~shall~~ must

23.12 be fixed by the commissioner according to rules adopted by the commissioner, but no lease

23.13 shall be for a longer term than 50 years, and all rents, royalties, terms, conditions, and

23.14 covenants ~~shall~~ must be fully set forth in each lease issued. No nonferrous metallic mineral

23.15 lease shall be canceled by the state for failure to meet production requirements prior to the

23.16 36th year of the lease. The rents and royalties ~~shall~~ must be credited to the funds as provided

23.17 in section 93.22. For purposes of this section, "gas" includes both hydrocarbon and

23.18 nonhydrocarbon gases.

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

55.23 Sec. 18. [93.513] PROHIBITION ON PRODUCTION OF GAS OR OIL WITHOUT

55.24 PERMIT.

55.25 Subdivision 1. Permit required. Except as provided in section 1031.681, a person must

55.26 not engage in or carry out production of gas or oil from consolidated or unconsolidated

55.27 formations in the state unless the person has first obtained a permit for the production of

55.28 gas or oil from the commissioner of natural resources. Any permit under this section must

55.29 be protective of natural resources and require a demonstration of control of the extraction

55.30 area through ownership, lease, or agreement. For purposes of this section, "gas" includes

55.31 both hydrocarbon and nonhydrocarbon gases. For purposes of this section, "production"

55.32 includes extraction and beneficiation of gas or oil.

56.1 Subd. 2. Moratorium. Until rules are adopted under section 93.514, a permit authority

56.2 may not grant a permit necessary for the production of gas or oil unless the permit authority

56.3 has been given legislative approval to issue the permit.

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

56.5 Sec. 19. [93.514] GAS AND OIL PRODUCTION RULEMAKING.

56.6 (a) The following agencies may adopt rules governing gas and oil exploration or

56.7 production, as applicable:

56.8 (1) the commissioner of the Pollution Control Agency may adopt or amend rules

56.9 regulating air emissions; water discharges, including stormwater management; and storage

56.10 tanks as they pertain to gas and oil production;

56.11 (2) the commissioner of health may adopt or amend rules on groundwater and surface

56.12 water protection, exploratory boring construction, drilling registration and licensure, and

56.13 inspections as they pertain to the exploration and appraisal of gas and oil resources;

56.14 (3) the Environmental Quality Board may adopt or amend rules to establish mandatory

56.15 categories for environmental review as they pertain to gas and oil production;

56.16 (4) the commissioner of natural resources must adopt or amend rules pertaining to the

56.17 conversion of an exploratory boring to a production well, pooling, spacing, unitization, well

56.18 abandonment, siting, financial assurance, and reclamation for the production of gas and oil;

56.19 and

56.20 (5) the commissioner of labor and industry may adopt or amend rules to protect workers

56.21 from exposure and other potential hazards from gas and oil production.

56.22 (b) An agency adopting rules under this section must publish the notice of intent to adopt

56.23 rules within 24 months of the effective date of this section. The 18-month time limit under

56.24 section 14.125 does not apply to rules adopted under this section.

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

23.20 Sec. 8. [93.513] PROHIBITION ON PRODUCTION OF GAS OR OIL WITHOUT

23.21 PERMIT.

23.22 Except as provided in section 1031.681, a person must not engage in or carry out

23.23 production of gas or oil from consolidated or unconsolidated formations in the state unless

23.24 the person has first obtained a permit for the production of gas or oil from the commissioner

23.25 of natural resources. Any permit under this section must be protective of natural resources

23.26 and require a demonstration of control of the extraction area through ownership, lease, or

23.27 agreement. For purposes of this section, "gas" includes both hydrocarbon and nonhydrocarbon

23.28 gases. For purposes of this section, "production" includes extraction and beneficiation of

23.29 gas or oil.

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

24.1 Sec. 9. [93.514] GAS AND OIL PRODUCTION RULEMAKING.

24.2 (a) The following agencies may adopt rules governing gas and oil exploration or

24.3 production, as applicable:

24.4 (1) the commissioner of the Pollution Control Agency may adopt or amend rules

24.5 regulating air emissions; water discharges, including stormwater management; and storage

24.6 tanks as it pertains to gas and oil production;

24.7 (2) the commissioner of health may adopt or amend rules on groundwater and surface

24.8 water protection, exploratory boring construction, drilling registration and licensure, and

24.9 inspections as it pertains to the exploration and appraisal of gas and oil resources;

24.10 (3) the Environmental Quality Board may adopt or amend rules to establish mandatory

24.11 categories for environmental review as it pertains to gas and oil production; and

24.12 (4) the commissioner of natural resources must adopt or amend rules pertaining to the

24.13 conversion of an exploratory boring to a production well, pooling, spacing, unitization, well

24.14 abandonment, siting, financial assurance, and reclamation for the production of gas and oil.

24.15 (b) An agency adopting rules under this section must use the expedited procedure in

24.16 section 14.389. Rules adopted or amended under this authority are exempt from the provisions

56.25 (c) For purposes of this section, "gas" includes both hydrocarbon and nonhydrocarbon
56.26 gases. "Production" includes extraction and beneficiation of gas or oil from consolidated
56.27 or unconsolidated formations in the state.

56.28 (d) Any grant of rulemaking authority in this section is in addition to existing rulemaking
56.29 authority and does not replace, impair, or interfere with any existing rulemaking authority.

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

57.1 Sec. 20. **[93.516] GAS AND OIL LEASING.**

57.2 Subdivision 1. **Authority to lease.** (a) With the approval of the Executive Council, the
57.3 commissioner of natural resources may enter into leases for gas or oil exploration and
57.4 production from lands belonging to the state or in which the state has an interest.

57.5 (b) For purposes of this section, "gas or oil exploration and production" includes the
57.6 exploration and production of both hydrocarbon and nonhydrocarbon gases, including noble
57.7 gases. "Noble gases" means a group of gases that includes helium, neon, argon, krypton,
57.8 xenon, radon, and oganesson. "Production" includes extraction and beneficiation of gas or
57.9 oil from consolidated or unconsolidated formations in the state.

57.10 Subd. 2. **Application.** An application for a lease under this section must be submitted
57.11 to the commissioner of natural resources. The commissioner must prescribe the information
57.12 to be included in the application. The applicant must submit with the application a certified
57.13 check, cashier's check, or bank money order payable to the Department of Natural Resources
57.14 in the sum of \$100 as a fee for filing the application. The application fee must not be refunded
57.15 under any circumstances. The right is reserved to the state to reject any or all applications
57.16 for an oil or gas lease.

57.17 Subd. 3. **Lease terms.** The commissioner must negotiate the terms of each lease entered
57.18 into under this section on a case-by-case basis, taking into account the unique geological
57.19 and environmental aspects of each proposal, control of adjacent lands, and the best interests
57.20 of the state. A lease entered into under this section must be consistent with the following:

57.21 (1) the primary term of the lease may not exceed five years plus the unexpired portion
57.22 of the calendar year in which the lease is issued. The commissioner and applicant may
57.23 negotiate the conditions by which the lease may be extended beyond the primary term, in
57.24 whole or in part;

24.17 of section 14.125. The agency must publish notice of intent to adopt expedited rules within
24.18 24 months of the effective date of this section.

24.19 (c) For purposes of this section, "gas" includes both hydrocarbon and nonhydrocarbon
24.20 gases. "Production" includes extraction and beneficiation of gas or oil from consolidated
24.21 or unconsolidated formations in the state.

24.22 (d) Any grant of rulemaking authority in this section is in addition to existing rulemaking
24.23 authority and does not replace, impair, or interfere with any existing rulemaking authority.

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

24.25 Sec. 10. **[93.516] GAS AND OIL LEASING.**

24.26 Subdivision 1. **Authority to lease.** With the approval of the Executive Council, the
24.27 commissioner of natural resources may enter into leases for gas or oil exploration and
24.28 production from lands belonging to the state or in which the state has an interest. For purposes
24.29 of this section, "gas or oil exploration and production" includes the exploration and
24.30 production of both hydrocarbon and nonhydrocarbon gases. "Production" includes extraction
24.31 and beneficiation of gas or oil from consolidated or unconsolidated formations in the state.

25.1 Subd. 2. **Application.** An application for a lease under this section must be submitted
25.2 to the commissioner of natural resources. The commissioner must prescribe the information
25.3 to be included in the application. The applicant must submit with the application a certified
25.4 check, cashier's check, or bank money order payable to the Department of Natural Resources
25.5 in the sum of \$100 as a fee for filing the application. The application fee must not be refunded
25.6 under any circumstances. The right is reserved to the state to reject any or all applications
25.7 for an oil or gas lease.

25.8 Subd. 3. **Lease terms.** (a) The commissioner must negotiate the terms of each lease
25.9 entered into under this section on a case-by-case basis, taking into account the unique
25.10 geological and environmental aspects of each proposal, control of adjacent lands, and the
25.11 best interests of the state. A lease entered into under this section must be consistent with
25.12 the following:

25.13 (1) the primary term of the lease may not exceed five years plus the unexpired portion
25.14 of the calendar year in which the lease is issued. The commissioner and applicant may
25.15 negotiate the conditions by which the lease may be extended beyond the primary term, in
25.16 whole or in part;

57.25 (2) a bonus consideration of not less than \$15 per acre must be paid by the applicant to
57.26 the Department of Natural Resources before the lease is executed;

57.27 (3) the commissioner of natural resources may require an applicant to provide financial
57.28 assurance to ensure payment of any damages resulting from the production of gas or oil;

57.29 (4) the rental rates must not be less than \$5 per acre per year for the unexpired portion
57.30 of the calendar year in which the lease is issued and in years thereafter; and

57.31 (5) on gas and oil produced and sold by the lessee from the lease area, the lessee must
57.32 pay a production royalty to the Department of Natural Resources of not less than 18.75
57.33 percent of the gross sales price of the product sold free on board at the delivery point, and
58.1 the royalty must be credited as provided in section 93.22. For purposes of this section, "gross
58.2 sales price" means the total consideration paid by the first purchaser that is not an affiliate
58.3 of the lessee for gas or oil produced from the leased premises.

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

58.5 Sec. 21. Minnesota Statutes 2022, section 97A.015, is amended by adding a subdivision
58.6 to read:

58.7 Subd. 47a. **Taxidermist.** "Taxidermist" means a person who engages in the business or
58.8 operation of preserving or mounting wild animals or parts thereof that do not belong to the
58.9 person.

58.10 Sec. 22. Minnesota Statutes 2022, section 97A.341, subdivision 1, is amended to read:

58.11 Subdivision 1. **Liability for restitution.** A person who kills, injures, or possesses a wild
58.12 animal in violation of the game and fish laws or section 343.21 is liable to the state for the
58.13 value of the wild animal as provided in this section. Species afforded protection include
58.14 members of the following groups as defined by statute or rule: game fish, game birds, big
58.15 game, small game, fur-bearing animals, minnows, and threatened and endangered animal
58.16 species. Other animal species may be added by rule of the commissioner as determined
58.17 after public meetings and notification of the chairs of the environment and natural resources
58.18 committees in the senate and house of representatives.

58.19 Sec. 23. Minnesota Statutes 2022, section 97A.341, subdivision 2, is amended to read:

58.20 Subd. 2. **Arrest and charging procedure.** (a) An enforcement officer who arrests a
58.21 person for killing, injuring, or possessing a wild animal in violation of the game and fish
58.22 laws or section 343.21 must describe the number, species, and restitution value of wild
58.23 animals illegally killed, injured, or possessed on the warrant or the notice to appear in court.

58.24 (b) As part of the charge against a person arrested for killing, injuring, or possessing a
58.25 wild animal in violation of the game and fish laws or section 343.21, the prosecuting attorney
58.26 must include a demand that restitution be made to the state for the value of the wild animal

25.17 (2) a bonus consideration of not less than \$15 per acre must be paid by the applicant to
25.18 the Department of Natural Resources before the lease is executed;

25.19 (3) the commissioner of natural resources may require an applicant to provide financial
25.20 assurance to ensure payment of any damages resulting from the production of gas or oil;

25.21 (4) the rental rates must not be less than \$5 per acre per year for the unexpired portion
25.22 of the calendar year in which the lease is issued and in years thereafter; and

25.23 (5) on gas and oil produced and sold by the lessee from the lease area, the lessee must
25.24 pay a production royalty to the Department of Natural Resources of not less than 18.75
25.25 percent of the gross sales price of the product sold free on board at the delivery point, and
25.26 the royalty must be credited as provided in section 93.22. For purposes of this section, "gross
25.27 sales price" means the total consideration paid by the first purchaser that is not an affiliate
25.28 of the lessee for gas or oil produced from the leased premises.

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

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89.21 Sec. 26. Minnesota Statutes 2022, section 97A.015, is amended by adding a subdivision
89.22 to read:

89.23 Subd. 47a. **Taxidermist.** "Taxidermist" means a person who engages in the business or
89.24 operation of preserving or mounting wild animals or parts thereof that do not belong to the
89.25 person.

92.12 Sec. 29. Minnesota Statutes 2022, section 97A.341, subdivision 1, is amended to read:

92.13 Subdivision 1. **Liability for restitution.** A person who kills, injures, or possesses a wild
92.14 animal in violation of the game and fish laws or section 343.21 is liable to the state for the
92.15 value of the wild animal as provided in this section. Species afforded protection include
92.16 members of the following groups as defined by statute or rule: game fish, native rough fish,
92.17 game birds, big game, small game, fur-bearing animals, minnows, and threatened and
92.18 endangered animal species. Other animal species may be added by rule of the commissioner
92.19 as determined after public meetings and notification of the chairs of the environment and
92.20 natural resources committees in the senate and house of representatives.

92.21 Sec. 30. Minnesota Statutes 2022, section 97A.341, subdivision 2, is amended to read:

92.22 Subd. 2. **Arrest and charging procedure.** (a) An enforcement officer who arrests a
92.23 person for killing, injuring, or possessing a wild animal in violation of the game and fish
92.24 laws or section 343.21 must describe the number, species, and restitution value of wild
92.25 animals illegally killed, injured, or possessed on the warrant or the notice to appear in court.

92.26 (b) As part of the charge against a person arrested for killing, injuring, or possessing a
92.27 wild animal in violation of the game and fish laws or section 343.21, the prosecuting attorney
92.28 must include a demand that restitution be made to the state for the value of the wild animal

58.27 killed, injured, or possessed. The demand for restitution is in addition to the criminal penalties
58.28 otherwise provided for the violation.

58.29 Sec. 24. Minnesota Statutes 2022, section 97A.341, subdivision 3, is amended to read:

58.30 Subd. 3. **Sentencing procedure.** If a person is convicted of or pleads guilty to killing,
58.31 injuring, or possessing a wild animal in violation of the game and fish laws or section 343.21,
59.1 the court must require the person to pay restitution to the state for replacement of the wild
59.2 animal as part of the sentence or state in writing why restitution was not imposed. The court
59.3 may consider the economic circumstances of the person and, in lieu of monetary restitution,
59.4 order the person to perform conservation work representing the amount of restitution that
59.5 will aid the propagation of wild animals. If the court does not order a person to pay restitution,
59.6 the court administrator must send a copy of the court order to the commissioner.

59.7 Sec. 25. Minnesota Statutes 2022, section 97A.345, is amended to read:

59.8 **97A.345 RESTITUTION VALUE OF WILD ANIMALS.**

59.9 (a) The commissioner may, by rules adopted under chapter 14, prescribe the dollar value
59.10 to the state of species of wild animals. The value may reflect the value to other persons to
59.11 legally take the wild animal, the replacement cost, or the intrinsic value to the state of the
59.12 wild animals. Species of wild animals with similar values may be grouped together.

59.13 (b) The value of a wild animal under the rules adopted by the commissioner is prima
59.14 facie evidence of a wild animal's value under section 97A.341.

59.15 (c) The commissioner shall report annually to the legislature the amount of restitution
59.16 collected under section 97A.341 and the manner in which the funds were expended.

59.17 (d) When a person kills, injures, or possesses a wild animal in violation of section 343.21,
59.18 the restitution value prescribed by the commissioner under paragraph (a) is doubled.

59.19 Sec. 26. Minnesota Statutes 2022, section 97A.425, is amended by adding a subdivision
59.20 to read:

59.21 Subd. 3a. **Waste disposal.** (a) Licensed taxidermists must dispose of all cervid carcasses
59.22 or cervid parts not returned to the patron, all biosolids resulting from cleaning cervid skulls,
59.23 and all carrion beetles and beetle waste used to clean cervid skulls. All disposals must be
59.24 to a disposal facility or transfer station that is permitted to accept it, and proof of the disposal
59.25 must be retained for inspection.

59.26 (b) The following cervid parts are exempt from the disposal requirement:

59.27 (1) cervid hides from which all excess tissue has been removed;

59.28 (2) if free of brain and muscle tissues, whole or portions of skulls, antlers, or teeth; and

59.29 (3) finished taxidermy mounts.

92.29 killed, injured, or possessed. The demand for restitution is in addition to the criminal penalties
92.30 otherwise provided for the violation.

93.1 Sec. 31. Minnesota Statutes 2022, section 97A.341, subdivision 3, is amended to read:

93.2 Subd. 3. **Sentencing procedure.** If a person is convicted of or pleads guilty to killing,
93.3 injuring, or possessing a wild animal in violation of the game and fish laws or section 343.21,
93.4 the court must require the person to pay restitution to the state for replacement of the wild
93.5 animal as part of the sentence or state in writing why restitution was not imposed. The court
93.6 may consider the economic circumstances of the person and, in lieu of monetary restitution,
93.7 order the person to perform conservation work representing the amount of restitution that
93.8 will aid the propagation of wild animals. If the court does not order a person to pay restitution,
93.9 the court administrator must send a copy of the court order to the commissioner.

93.10 Sec. 32. Minnesota Statutes 2022, section 97A.345, is amended to read:

93.11 **97A.345 RESTITUTION VALUE OF WILD ANIMALS.**

93.12 (a) The commissioner may, by rules adopted under chapter 14, prescribe the dollar value
93.13 to the state of species of wild animals. The value may reflect the value to other persons to
93.14 legally take the wild animal, the replacement cost, or the intrinsic value to the state of the
93.15 wild animals. Species of wild animals with similar values may be grouped together.

93.16 (b) The value of a wild animal under the rules adopted by the commissioner is prima
93.17 facie evidence of a wild animal's value under section 97A.341.

93.18 (c) The commissioner shall report annually to the legislature the amount of restitution
93.19 collected under section 97A.341 and the manner in which the funds were expended.

93.20 (d) When a person kills, injures, or possesses a wild animal in violation of section 343.21,
93.21 the restitution value prescribed by the commissioner under paragraph (a) is doubled.

95.10 Sec. 35. Minnesota Statutes 2022, section 97A.425, is amended by adding a subdivision
95.11 to read:

95.12 Subd. 3a. **Waste disposal.** (a) Licensed taxidermists must dispose of all cervid carcasses
95.13 or cervid parts not returned to the patron, all biosolids resulting from cleaning cervid skulls,
95.14 and all carrion beetles and beetle waste used to clean cervid skulls. All disposals must be
95.15 to a disposal facility or transfer station that is permitted to accept it, and proof of the disposal
95.16 must be retained for inspection.

95.17 (b) The following cervid parts are exempt from the disposal requirement:

95.18 (1) cervid hides from which all excess tissue has been removed;

95.19 (2) if free of brain and muscle tissues, whole or portions of skulls, antlers, or teeth; and

95.20 (3) finished taxidermy mounts.

60.1 Sec. 27. Minnesota Statutes 2022, section 97A.425, subdivision 4, is amended to read:

60.2 Subd. 4. **Rules.** The commissioner may adopt rules, not inconsistent with subdivisions
60.3 1 to ~~3~~ 3a, governing record keeping, reporting, and marking of specimens by taxidermists.

60.4 Sec. 28. Minnesota Statutes 2022, section 97A.475, subdivision 2, is amended to read:

60.5 Subd. 2. **Resident hunting.** Fees for the following licenses, to be issued to residents
60.6 only, are:

60.7 (1) for persons age 18 or over and under age 65 to take small game, \$15.50;

60.8 (2) for persons age 65 or over, \$7 to take small game;

60.9 (3) for persons age 18 or over to take turkey, \$26;

60.10 (4) for persons age 13 or over and under age 18 to take turkey, \$5;

60.11 (5) for persons age 18 or over to take deer with firearms during the regular firearms
60.12 season, \$34;

60.13 (6) for persons age 18 or over to take deer by archery, \$34;

60.14 (7) for persons age 18 or over to take deer by muzzleloader during the muzzleloader
60.15 season, \$34;

60.16 (8) to take moose, for a party of not more than six persons, \$356;

60.17 (9) for persons age 18 or over to take bear, \$44;

60.18 (10) to take elk, for a party of not more than two persons, \$287;

60.19 ~~(11) to take Canada geese during a special season, \$4;~~

60.20 ~~(12)~~ (11) to take light geese during the light goose conservation order, \$2.50;

60.21 ~~(13)~~ (12) to take sandhill crane during the sandhill crane season, \$3;

60.22 ~~(14)~~ (13) to take prairie chickens, \$23;

60.23 ~~(15)~~ (14) for persons age 13 or over and under age 18 to take deer with firearms during
60.24 the regular firearms season, \$5;

60.25 ~~(16)~~ (15) for persons age 13 or over and under age 18 to take deer by archery, \$5;

60.26 ~~(17)~~ (16) for persons age 13 or over and under age 18 to take deer by muzzleloader
60.27 during the muzzleloader season, \$5;

60.28 ~~(18)~~ (17) for persons age 10, 11, or 12 to take bear, no fee;

61.1 ~~(19)~~ (18) for persons age 13 or over and under age 18 to take bear, \$5;

95.21 Sec. 36. Minnesota Statutes 2022, section 97A.425, subdivision 4, is amended to read:

95.22 Subd. 4. **Rules.** The commissioner may adopt rules, not inconsistent with subdivisions
95.23 1 to ~~3~~ 3a, governing record keeping, reporting, and marking of specimens by taxidermists.

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26.3 Sec. 12. Minnesota Statutes 2022, section 97A.475, subdivision 2, is amended to read:

26.4 Subd. 2. **Resident hunting.** Fees for the following licenses, to be issued to residents
26.5 only, are:

26.6 (1) for persons age 18 or over and under age 65 to take small game, \$15.50;

26.7 (2) for persons age 65 or over, \$7 to take small game;

26.8 (3) for persons age 18 or over to take turkey, \$26;

26.9 (4) for persons age 13 or over and under age 18 to take turkey, \$5;

26.10 (5) for persons age 18 or over to take deer with firearms during the regular firearms
26.11 season, \$34;

26.12 (6) for persons age 18 or over to take deer by archery, \$34;

26.13 (7) for persons age 18 or over to take deer by muzzleloader during the muzzleloader
26.14 season, \$34;

26.15 (8) to take moose, for a party of not more than six persons, \$356;

26.16 (9) for persons age 18 or over to take bear, \$44;

26.17 (10) to take elk, for a party of not more than two persons, \$287;

26.18 ~~(11) to take Canada geese during a special season, \$4;~~

26.19 ~~(12)~~ (11) to take light geese during the light goose conservation order, \$2.50;

26.20 ~~(13)~~ (12) to take sandhill crane during the sandhill crane season, \$3;

26.21 ~~(14)~~ (13) to take prairie chickens, \$23;

26.22 ~~(15)~~ (14) for persons age 13 or over and under age 18 to take deer with firearms during
26.23 the regular firearms season, \$5;

26.24 ~~(16)~~ (15) for persons age 13 or over and under age 18 to take deer by archery, \$5;

26.25 ~~(17)~~ (16) for persons age 13 or over and under age 18 to take deer by muzzleloader
26.26 during the muzzleloader season, \$5;

26.27 ~~(18)~~ (17) for persons age 10, 11, or 12 to take bear, no fee;

26.28 ~~(19)~~ (18) for persons age 13 or over and under age 18 to take bear, \$5;

61.2 ~~(20)~~ (19) for persons age 18 or over to take small game for a consecutive 72-hour period
61.3 selected by the licensee, \$19, of which an amount equal to one-half of the fee for the
61.4 migratory-waterfowl stamp under subdivision 5, clause (1), shall be deposited in the
61.5 waterfowl habitat improvement account under section 97A.075, subdivision 2; one-half of
61.6 the fee for the pheasant stamp under subdivision 5, clause (2), shall be deposited in the
61.7 pheasant habitat improvement account under section 97A.075, subdivision 4; and one-half
61.8 of the small-game surcharge under subdivision 4, shall be deposited in the wildlife acquisition
61.9 account;

61.10 ~~(21)~~ (20) for persons age 16 or over and under age 18 to take small game, \$5;

61.11 ~~(22)~~ (21) to take wolf, \$30;

61.12 ~~(23)~~ (22) for persons age 12 and under to take turkey, no fee;

61.13 ~~(24)~~ (23) for persons age 10, 11, or 12 to take deer by firearm, no fee;

61.14 ~~(25)~~ (24) for persons age 10, 11, or 12 to take deer by archery, no fee; and

61.15 ~~(26)~~ (25) for persons age 10, 11, or 12 to take deer by muzzleloader during the
61.16 muzzleloader season, no fee.

61.17 Sec. 29. Minnesota Statutes 2022, section 97A.475, subdivision 3, is amended to read:

61.18 Subd. 3. **Nonresident hunting.** (a) Fees for the following licenses, to be issued to
61.19 nonresidents, are:

61.20 (1) for persons age 18 or over to take small game, \$90.50;

61.21 (2) for persons age 18 or over to take deer with firearms during the regular firearms
61.22 season, \$180;

61.23 (3) for persons age 18 or over to take deer by archery, \$180;

61.24 (4) for persons age 18 or over to take deer by muzzleloader during the muzzleloader
61.25 season, \$180;

61.26 (5) for persons age 18 or over to take bear, \$225;

61.27 (6) for persons age 18 or over to take turkey, \$91;

61.28 (7) for persons age 13 or over and under age 18 to take turkey, \$5;

61.29 (8) to take raccoon or bobcat, \$178;

61.30 ~~(9) to take Canada geese during a special season, \$4;~~

62.1 ~~(10)~~ (9) to take light geese during the light goose conservation order, \$2.50;

62.2 ~~(11)~~ (10) to take sandhill crane during the sandhill crane season, \$3;

27.1 ~~(20)~~ (19) for persons age 18 or over to take small game for a consecutive 72-hour period
27.2 selected by the licensee, \$19, of which an amount equal to one-half of the fee for the
27.3 migratory-waterfowl stamp under subdivision 5, clause (1), shall be deposited in the
27.4 waterfowl habitat improvement account under section 97A.075, subdivision 2; one-half of
27.5 the fee for the pheasant stamp under subdivision 5, clause (2), shall be deposited in the
27.6 pheasant habitat improvement account under section 97A.075, subdivision 4; and one-half
27.7 of the small-game surcharge under subdivision 4, shall be deposited in the wildlife acquisition
27.8 account;

27.9 ~~(21)~~ (20) for persons age 16 or over and under age 18 to take small game, \$5;

27.10 ~~(22)~~ (21) to take wolf, \$30;

27.11 ~~(23)~~ (22) for persons age 12 and under to take turkey, no fee;

27.12 ~~(24)~~ (23) for persons age 10, 11, or 12 to take deer by firearm, no fee;

27.13 ~~(25)~~ (24) for persons age 10, 11, or 12 to take deer by archery, no fee; and

27.14 ~~(26)~~ (25) for persons age 10, 11, or 12 to take deer by muzzleloader during the
27.15 muzzleloader season, no fee.

27.16 Sec. 13. Minnesota Statutes 2022, section 97A.475, subdivision 3, is amended to read:

27.17 Subd. 3. **Nonresident hunting.** (a) Fees for the following licenses, to be issued to
27.18 nonresidents, are:

27.19 (1) for persons age 18 or over to take small game, \$90.50;

27.20 (2) for persons age 18 or over to take deer with firearms during the regular firearms
27.21 season, \$180;

27.22 (3) for persons age 18 or over to take deer by archery, \$180;

27.23 (4) for persons age 18 or over to take deer by muzzleloader during the muzzleloader
27.24 season, \$180;

27.25 (5) for persons age 18 or over to take bear, \$225;

27.26 (6) for persons age 18 or over to take turkey, \$91;

27.27 (7) for persons age 13 or over and under age 18 to take turkey, \$5;

27.28 (8) to take raccoon or bobcat, \$178;

27.29 ~~(9) to take Canada geese during a special season, \$4;~~

27.30 ~~(10)~~ (9) to take light geese during the light goose conservation order, \$2.50;

28.1 ~~(11)~~ (10) to take sandhill crane during the sandhill crane season, \$3;

62.3 ~~(12)~~ (11) for persons age 13 or over and under age 18 to take deer with firearms during
62.4 the regular firearms season in any open season option or time period, \$5;
62.5 ~~(13)~~ (12) for persons age 13 or over and under age 18 to take deer by archery, \$5;
62.6 ~~(14)~~ (13) for persons age 13 or over and under age 18 to take deer during the muzzleloader
62.7 season, \$5;
62.8 ~~(15)~~ (14) for persons age 13 or over and under 18 to take bear, \$5;
62.9 ~~(16)~~ (15) for persons age 18 or over to take small game for a consecutive 72-hour period
62.10 selected by the licensee, \$75, of which an amount equal to one-half of the fee for the
62.11 migratory-waterfowl stamp under subdivision 5, clause (1), shall be deposited in the
62.12 waterfowl habitat improvement account under section 97A.075, subdivision 2; one-half of
62.13 the fee for the pheasant stamp under subdivision 5, clause (2), shall be deposited in the
62.14 pheasant habitat improvement account under section 97A.075, subdivision 4; and one-half
62.15 of the small-game surcharge under subdivision 4, shall be deposited into the wildlife
62.16 acquisition account;
62.17 ~~(17)~~ (16) for persons age 16 or 17 to take small game, \$5;
62.18 ~~(18)~~ (17) to take wolf, \$250;
62.19 ~~(19)~~ (18) for persons age 12 and under to take turkey, no fee;
62.20 ~~(20)~~ (19) for persons age 10, 11, or 12 to take deer by firearm, no fee;
62.21 ~~(21)~~ (20) for persons age 10, 11, or 12 to take deer by archery, no fee;
62.22 ~~(22)~~ (21) for persons age 10, 11, or 12 to take deer by muzzleloader during the
62.23 muzzleloader season, no fee; and
62.24 ~~(23)~~ (22) for persons age 10, 11, or 12 to take bear, no fee.
62.25 (b) A \$5 surcharge shall be added to nonresident hunting licenses issued under paragraph
62.26 (a), clauses (1) to (6) and (8). An additional commission may not be assessed on this
62.27 surcharge.

62.28 Sec. 30. Minnesota Statutes 2022, section 97A.505, subdivision 8, is amended to read:
62.29 Subd. 8. **Importing Cervidae carcasses.** (a) Importing Cervidae carcasses procured by
62.30 any means into Minnesota is prohibited except for:
63.1 (1) cut and wrapped meat;
63.2 (2) quarters or other portions of meat with no part of the spinal column or head attached;
63.3 (3) antlers, hides, or teeth, ~~finished taxidermy mounts, and;~~

28.2 ~~(12)~~ (11) for persons age 13 or over and under age 18 to take deer with firearms during
28.3 the regular firearms season in any open season option or time period, \$5;
28.4 ~~(13)~~ (12) for persons age 13 or over and under age 18 to take deer by archery, \$5;
28.5 ~~(14)~~ (13) for persons age 13 or over and under age 18 to take deer during the muzzleloader
28.6 season, \$5;
28.7 ~~(15)~~ (14) for persons age 13 or over and under 18 to take bear, \$5;
28.8 ~~(16)~~ (15) for persons age 18 or over to take small game for a consecutive 72-hour period
28.9 selected by the licensee, \$75, of which an amount equal to one-half of the fee for the
28.10 migratory-waterfowl stamp under subdivision 5, clause (1), shall be deposited in the
28.11 waterfowl habitat improvement account under section 97A.075, subdivision 2; one-half of
28.12 the fee for the pheasant stamp under subdivision 5, clause (2), shall be deposited in the
28.13 pheasant habitat improvement account under section 97A.075, subdivision 4; and one-half
28.14 of the small-game surcharge under subdivision 4, shall be deposited into the wildlife
28.15 acquisition account;
28.16 ~~(17)~~ (16) for persons age 16 or 17 to take small game, \$5;
28.17 ~~(18)~~ (17) to take wolf, \$250;
28.18 ~~(19)~~ (18) for persons age 12 and under to take turkey, no fee;
28.19 ~~(20)~~ (19) for persons age 10, 11, or 12 to take deer by firearm, no fee;
28.20 ~~(21)~~ (20) for persons age 10, 11, or 12 to take deer by archery, no fee;
28.21 ~~(22)~~ (21) for persons age 10, 11, or 12 to take deer by muzzleloader during the
28.22 muzzleloader season, no fee; and
28.23 ~~(23)~~ (22) for persons age 10, 11, or 12 to take bear, no fee.
28.24 (b) A \$5 surcharge shall be added to nonresident hunting licenses issued under paragraph
28.25 (a), clauses (1) to (6) and (8). An additional commission may not be assessed on this
28.26 surcharge.

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95.27 Sec. 38. Minnesota Statutes 2022, section 97A.505, subdivision 8, is amended to read:
95.28 Subd. 8. **Importing Cervidae carcasses.** (a) Importing Cervidae carcasses procured by
95.29 any means into Minnesota is prohibited except for:
96.1 (1) cut and wrapped meat;
96.2 (2) quarters or other portions of meat with no part of the spinal column or head attached;
96.3 (3) antlers, hides, or teeth, ~~finished taxidermy mounts, and;~~

63.4 (4) if cleaned of all brain tissue, antlers attached to skull caps ~~that are cleaned of all brain~~
63.5 ~~tissue~~, or whole skulls; and

63.6 (5) finished taxidermy mounts.

63.7 (b) Cervidae carcasses originating from outside Minnesota may be transported on a
63.8 direct route through the state by nonresidents.

63.9 (c) Heads from cervids with or without the cape and neck attached that originate from
63.10 outside Minnesota may be transported into Minnesota only if they are delivered to a licensed
63.11 taxidermist within 48 hours of entering Minnesota.

63.12 Sec. 31. Minnesota Statutes 2022, section 97A.512, is amended to read:

63.13 **97A.512 SALE OF INEDIBLE PORTIONS OF BIG GAME ANIMALS,**
63.14 **FUR-BEARING ANIMALS, FISH, AND GAME BIRDS OTHER THAN**
63.15 **MIGRATORY WATERFOWL.**

63.16 (a) Except as otherwise provided by the game and fish laws and as restricted in this
63.17 section, a person may possess, transport, buy, or sell the following inedible portions of
63.18 lawfully taken or acquired big game animals, fur-bearing animals, fish, and game birds
63.19 other than migratory waterfowl: bones, including skulls; sinews; adipose tissue, hides, and
63.20 skins; hooves; teeth; claws; and antlers.

63.21 (b) A person may not buy or sell bear paws, unless attached to the hide, or bear
63.22 gallbladders.

63.23 Sec. 32. Minnesota Statutes 2022, section 97B.001, is amended by adding a subdivision
63.24 to read:

63.25 Subd. 9. **Placing traps or snares on private land; permission required.** (a) A person
63.26 may not set or place a trap or snare on private property other than property owned or occupied
63.27 by the person, unless the person has the written or verbal permission of the owner, occupant,
63.28 or lessee of the private property.

63.29 (b) For the purposes of this subdivision, "private property" means:

63.30 (1) land that is occupied by an owner or tenant either seasonally or year-round; or

64.1 (2) private land that is ten acres or less and borders private land on at least two sides.

64.2 (c) This subdivision does not apply to:

64.3 (1) a state or federal agency, road authority, or local government unit, or their agent,
64.4 removing animals causing damage or otherwise being a nuisance;

64.5 (2) a parcel of private land that is more than 40 acres and used primarily for timber
64.6 production; or

96.4 (4) if cleaned of all brain tissue, antlers attached to skull caps ~~that are cleaned of all brain~~
96.5 ~~tissue~~, or whole skulls; and

96.6 (5) finished taxidermy mounts.

96.7 (b) Cervidae carcasses originating from outside Minnesota may be transported on a
96.8 direct route through the state by nonresidents.

96.9 (c) Heads from cervids with or without the cape and neck attached that originate from
96.10 outside Minnesota may be transported into Minnesota only if they are delivered to a licensed
96.11 taxidermist within 48 hours of entering Minnesota.

64.7 (3) private property located north of U.S. Highway 2.

64.8 Sec. 33. Minnesota Statutes 2022, section 97B.022, subdivision 2, is amended to read:

64.9 Subd. 2. **Requirements.** (a) A resident or nonresident born after December 31, 1979,
64.10 who is age 12 or over and who does not possess a hunter education firearms safety certificate
64.11 or a resident or nonresident born after December 31, 1989, who does not possess a trapper
64.12 education certificate may be issued an apprentice-hunter/trapper validation. An
64.13 apprentice-hunter/trapper validation may be purchased two license years in a lifetime and
64.14 used to obtain hunting or trapping licenses during the same license year that the validation
64.15 is purchased.

64.16 (b) An individual in possession of an apprentice-hunter/trapper validation may ~~hunt~~ take
64.17 small game, deer, and bear only when accompanied by an adult who has a valid license to
64.18 ~~hunt~~ take the same species of game in Minnesota and whose license was not obtained using
64.19 an apprentice-hunter validation.

64.20 (c) When an individual in possession of an apprentice-hunter/trapper validation is hunting
64.21 turkey or prairie chicken under paragraph (b), the accompanying adult may be licensed for
64.22 another permit area or time period but must be licensed for the same season as the apprentice
64.23 hunter. If the accompanying adult is not licensed for the same permit area or time period
64.24 as the apprentice hunter, the accompanying adult may not shoot or possess a firearm or bow
64.25 while accompanying the apprentice hunter under this paragraph.

64.26 (d) An apprentice-hunter/trapper-validation holder must obtain all required licenses and
64.27 stamps.

64.28 Sec. 34. Minnesota Statutes 2022, section 97B.022, subdivision 3, is amended to read:

64.29 Subd. 3. **Apprentice-hunter/trapper validation; fee.** The fee for an
64.30 apprentice-hunter/trapper validation is \$3.50. Fees collected must be deposited in the firearms
64.31 safety and trapper education training account, except for the electronic licensing system
65.1 commission established by the commissioner under section 84.027, subdivision 15, and
65.2 issuing fees collected under section 97A.485, subdivision 6, and are appropriated annually
65.3 to the Enforcement Division of the Department of Natural Resources for administering the
65.4 firearm safety course ~~program~~ and trapper education programs.

96.18 Sec. 40. Minnesota Statutes 2022, section 97B.022, subdivision 2, is amended to read:

96.19 Subd. 2. **Requirements.** (a) A resident or nonresident born after December 31, 1979,
96.20 who is age 12 or over and who does not possess a hunter education firearms safety certificate
96.21 or a resident or nonresident born after December 31, 1989, who does not possess a trapper
96.22 education certificate may be issued an apprentice-hunter/trapper validation. An
96.23 apprentice-hunter/trapper validation may be purchased two license years in a lifetime and
96.24 used to obtain hunting or trapping licenses during the same license year that the validation
96.25 is purchased.

96.26 (b) An individual in possession of an apprentice-hunter/trapper validation may ~~hunt~~ take
96.27 small game, deer, and bear only when accompanied by an adult who has a valid license to
96.28 ~~hunt~~ take the same species of game in Minnesota and whose license was not obtained using
96.29 an apprentice-hunter validation.

97.1 (c) When an individual in possession of an apprentice-hunter/trapper validation is hunting
97.2 turkey or prairie chicken under paragraph (b), the accompanying adult may be licensed for
97.3 another permit area or time period but must be licensed for the same season as the apprentice
97.4 hunter. If the accompanying adult is not licensed for the same permit area or time period
97.5 as the apprentice hunter, the accompanying adult may not shoot or possess a firearm or bow
97.6 while accompanying the apprentice hunter under this paragraph.

97.7 (d) An apprentice-hunter/trapper-validation holder must obtain all required licenses and
97.8 stamps.

97.9 Sec. 41. Minnesota Statutes 2022, section 97B.022, subdivision 3, is amended to read:

97.10 Subd. 3. **Apprentice-hunter/trapper validation; fee.** The fee for an
97.11 apprentice-hunter/trapper validation is \$3.50. Fees collected must be deposited in the firearms
97.12 safety and trapper education training account, except for the electronic licensing system
97.13 commission established by the commissioner under section 84.027, subdivision 15, and
97.14 issuing fees collected under section 97A.485, subdivision 6, and are appropriated annually
97.15 to the Enforcement Division of the Department of Natural Resources for administering the
97.16 firearm safety course ~~program~~ and trapper education programs.

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28.27 Sec. 14. Minnesota Statutes 2022, section 97B.031, is amended by adding a subdivision
28.28 to read:

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

65.5 Sec. 35. Minnesota Statutes 2023 Supplement, section 97B.071, is amended to read:

65.6 **97B.071 CLOTHING AND GROUND BLIND REQUIREMENTS; BLAZE**
65.7 **ORANGE OR BLAZE PINK.**

65.8 (a) Except as provided in rules adopted under paragraph (d), a person may not hunt or
65.9 trap during the open season where deer may be taken by firearms under applicable laws and
65.10 ordinances, unless the visible portion of the person's cap and outer clothing above the waist,
65.11 excluding sleeves and gloves, is blaze orange or blaze pink. Blaze orange or blaze pink
65.12 includes a camouflage pattern of at least 50 percent blaze orange or blaze pink within each
65.13 foot square. This section does not apply to migratory-waterfowl hunters on waters of this
65.14 state or in a stationary shooting location or to trappers on waters of this state.

65.15 (b) Except as provided in rules adopted under paragraph (d), and in addition to the
65.16 requirement in paragraph (a), a person may not take small game other than turkey, migratory
65.17 birds, raccoons, and predators, except while trapping, unless a visible portion of at least one
65.18 article of the person's clothing above the waist is blaze orange or blaze pink. This paragraph
65.19 does not apply to a person when in a stationary location while hunting deer by archery or
65.20 when hunting small game by falconry.

65.21 (c) A person hunting deer in a fabric or synthetic ground blind on public land must have:

65.22 (1) a blaze orange safety covering on the top of the blind that is visible for 360 degrees
65.23 around the blind; or

65.24 (2) at least 144 square inches of blaze orange material on each side of the blind.

65.25 (d) The commissioner may, by rule, prescribe an alternative color in cases where
65.26 paragraph (a) or (b) would violate the Religious Freedom Restoration Act of 1993, Public
65.27 Law 103-141.

65.28 (e) A violation of paragraph (b) does not result in a penalty, but is punishable only by
65.29 a safety warning.

S3631-2

98.6 Sec. 44. Minnesota Statutes 2023 Supplement, section 97B.071, is amended to read:

98.7 **97B.071 CLOTHING AND GROUND BLIND REQUIREMENTS; BLAZE**
98.8 **ORANGE OR BLAZE PINK.**

98.9 (a) Except as provided in rules adopted under paragraph (d), a person may not hunt or
98.10 trap during the open season where deer may be taken by firearms under applicable laws and
98.11 ordinances, unless the visible portion of the person's cap and outer clothing above the waist,
98.12 excluding sleeves and gloves, is blaze orange or blaze pink. Blaze orange or blaze pink
98.13 includes a camouflage pattern of at least 50 percent blaze orange or blaze pink within each
98.14 foot square. This section does not apply to migratory-waterfowl hunters on waters of this
98.15 state or in a stationary shooting location or to trappers on waters of this state.

98.16 (b) Except as provided in rules adopted under paragraph (d), and in addition to the
98.17 requirement in paragraph (a), a person may not take small game other than turkey, migratory
98.18 birds, raccoons, and predators, except while trapping, unless a visible portion of at least one
98.19 article of the person's clothing above the waist is blaze orange or blaze pink. This paragraph
98.20 does not apply to a person when in a stationary location while hunting deer by archery or
98.21 when hunting small game by falconry.

98.22 (c) A person hunting deer in a fabric or synthetic ground blind on public land must have:

98.23 (1) a blaze orange safety covering on the top of the blind that is visible for 360 degrees
98.24 around the blind; or

98.25 (2) at least 144 square inches of blaze orange material on each side of the blind.

98.26 (d) The commissioner may, by rule, prescribe an alternative color in cases where
98.27 paragraph (a) or (b) would violate the Religious Freedom Restoration Act of 1993, Public
98.28 Law 103-141.

98.29 (e) A violation of paragraph (b) does not result in a penalty, but is punishable only by
98.30 a safety warning.

100.1 Sec. 46. Minnesota Statutes 2022, section 97B.318, subdivision 1, is amended to read:

100.2 Subdivision 1. Shotgun use area. During the regular firearms season in the shotgun use
100.3 area, only legal shotguns loaded with single-slug shotgun shells, legal muzzle-loading long
100.4 guns, and legal handguns may be used for taking deer. Legal shotguns include those with
100.5 rifled barrels. The shotgun use area is that portion of the state lying within the following
100.6 described boundary: Beginning on the west boundary of the state at the northern boundary
100.7 of Clay County; thence along the northern boundary of Clay County to State Trunk Highway
100.8 (STH) 32; thence along STH 32 to STH 34; thence along STH 34 to Interstate Highway 94
100.9 (I-94); thence along I-94 to County State Aid Highway (CSAH) 40, Douglas County; thence
100.10 along CSAH 40 to CSAH 82, Douglas County; thence along CSAH 82 to CSAH 22, Douglas
100.11 County; thence along CSAH 22 to CSAH 6, Douglas County; thence along CSAH 6 to

100.12 ~~CSAH 14, Douglas County; thence along CSAH 14 to STH 29; thence along STH 29 to~~
100.13 ~~CSAH 46, Otter Tail County; thence along CSAH 46, Otter Tail County, to CSAH 22, Todd~~
100.14 ~~County; thence along CSAH 22 to U.S. Highway 71; thence along U.S. Highway 71 to STH~~
100.15 ~~27; thence along STH 27 to the Mississippi River; thence along the east bank of the~~
100.16 ~~Mississippi River to STH 23; thence along STH 23 to STH 95; thence along STH 95 to~~
100.17 ~~U.S. Highway 8; thence along U.S. Highway 8 to the eastern boundary of the state; thence~~
100.18 ~~along the east, south, and west boundaries of the state to the point of beginning consisting~~
100.19 ~~of Blue Earth, Dodge, Freeborn, Mower, Nicollet, and Olmsted Counties, until such time~~
100.20 ~~as each respective county elects not to be included in the shotgun use area.~~

UEH3911-1

29.1 Sec. 15. Minnesota Statutes 2022, section 97B.667, subdivision 3, is amended to read:

29.2 Subd. 3. **Permits and notice; requirements.** (a) Before killing or arranging to kill a

29.3 beaver under this section, the road authority or government unit must contact a conservation

29.4 officer for a special beaver permit if the beaver will be killed within two weeks before or

29.5 after the trapping season for beaver, and the conservation officer must issue the permit for

29.6 any beaver subject to this section. A permit is not required:

29.7 (1) for a licensed trapper during the open trapping season for beaver; or

29.8 (2) when the trapping season for beaver is closed and it is not within two weeks before

29.9 or after the trapping season for beaver.

29.10 (b) A road authority or government unit that kills or arranges to have killed a beaver

29.11 under this section must notify a conservation officer or employee of the Fish and Wildlife

29.12 Division within ten days after the animal is killed.

29.13 (c) Unless otherwise directed by a conservation officer, the road authority, local

29.14 government unit, the landowner, or their agent may dispose of or retain beaver killed under

29.15 this section.

S3631-2

124.14 Sec. 86. **MANAGEMENT OF KITTSON CENTRAL ELK HERD.**

124.15 Notwithstanding Minnesota Statutes, section 97B.516, the Department of Natural

124.16 Resources may manage the Kittson Central elk herd population to allow for genetic

124.17 diversification and herd health. The herd may not be allowed to exceed 130 percent of the

124.18 estimated 2023 population under this section.

66.1 Sec. 36. Minnesota Statutes 2022, section 97B.516, is amended to read:

66.2 **97B.516 PLAN FOR ELK MANAGEMENT.**

66.3 (a) The commissioner of natural resources must adopt an elk management plan that:

66.4 (1) recognizes the value and uniqueness of elk;

66.5 (2) provides for integrated management of an elk population in harmony with the
66.6 environment; and

66.7 (3) affords optimum recreational opportunities.

66.8 (b) Notwithstanding paragraph (a), the commissioner must not manage an elk herd in
66.9 Kittson, Roseau, Marshall, or Beltrami Counties in a manner that would increase the size
66.10 of the herd, including adoption or implementation of an elk management plan designed to
66.11 increase an elk herd, unless the commissioner of agriculture verifies that crop and fence
66.12 damages paid under section 3.7371 and attributed to the herd have not increased for at least
66.13 two years.

66.14 (c) (b) At least 60 days prior to before implementing a plan to increase an elk herd, the
66.15 commissioners of natural resources and agriculture must hold a joint public meeting in the
66.16 county where the elk herd to be increased is located. At the meeting, the commissioners
66.17 must present evidence that crop and fence damages have not increased in the prior two years
66.18 and must detail the practices that will be used to reduce elk conflicts with area landowners.

66.19 Sec. 37. Minnesota Statutes 2022, section 97C.001, subdivision 2, is amended to read:

66.20 Subd. 2. **Public notice and meeting comment.** (a) Before the commissioner designates,
66.21 or vacates or extends the designation of, experimental waters, ~~a public meeting must be~~
66.22 ~~held in the county where the largest portion of the waters is located~~ notice of the proposed
66.23 change must be provided in the county where the largest portion of the waters is located, a
66.24 virtual or in-person meeting must be held, and opportunity to submit public comment must
66.25 be offered.

66.26 (b) At least 90 days before the public meeting and during the open angling season for
66.27 fish the taking of which is, or is proposed to be, regulated under subdivision 3 on the waters
66.28 under consideration, Before the year that the designation is to become effective, the
66.29 commissioner must give notice of the proposed designation, vacation, or extension ~~must~~
66.30 ~~be~~. The notice must summarize the proposed action and invite public comment. Public
66.31 comments must be accepted at least through September 30, and the commissioner must
66.32 consider any public comments received in making a final decision. Notice must include:

67.1 (1) signs of the proposed changes and instructions for submitting comments posted at
67.2 publicly maintained access points on the water; by June 1;

67.3 (2) a list of proposed changes posted on the department's website by June 1, summarizing
67.4 the proposed actions and inviting public comment; and

67.5 (3) a news release issued by the commissioner by July 1, a notice published in a
67.6 newspaper of general circulation in the area where the waters are located by August 20, and
67.7 at least one more digital media communication published by August 31.

67.8 (c) Before the public meeting, notice of the meeting must be published in a news release
67.9 issued by the commissioner and in a newspaper of general circulation in the area where the
67.10 proposed experimental waters are located. The notice must be published at least once between

100.21 Sec. 47. Minnesota Statutes 2022, section 97C.001, subdivision 2, is amended to read:

100.22 Subd. 2. **Public notice and meeting comment.** (a) Before the commissioner designates,
100.23 or vacates or extends the designation of, experimental waters, ~~a public meeting must be~~
100.24 ~~held in the county where the largest portion of the waters is located~~ notice of the proposed
100.25 change must be provided in the county where the largest portion of the waters is located, a
100.26 virtual or in-person meeting must be held, and opportunity to submit public comment must
100.27 be offered.

100.28 (b) At least 90 days before the public meeting and during the open angling season for
100.29 fish the taking of which is, or is proposed to be, regulated under subdivision 3 on the waters
100.30 under consideration, Before the year that the designation is to become effective, the
100.31 commissioner must give notice of the proposed designation, vacation, or extension ~~must~~
100.32 ~~be~~. The notice must summarize the proposed action and invite public comment. Public
100.33 comments must be accepted at least through September 30, and the commissioner must
100.34 consider any public comments received in making a final decision. Notice must include:

101.1 (1) signs of the proposed changes and instructions for submitting comments posted at
101.2 publicly maintained access points on the water; by June 1;

101.3 (2) a list of proposed changes posted on the department's website by June 1, summarizing
101.4 the proposed actions and inviting public comment; and

101.5 (3) a news release issued by the commissioner by July 1, a notice published in a
101.6 newspaper of general circulation in the area where the waters are located by August 20, and
101.7 at least one more digital media communication published by August 31.

101.8 (c) Before the public meeting, notice of the meeting must be published in a news release
101.9 issued by the commissioner and in a newspaper of general circulation in the area where the
101.10 proposed experimental waters are located. The notice must be published at least once between

67.11 ~~30 and 60 days before the meeting, and at least once between seven and 30 days before the~~
67.12 ~~meeting. A virtual or in-person meeting must be held before September 20 where public~~
67.13 ~~comment must be accepted. An in-person meeting, where public comment must be accepted,~~
67.14 ~~must be held in the county where the largest portion of the waters is located if:~~

67.15 (1) a water or connected waters to be designated is over 5,000 acres or a stream or river
67.16 reach is over ~~ten~~ miles; or

67.17 (2) a request for an in-person meeting is submitted to the commissioner by August 20
67.18 before the year that the designation is to become effective.

67.19 (d) The notices required in this subdivision must summarize the proposed action, invite
67.20 public comment, and specify a deadline for the receipt of public comments. The
67.21 commissioner shall mail a copy of each required notice to persons who have registered their
67.22 names with the commissioner for this purpose. The commissioner shall consider any public
67.23 comments received in making a final decision.

67.24 (e) If a water to be designated is a lake with a water area of more than 1,500 acres, or
67.25 is a stream or river with a reach of more than six miles, a public meeting must also be held
67.26 in the seven-county metropolitan area unless a virtual meeting is held and notice of the
67.27 meeting is published in a newspaper of general circulation in the seven-county metropolitan
67.28 area.

67.29 Sec. 38. Minnesota Statutes 2022, section 97C.005, subdivision 2, is amended to read:

67.30 Subd. 2. **Public notice and ~~meeting~~ comment.** (a) Before the commissioner designates
67.31 special management waters, ~~public comment must be received and, for waters other than~~
67.32 ~~those proposed to be designated as trout streams or trout lakes, a public meeting must be~~
67.33 ~~held in the county where the largest portion of the waters is located notice of the proposed~~
68.1 ~~designation must be given, a virtual or in-person meeting must be held, and opportunity to~~
68.2 ~~submit public comment must be offered.~~

68.3 (b) For waters previously designated as experimental waters, a proposed change in status
68.4 to special management waters must be announced before the public meeting by notice
68.5 published in a news release issued by the commissioner and in a newspaper of general
68.6 circulation in the area where the waters are located. The notice must be published at least
68.7 once between 30 and 60 days before the public meeting, and at least once between seven
68.8 and 30 days before the meeting. If a water proposed to be designated is a lake with a water
68.9 area of more than 1,500 acres, or is a stream or river with a reach of more than six miles, a
68.10 public meeting must also be held in the seven-county metropolitan area unless a virtual
68.11 meeting is held and notice of the meeting is published in a newspaper of general circulation
68.12 in the seven-county metropolitan area.

68.13 (e) For proposed special management waters, other than designated trout lakes and
68.14 designated trout streams, that were not previously designated as experimental waters, notice
68.15 of the proposed designation must be given as provided in this paragraph. The notice must
68.16 be posted at publicly maintained access points at least 90 days before the public meeting

101.11 ~~30 and 60 days before the meeting, and at least once between seven and 30 days before the~~
101.12 ~~meeting. A virtual or in-person meeting must be held before September 20 where public~~
101.13 ~~comment must be accepted. An in-person meeting, where public comment must be accepted,~~
101.14 ~~must be held in the county where the largest portion of the waters is located if:~~

101.15 (1) a water or connected waters to be designated is over 5,000 acres or a stream or river
101.16 reach is over ~~10~~ miles; or

101.17 (2) a request for an in-person meeting is submitted to the commissioner by August 20
101.18 before the year that the designation is to become effective.

101.19 (d) The notices required in this subdivision must summarize the proposed action, invite
101.20 public comment, and specify a deadline for the receipt of public comments. The
101.21 commissioner shall mail a copy of each required notice to persons who have registered their
101.22 names with the commissioner for this purpose. The commissioner shall consider any public
101.23 comments received in making a final decision.

101.24 (e) If a water to be designated is a lake with a water area of more than 1,500 acres, or
101.25 is a stream or river with a reach of more than six miles, a public meeting must also be held
101.26 in the seven-county metropolitan area.

101.27 Sec. 48. Minnesota Statutes 2022, section 97C.005, subdivision 2, is amended to read:

101.28 Subd. 2. **Public notice and ~~meeting~~ comment.** (a) Before the commissioner designates
101.29 special management waters, ~~public comment must be received and, for waters other than~~
101.30 ~~those proposed to be designated as trout streams or trout lakes, a public meeting must be~~
101.31 ~~held in the county where the largest portion of the waters is located notice of the proposed~~
101.32 ~~designation must be given, a virtual or in-person meeting must be held, and opportunity to~~
101.33 ~~submit public comment must be offered.~~

102.1 (b) For waters previously designated as experimental waters, a proposed change in status
102.2 to special management waters must be announced before the public meeting by notice
102.3 published in a news release issued by the commissioner and in a newspaper of general
102.4 circulation in the area where the waters are located. The notice must be published at least
102.5 once between 30 and 60 days before the public meeting, and at least once between seven
102.6 and 30 days before the meeting. If a water proposed to be designated is a lake with a water
102.7 area of more than 1,500 acres, or is a stream or river with a reach of more than six miles, a
102.8 public meeting must also be held in the seven-county metropolitan area.

102.9 (e) For proposed special management waters, other than designated trout lakes and
102.10 designated trout streams, that were not previously designated as experimental waters, notice
102.11 of the proposed designation must be given as provided in this paragraph. The notice must
102.12 be posted at publicly maintained access points at least 90 days before the public meeting

68.17 ~~and during the open angling season for fish the taking of which on the waters is proposed~~
68.18 ~~to be regulated under subdivision 3. Before the public meeting, notice of the meeting must~~
68.19 ~~be published in a news release issued by the commissioner and in a newspaper of general~~
68.20 ~~circulation in the area where the proposed special management waters are located. The~~
68.21 ~~notice must be published at least once between 30 and 60 days before the meeting, and at~~
68.22 ~~least once between seven and 30 days before the meeting. If a water to be designated is a~~
68.23 ~~lake with a water area of more than 1,500 acres, or is a stream or river with a reach of more~~
68.24 ~~than six miles, a public meeting must also be held in the seven-county metropolitan area.~~

68.25 (c) For proposed special management waters other than designated trout lakes and
68.26 designated trout streams, before the year that the designation is to become effective, the
68.27 commissioner must give notice of the proposed designation. The notice must summarize
68.28 the proposed action and invite public comment. Public comments must be accepted at least
68.29 through September 30, and the commissioner must consider any public comments received
68.30 in making a final decision. Notice must include:

68.31 (1) signs of the proposed designation and instructions for submitting comments posted
68.32 at publicly maintained access points on the water by June 1;

68.33 (2) a list of proposed designations posted on the department's website by June 1,
68.34 summarizing the proposed action and inviting public comment; and

69.1 (3) a news release issued by the commissioner by July 1, a notice published in a
69.2 newspaper of general circulation in the area where the waters are located by August 15, and
69.3 at least one more digital media communication published by August 31.

69.4 (d) A virtual or in-person meeting must be held before September 20 where public
69.5 comment must be accepted. An in-person meeting, where public comment must be accepted,
69.6 must be held in the county where the largest portion of the waters is located if:

69.7 (1) a water to be designated is a lake over 5,000 acres or is a stream or river reach over
69.8 ten miles; or

69.9 (2) a request for an in-person meeting is submitted to the commissioner by August 20
69.10 before the year that the designation is to become effective.

69.11 ~~(d)~~ (e) For waters proposed to be designated as trout streams or trout lakes, notice of the
69.12 proposed designation must be published at least 90 days before the effective date of the
69.13 designation in a news release issued by the commissioner and in a newspaper of general
69.14 circulation in the area where the waters are located. In addition, all riparian owners along
69.15 the waters must be notified at least 90 days before the effective date of the designation.

69.16 ~~(e)~~ (f) The notices required in this subdivision must summarize the proposed action,
69.17 invite public comment, and specify a deadline for the receipt of public comments. The
69.18 commissioner shall mail a copy of each required notice to persons who have registered their
69.19 names with the commissioner for this purpose. The commissioner shall consider any public
69.20 comments received in making a final decision.

102.13 ~~and during the open angling season for fish the taking of which on the waters is proposed~~
102.14 ~~to be regulated under subdivision 3. Before the public meeting, notice of the meeting must~~
102.15 ~~be published in a news release issued by the commissioner and in a newspaper of general~~
102.16 ~~circulation in the area where the proposed special management waters are located. The~~
102.17 ~~notice must be published at least once between 30 and 60 days before the meeting, and at~~
102.18 ~~least once between seven and 30 days before the meeting. If a water to be designated is a~~
102.19 ~~lake with a water area of more than 1,500 acres, or is a stream or river with a reach of more~~
102.20 ~~than six miles, a public meeting must also be held in the seven-county metropolitan area.~~

102.21 (b) For proposed special management waters other than designated trout lakes and
102.22 designated trout streams, before the year that the designation is to become effective, the
102.23 commissioner must give notice of the proposed designation. The notice must summarize
102.24 the proposed action and invite public comment. Public comments must be accepted at least
102.25 through September 30, and the commissioner must consider any public comments received
102.26 in making a final decision. Notice must include:

102.27 (1) signs of the proposed designation and instructions for submitting comments posted
102.28 at publicly maintained access points on the water by June 1;

102.29 (2) a list of proposed designations posted on the department's website by June 1,
102.30 summarizing the proposed action and inviting public comment; and

102.31 (3) a news release issued by the commissioner by July 1, a notice published in a
102.32 newspaper of general circulation in the area where the waters are located by August 15, and
102.33 at least one more digital media communication published by August 31.

103.1 (c) A virtual or in-person meeting must be held before September 20 where public
103.2 comment must be accepted. An in-person meeting, where public comment must be accepted,
103.3 must be held in the county where the largest portion of the waters is located if:

103.4 (1) a water to be designated is a lake over 5,000 acres or is a stream or river reach over
103.5 10 miles; or

103.6 (2) a request for an in-person meeting is submitted to the commissioner by August 20
103.7 before the year that the designation is to become effective.

103.8 (d) For waters proposed to be designated as trout streams or trout lakes, notice of the
103.9 proposed designation must be published at least 90 days before the effective date of the
103.10 designation in a news release issued by the commissioner and in a newspaper of general
103.11 circulation in the area where the waters are located. In addition, all riparian owners along
103.12 the waters must be notified at least 90 days before the effective date of the designation.

103.13 (e) The notices required in this subdivision must summarize the proposed action, invite
103.14 public comment, and specify a deadline for the receipt of public comments. The
103.15 commissioner shall mail a copy of each required notice to persons who have registered their
103.16 names with the commissioner for this purpose. The commissioner shall consider any public
103.17 comments received in making a final decision.

69.21 Sec. 39. **97C.202] WATER-QUALITY MONITORING AT STATE FISH**
69.22 **HATCHERIES.**

69.23 (a) The commissioner, in conjunction with the commissioners of health, agriculture, and
69.24 the Pollution Control Agency, must test the source water at the state fish hatcheries located
69.25 in the cities of Crystal Springs, Lanesboro, and Peterson monthly for nitrates and pesticides,
69.26 including neonicotinoids. By February 15 each year, the commissioner must report the
69.27 results of the previous calendar year's testing to the chairs and ranking minority members
69.28 of the legislative committees and divisions with jurisdiction over environment and natural
69.29 resources policy and finance and health policy and finance.

69.30 (b) Once construction of the state fish hatchery in the city of Waterville is completed,
69.31 the commissioner must test the source water monthly and report the results as required for
69.32 other hatcheries under paragraph (a).

70.1 Sec. 40. Minnesota Statutes 2022, section 97C.395, as amended by Laws 2023, chapter
70.2 60, article 4, section 70, is amended to read:

70.3 **97C.395 OPEN SEASONS FOR ANGLING.**

70.4 Subdivision 1. **Dates for certain species.** (a) The open seasons to take fish by angling
70.5 are as follows:

70.6 (1) for walleye, sauger, northern pike, muskellunge, largemouth bass, and smallmouth
70.7 bass, the Saturday two weeks prior to the Saturday of Memorial Day weekend through the
70.8 last Sunday in February;

70.9 ~~(2) for lake trout, from January 1 through October 31;~~

70.10 ~~(3) for the winter season for lake trout, brown trout, brook trout, rainbow trout, and~~
70.11 ~~splake on all lakes located outside or partially within the Boundary Waters Canoe Area,~~
70.12 ~~from January 15 through March 31;~~

70.13 ~~(4) for the winter season for lake trout, brown trout, brook trout, rainbow trout, and~~
70.14 ~~splake on all lakes located entirely within the Boundary Waters Canoe Area, from January~~
70.15 ~~1 through March 31;~~

70.16 ~~(5) (2) for brown trout, brook trout, lake trout, rainbow trout, and splake, between January~~
70.17 ~~1 through October 31 as prescribed by the commissioner by rule except as provided in~~
70.18 ~~section 97C.415, subdivision 2; and~~

70.19 ~~(6) (3) for salmon, as prescribed by the commissioner by rule.~~

70.20 (b) The commissioner shall close the season in areas of the state where fish are spawning
70.21 and closing the season will protect the resource.

70.22 Subd. 2. **Continuous season for certain species.** For sunfish, white crappie, black
70.23 crappie, yellow perch, channel catfish, rock bass, white bass, yellow bass, burbot, cisco
70.24 (tullibee), lake whitefish, common carp, and native rough fish, the open season is continuous.

108.3 Sec. 62. Minnesota Statutes 2022, section 97C.395, as amended by Laws 2023, chapter
108.4 60, article 4, section 70, is amended to read:

108.5 **97C.395 OPEN SEASONS FOR ANGLING.**

108.6 Subdivision 1. **Dates for certain species.** (a) The open seasons to take fish by angling
108.7 are as follows:

108.8 (1) for walleye, sauger, northern pike, muskellunge, largemouth bass, and smallmouth
108.9 bass, the Saturday two weeks prior to the Saturday of Memorial Day weekend through the
108.10 last Sunday in February;

108.11 ~~(2) for lake trout, from January 1 through October 31;~~

108.12 ~~(3) for the winter season for lake trout, brown trout, brook trout, rainbow trout, and~~
108.13 ~~splake on all lakes located outside or partially within the Boundary Waters Canoe Area,~~
108.14 ~~from January 15 through March 31;~~

108.15 ~~(4) for the winter season for lake trout, brown trout, brook trout, rainbow trout, and~~
108.16 ~~splake on all lakes located entirely within the Boundary Waters Canoe Area, from January~~
108.17 ~~1 through March 31;~~

108.18 ~~(5) (2) for brown trout, brook trout, lake trout, rainbow trout, and splake, between January~~
108.19 ~~1 through October 31 as prescribed by the commissioner by rule except as provided in~~
108.20 ~~section 97C.415, subdivision 2; and~~

108.21 ~~(6) (3) for salmon, as prescribed by the commissioner by rule.~~

108.22 (b) The commissioner shall close the season in areas of the state where fish are spawning
108.23 and closing the season will protect the resource.

108.24 Subd. 2. **Continuous season for certain species.** For sunfish, white crappie, black
108.25 crappie, yellow perch, channel catfish, rock bass, white bass, yellow bass, burbot, cisco
108.26 (tullibee), common carp, lake whitefish, and native rough fish, the open season is continuous.

70.25 Sec. 41. Minnesota Statutes 2022, section 97C.411, is amended to read:

70.26 **97C.411 STURGEON AND PADDLEFISH.**

70.27 Lake sturgeon, shovelnose sturgeon, and paddlefish may not be taken, bought, sold,
70.28 transported or possessed except as provided by rule of the commissioner. ~~The commissioner~~
70.29 ~~may only allow the taking of these fish in waters that the state boundary passes through and~~
70.30 ~~in tributaries to the St. Croix River.~~

71.1 Sec. 42. Minnesota Statutes 2022, section 103F.211, subdivision 1, is amended to read:

71.2 Subdivision 1. **Adoption.** The commissioner shall adopt model standards and criteria
71.3 for the subdivision, use, and development of shoreland in municipalities and areas outside
71.4 of a municipality. The authority to adopt model standards and criteria is exempt from section
71.5 14.125 and does not expire. The standards and criteria must include:

- 71.6 (1) the area of a lot and length of water frontage suitable for a building site;
- 71.7 (2) the placement of structures in relation to shorelines and roads;
- 71.8 (3) the placement and construction of sanitary and waste disposal facilities;
- 71.9 (4) designation of types of land uses;
- 71.10 (5) changes in bottom contours of adjacent public waters;
- 71.11 (6) preservation of natural shorelands through the restriction of land uses;
- 71.12 (7) variances from the minimum standards and criteria; and
- 71.13 (8) for areas outside of a municipality only, a model ordinance.

71.14 Sec. 43. Minnesota Statutes 2022, section 103G.005, subdivision 15, is amended to read:

71.15 Subd. 15. **Public waters.** (a) "Public waters" means:

- 71.16 (1) water basins assigned a shoreland management classification by the commissioner
71.17 under sections 103F.201 to 103F.221;
- 71.18 (2) waters of the state that have been finally determined to be public waters or navigable
71.19 waters by a court of competent jurisdiction;
- 71.20 (3) meandered lakes, excluding lakes that have been legally drained;
- 71.21 (4) water basins previously designated by the commissioner for management for a
71.22 specific purpose such as trout lakes and game lakes pursuant to applicable laws;
- 71.23 (5) water basins designated as scientific and natural areas under section 84.033;
- 71.24 (6) water basins located within and totally surrounded by publicly owned lands;

108.27 Sec. 63. Minnesota Statutes 2022, section 97C.411, is amended to read:

108.28 **97C.411 STURGEON AND PADDLEFISH.**

108.29 Lake sturgeon, shovelnose sturgeon, and paddlefish may not be taken, bought, sold,
108.30 transported or possessed except as provided by rule of the commissioner. ~~The commissioner~~
109.1 ~~may only allow the taking of these fish in waters that the state boundary passes through and~~
109.2 ~~in tributaries to the St. Croix River.~~

111.11 Sec. 73. Minnesota Statutes 2022, section 103F.211, subdivision 1, is amended to read:

111.12 Subdivision 1. **Adoption.** The commissioner shall adopt model standards and criteria
111.13 for the subdivision, use, and development of shoreland in municipalities and areas outside
111.14 of a municipality. The authority to adopt model standards and criteria is exempt from section
111.15 14.125 and does not expire. The standards and criteria must include:

- 111.16 (1) the area of a lot and length of water frontage suitable for a building site;
- 111.17 (2) the placement of structures in relation to shorelines and roads;
- 111.18 (3) the placement and construction of sanitary and waste disposal facilities;
- 111.19 (4) designation of types of land uses;
- 111.20 (5) changes in bottom contours of adjacent public waters;
- 111.21 (6) preservation of natural shorelands through the restriction of land uses;
- 111.22 (7) variances from the minimum standards and criteria; and
- 111.23 (8) for areas outside of a municipality only, a model ordinance.

71.25 (7) water basins where the state of Minnesota or the federal government holds title to
71.26 any of the beds or shores, unless the owner declares that the water is not necessary for the
71.27 purposes of the public ownership;

71.28 (8) water basins where there is a publicly owned and controlled access that is intended
71.29 to provide for public access to the water basin;

72.1 (9) natural and altered watercourses with a total drainage area greater than two square
72.2 miles;

72.3 (10) natural and altered watercourses designated by the commissioner as trout streams;
72.4 and

72.5 (11) public waters wetlands, unless the statute expressly states otherwise.

72.6 (b) Public waters are not determined exclusively by:

72.7 (1) the proprietorship of the underlying, overlying, or surrounding land ~~or by~~;

72.8 (2) whether it is a body or stream of water that was navigable in fact or susceptible of
72.9 being used as a highway for commerce at the time this state was admitted to the union; or

72.10 (3) their inclusion in or exclusion from the public waters inventory required under section
72.11 103G.201.

72.12 Sec. 44. Minnesota Statutes 2023 Supplement, section 103G.301, subdivision 2, is amended
72.13 to read:

72.14 Subd. 2. **Permit application and notification fees.** (a) A fee to defray the costs of
72.15 receiving, recording, and processing must be paid for a permit application authorized under
72.16 this chapter, except for a general permit application, for each request to amend or transfer
72.17 an existing permit, and for a notification to request authorization to conduct a project under
72.18 a general permit. Fees established under this subdivision, unless specified in paragraph (c),
72.19 must comply with section 16A.1285.

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

72.24 (c) The fee to apply for a permit to appropriate water, in addition to any fee under
72.25 paragraph (b), is \$150. The application fee for a permit to construct or repair a dam that is
72.26 subject to a dam safety inspection, to work in public waters, or to divert waters for mining
72.27 must be at least \$1,200, but not more than \$12,000. The fee for a notification to request
72.28 authorization to conduct a project under a general permit is \$400, except that the fee for a
72.29 notification to request authorization to appropriate water under a general permit is \$100.

111.24 Sec. 74. Minnesota Statutes 2023 Supplement, section 103G.301, subdivision 2, is amended
111.25 to read:

111.26 Subd. 2. **Permit application and notification fees.** (a) A fee to defray the costs of
111.27 receiving, recording, and processing must be paid for a permit application authorized under
111.28 this chapter, except for a general permit application, for each request to amend or transfer
111.29 an existing permit, and for a notification to request authorization to conduct a project under
112.1 a general permit. Fees established under this subdivision, unless specified in paragraph (c),
112.2 must comply with section 16A.1285.

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

112.7 (c) The fee to apply for a permit to appropriate water, in addition to any fee under
112.8 paragraph (b), is \$150. The application fee for a permit to construct or repair a dam that is
112.9 subject to a dam safety inspection, to work in public waters, or to divert waters for mining
112.10 must be at least \$1,200, but not more than \$12,000. The fee for a notification to request
112.11 authorization to conduct a project under a general permit is \$400, except that the fee for a
112.12 notification to request authorization to appropriate water under a general permit is \$100.

73.1 Sec. 45. Minnesota Statutes 2022, section 103G.315, subdivision 15, is amended to read:
73.2 Subd. 15. **Rules.** The commissioner shall adopt rules prescribing standards and criteria
73.3 for issuing and denying water-use permits and public-waters-work permits. The authority
73.4 to adopt the rules is exempt from section 14.125 and does not expire.

73.5 Sec. 46. **CORN PLOT TRANSITION.**
73.6 (a) Notwithstanding Minnesota Statutes, section 84.9736, a person may plant corn under
73.7 an agreement with the commissioner of natural resources entered into before January 1,
73.8 2025. Beginning January 1, 2025, the commissioner of natural resources may not enter into
73.9 agreements allowing the commercial production of corn on lands administered by the
73.10 commissioner.
73.11 (b) The commissioner must transition all existing corn plots to native vegetation.

112.13 Sec. 75. Minnesota Statutes 2022, section 103G.315, subdivision 15, is amended to read:
112.14 Subd. 15. **Rules.** The commissioner shall adopt rules prescribing standards and criteria
112.15 for issuing and denying water-use permits and public-waters-work permits. The authority
112.16 to adopt the rules is exempt from section 14.125 and does not expire.
123.22 Sec. 84. Laws 2023, chapter 60, article 4, section 109, is amended to read:
123.23 Sec. 109. **ENSURING ADEQUATE BAIT SUPPLY.**
123.24 (a) Notwithstanding Minnesota Statutes, sections 97C.211, 97C.341, and 97C.515, or
123.25 any other provision of law, the commissioner of natural resources may adopt emergency
123.26 rules in accordance with Minnesota Statutes, section 84.027, subdivision 13, including by
123.27 the expedited emergency process described in Minnesota Statutes, section 84.027, subdivision
123.28 13, paragraph (b), to alleviate a shortage of bait in this state, including by allowing
123.29 importation of live minnows into the state. Only minnows harvested from waters in states
123.30 that are adjacent to Minnesota may be imported under this section.
124.1 (b) By January 15, 2024, the commissioner, in consultation with bait producers, bait
124.2 harvesters, retailers, and other fishing interest groups, must submit recommendations to the
124.3 chairs and ranking minority members of the house of representatives and senate committees
124.4 and divisions with jurisdiction over environment and natural resources to ensure a viable
124.5 Minnesota-grown bait supply and sustainable bait industry for anglers of Minnesota that
124.6 minimizes the risk of spreading aquatic invasive species or fish disease in Minnesota.
124.7 ~~(c) This section expires June 30, 2025.~~
124.8 Sec. 85. **REPORT.**
124.9 By December 1, 2027, the commissioner of natural resources must report to the chairs
124.10 and ranking minority members of the legislative committees with jurisdiction over
124.11 environment and natural resources on the effect of modifying the shotgun zone on deer
124.12 hunting and deer populations. The report may include any recommendations for additional
124.13 statutory or policy changes that the commissioner deems advisable.

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73.12 Sec. 47. **REPORT ON RECREATIONAL USE OF SCHOOL TRUST LANDS.**

73.13 Subdivision 1. **Office of School Trust Lands.** The school trust lands director must

73.14 conduct a study of the recreational use of school trust lands in the state. The study must be

73.15 used to determine the amount of money to be allocated to the permanent school fund for

73.16 fees paid to the state for outdoor recreation purposes. The commissioner of natural resources

73.17 must assist the director by providing existing outdoor recreation use data. The director may

73.18 contract for additional survey data to complete the study. The director may seek expertise

73.19 from outdoor recreation industry leaders when preparing the study. The study must include

73.20 the following:

73.21 (1) the estimated annual number of daily visits by individuals with a Minnesota hunting

73.22 license accessing school trust lands and as a percentage of annual days hunted by all

73.23 individuals with a Minnesota hunting license;

73.24 (2) the estimated annual number of daily visits by individuals with a Minnesota fishing

73.25 license using a public water access site that contains school trust lands and as a percentage

73.26 of annual days fishing by all individuals with a Minnesota fishing license;

73.27 (3) the estimated annual visits by Minnesota-licensed watercrafts to state-owned public

73.28 water access sites that contain school trust lands and as a percentage of all visits by

73.29 Minnesota-licensed watercrafts using public water access sites;

73.30 (4) the total number of miles of state-maintained snowmobile trails and all-terrain vehicle

73.31 trails that are on school trust lands and as a percentage of total miles of state-operated trails

73.32 for each purpose;

74.1 (5) the total amount of acres of school trust lands located within state parks and recreation

74.2 areas and as a percentage of all acres of land in state parks and recreation areas;

74.3 (6) any other uses of school trust lands for outdoor recreation that include individuals

74.4 purchasing a permit or paying a fee for access to the school trust lands and the percentage

74.5 of the total permits or fees for that purpose;

74.6 (7) the estimated cost of posting signage near entrances to school trust lands declaring

74.7 that certain portions of the public land that are being used for outdoor recreation is school

74.8 trust land; and

74.9 (8) the estimated cost of updating recreational use maps and other electronic and printed

74.10 documents to distinctly label school trust lands that are contained within or are part of state

74.11 recreational areas, parks, and trails.

74.12 Subd. 2. **Report to the legislature.** By January 15, 2026, the school trust lands director

74.13 must report the findings in subdivision 1 to the chairs and ranking minority members of the

74.14 legislative committees with jurisdiction over environment and natural resources.

51.4 Sec. 37. **REPORT ON RECREATIONAL USE OF PERMANENT SCHOOL LANDS.**

51.5 Subdivision 1. **Office of School Trust Lands.** The school trust lands director shall

51.6 conduct a study of the recreational use of school trust lands in the state. The study shall be

51.7 used to determine the amount of money to be allocated to the permanent school fund for

51.8 fees paid to the state for outdoor recreation purposes. The Department of Natural Resources

51.9 must assist the office by providing existing outdoor recreation use data. The office may

51.10 contract for additional survey data to complete the study. The study shall include the

51.11 following:

51.12 (1) the estimated annual number of daily visits by individuals with a Minnesota hunting

51.13 license accessing school trust lands; and as a percentage of annual days hunted by all

51.14 individuals with a Minnesota hunting license;

51.15 (2) the estimated annual number of daily visits by individuals with a Minnesota fishing

51.16 license using a public water access site that contains school trust lands; and as a percentage

51.17 of annual days fishing by all individuals with a Minnesota fishing license;

51.18 (3) the estimated annual visits by Minnesota-licensed watercrafts to state-owned public

51.19 water access sites that contain school trust lands; and as a percentage of all visits by

51.20 Minnesota-licensed watercrafts using public water access sites;

51.21 (4) the total number of miles of state-maintained snowmobile trails and all-terrain vehicle

51.22 trails that are on school trust lands; and as a percentage of total miles of state-operated trails

51.23 for each purpose;

51.24 (5) the total amount of acres of school trust lands located within state parks and recreation

51.25 areas; and as a percentage of all acres of land in state parks and recreation areas;

51.26 (6) any other uses of school trust lands for outdoor recreation that include individuals

51.27 purchasing a permit or paying a fee for access to the school trust lands; and the percentage

51.28 of the total permits or fees for that purpose;

51.29 (7) the estimated cost of posting signage near entrances to school trust lands declaring

51.30 that certain portions of the public land that are being used for outdoor recreation is school

51.31 trust land; and

52.1 (8) the estimated cost of updating recreational use maps and other electronic and printed

52.2 documents to distinctly label school trust lands that are contained within or are part of state

52.3 recreational areas, parks, and trails.

52.4 Subd. 2. **Report to the legislature.** By January 15, 2025, the school trust lands director

52.5 shall report the findings in subdivision 1 to the chairs and ranking minority members of the

52.6 legislative committees with jurisdiction over environment and natural resources.

74.15 Sec. 48. **STATE PARK LICENSE PLATE DESIGN CONTEST.**

74.16 The commissioner of natural resources must hold a license plate design contest to design
74.17 a new state park license plate available under Minnesota Statutes, section 168.1295,
74.18 subdivision 1.

74.19 Sec. 49. **RUSTY PATCHED BUMBLE BEE ENDANGERED SPECIES**
74.20 **DESIGNATION; RULEMAKING.**

74.21 (a) The commissioner of natural resources must amend Minnesota Rules, part 6134.0200,
74.22 to designate the rusty patched bumble bee, *Bombus affinis*, as an endangered species.

74.23 (b) The commissioner may use the good cause exemption under Minnesota Statutes,
74.24 section 14.388, subdivision 1, clause (3), to adopt rules under this section, and Minnesota
74.25 Statutes, section 14.386, does not apply except as provided under Minnesota Statutes, section
74.26 14.388.

74.27 Sec. 50. **MINNESOTA GAS AND OIL RESOURCES TECHNICAL ADVISORY**
74.28 **COMMITTEE.**

74.29 (a) The commissioner of natural resources must appoint a Minnesota Gas and Oil
74.30 Resources Technical Advisory Committee to develop recommendations according to
75.1 paragraph (d). The commissioner may appoint representatives from the following entities
75.2 to the technical advisory committee:

- 75.3 (1) the Pollution Control Agency;
75.4 (2) the Environmental Quality Board;
75.5 (3) the Department of Health;
75.6 (4) the Department of Revenue;
75.7 (5) the Office of the Attorney General;
75.8 (6) the University of Minnesota; and
75.9 (7) federal agencies.

75.10 (b) A majority of the committee members must be from state agencies, and all members
75.11 must have expertise in at least one of the following areas: environmental review; air quality;
75.12 water quality; taxation; mine permitting; mineral, gas, or oil exploration and development;
75.13 well construction; law; or other areas related to gas or oil production.

75.14 (c) Members of the technical advisory committee may not be registered lobbyists.

75.15 (d) The technical advisory committee must make recommendations to the commissioner
75.16 relating to the production of gas and oil in the state to guide the creation of a temporary
75.17 regulatory framework that will govern permitting before the rules authorized in Minnesota
75.18 Statutes, section 93.514, are adopted. The temporary framework must include

52.7 Sec. 38. **GAS PRODUCTION TECHNICAL ADVISORY COMMITTEE.**

52.8 (a) The commissioner of natural resources must appoint a Gas Production Technical
52.9 Advisory Committee to develop recommendations according to paragraph (e). The
52.10 commissioner may appoint representatives from the following entities to the technical
52.11 advisory committee:

- 52.12 (1) the Pollution Control Agency;
52.13 (2) the Environmental Quality Board;
52.14 (3) the Department of Health;
52.15 (4) the Department of Revenue;
52.16 (5) the University of Minnesota; and
52.17 (6) federal agencies.

52.18 (b) A majority of the committee members must be from state agencies, and all members
52.19 must have expertise in at least one of the following areas: environmental review; air quality;
52.20 water quality; taxation; mine permitting; mineral, gas, or oil exploration and development;
52.21 well construction; or other areas related to gas or oil production.

52.22 (e) The technical advisory committee must make recommendations to the commissioner
52.23 relating to the production of gas and oil in the state to guide the creation of a temporary
52.24 regulatory framework that will govern permitting before the rules authorized in Minnesota
52.25 Statutes, section 93.514, are adopted. The temporary framework must include

75.19 recommendations on statutory and policy changes that govern permitting requirements and
75.20 processes, financial assurance, taxation, boring monitoring and inspection protocols,
75.21 environmental review, and other topics that provide for gas and oil production to be
75.22 conducted in a manner that will reduce environmental impacts to the extent practicable,
75.23 mitigate unavoidable impacts, and ensure that the production area is restored to a condition
75.24 that protects natural resources and minimizes harm and that any ongoing maintenance
75.25 required to protect natural resources is provided. The temporary framework must consider
75.26 public testimony from stakeholders and Tribes, and the committee must hold at least one
75.27 public meeting on this topic. Recommendations must include draft legislative language.

75.28 (e) By January 15, 2025, the commissioner must submit to the chairs and ranking minority
75.29 members of the legislative committees and divisions with jurisdiction over environment
75.30 recommendations for statutory and policy changes to facilitate gas and oil exploration and
75.31 production in this state and to support the issuance of temporary permits issued under the
76.1 temporary framework in a manner that benefits the people of Minnesota while adequately
76.2 protecting the state's natural resources.

76.3 (f) For purposes of this section, "gas" includes both hydrocarbon and nonhydrocarbon
76.4 gases. For purposes of this section, "production" includes extraction and beneficiation from
76.5 consolidated or unconsolidated formations in the state.

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

52.26 recommendations on statutory and policy changes that govern permitting requirements and
52.27 processes, financial assurance, taxation, boring monitoring and inspection protocols,
52.28 environmental review, and other topics that provide for gas and oil production to be
52.29 conducted in a manner that will reduce environmental impacts to the extent practicable,
52.30 mitigate unavoidable impacts, and ensure that the production area is left in a condition that
52.31 protects natural resources and minimizes the need for maintenance. The temporary framework
53.1 must consider input from stakeholders and Tribes. Recommendations must include draft
53.2 legislative language.

53.3 (d) By January 15, 2025, the commissioner must submit to the chairs and ranking minority
53.4 members of the legislative committees and divisions with jurisdiction over environment
53.5 recommendations for statutory and policy changes to facilitate gas and oil exploration and
53.6 production in this state and to support the issuance of temporary permits in a manner that
53.7 benefits the people of Minnesota while adequately protecting the state's natural resources.

53.8 (e) For purposes of this section, "gas" includes both hydrocarbon and nonhydrocarbon
53.9 gases. For purposes of this section, "production" includes extraction and beneficiation from
53.10 consolidated or unconsolidated formations in the state.

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

47.24 Sec. 32. **KEEP IT CLEAN GRANTS.**

47.25 The commissioner of natural resources must develop a grant program to provide money
47.26 to local units of government and nongovernmental organizations to implement local programs
47.27 to prevent water pollution due to garbage and human waste left on the ice of state waters
47.28 during winter-use activities. Activities eligible for grants under this section include but are
47.29 not limited to:

47.30 (1) installing and maintaining public, sanitary, winterized dumping stations at accessible,
47.31 designated locations near lake access points and major travel corridors;

48.1 (2) providing dedicated seasonal services, facilities, and containers to transport and
48.2 dispose of human and pet biowaste at preapproved locations;

48.3 (3) increasing enforcement of related state and local ordinances by providing the resources
48.4 needed to increase state and local law enforcement patrols during the winter months and
48.5 establishing volunteer county programs for winter lake patrol;

48.6 (4) education and outreach efforts promoting local and regional Keep It Clean activities;

48.7 (5) organizing spring cleanup efforts, excluding cleanup efforts after significant events,
48.8 including but not limited to festivals, ice fishing contests, and ice races; and

48.9 (6) local advertising and marketing efforts to educate and promote Keep It Clean
48.10 messaging and provide information about laws and regulations regarding Keep It Clean.

48.11 Sec. 33. **STRATEGIC LAND ASSET MANAGEMENT REPORT.**

48.12 By February 1, 2025, the commissioner of natural resources must submit a report to the
48.13 chairs and ranking minority members of the house of representatives and senate committees
48.14 and divisions with jurisdiction over environment on how the Department of Natural
48.15 Resource's Strategic Land Asset Management (SLAM) program approaches potential
48.16 transfers of land to Tribal Nations. The report must explain how the department works
48.17 collaboratively with Tribal Nations and others to consider potential transfers of land and
48.18 shared land management opportunities. It must also include a list of those opportunities
48.19 identified by the department.

53.12 Sec. 39. **REPORT ON GEOLOGIC CARBON SEQUESTRATION.**

53.13 (a) The commissioner of natural resources must prepare a report on geologic carbon
53.14 sequestration within the state to guide future decision-making and legislation that will assist
53.15 in achieving goals for carbon neutrality by 2050 as established in Minnesota's Climate
53.16 Action Framework. The report must identify geologic carbon sequestration opportunities
53.17 and include recommendations on statutory and policy changes that govern any geologic
53.18 carbon sequestration activity while benefiting the people of Minnesota and adequately
53.19 protecting the state's natural resources.

53.20 (b) The commissioner of natural resources must appoint a Geologic Carbon Sequestration
53.21 Technical Advisory Committee to advise on the preparation of the report required by
53.22 paragraph (a). The commissioner may appoint representatives from the following entities
53.23 to the technical advisory committee:

- 53.24 (1) the Pollution Control Agency;
53.25 (2) the Environmental Quality Board;
53.26 (3) the Department of Health;
53.27 (4) the Department of Revenue;
53.28 (5) the University of Minnesota; and
53.29 (6) federal agencies.

53.30 (c) A majority of the committee members must be from state agencies, and all members
53.31 must have expertise in at least one of the following areas: geology, hydrogeology, mineralogy,
54.1 air emissions, well and boring construction and monitoring, direct air capture technology,
54.2 mineral carbonization, Underground Injection Control class VI permitting and primacy
54.3 programming, environmental review, property law, or taxation. The committee must hold

54.4 a meeting to gather and consider input from industry, environmental groups, other
54.5 stakeholders, and Tribes.

54.6 (d) By January 15, 2025, the commissioner must submit the report to the chairs and
54.7 ranking minority members of the legislative committees and divisions with jurisdiction over
54.8 environment. The report must include recommendations for draft legislative language.

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

57.8 Sec. 43. **NONLETHAL BEAVER MANAGEMENT GRANT PROGRAM.**

57.9 Subdivision 1. **Establishment.** The commissioner of natural resources must establish a
57.10 program to:

57.11 (1) provide state matching grants to assist individuals and communities with nonlethal
57.12 beaver management and beaver damage deterrence; and

57.13 (2) provide recommendations for nonlethal strategies that can be implemented instead
57.14 of lethal management.

57.15 Subd. 2. **Eligible applicants.** The commissioner may award grants under this section
57.16 to:

57.17 (1) local units of government, including cities, counties, regional authorities, joint powers
57.18 boards, towns, townships, Tribal governments, and parks and recreation boards in cities of
57.19 the first class, that are responding to property damage caused by beaver activity; and

57.20 (2) Minnesota residents that own or lease land where beavers are present and are causing
57.21 property damage.

57.22 Subd. 3. **Eligible expenditures.** Applicants located in the seven-county metropolitan
57.23 area are eligible for matching grants of up to 50 percent of costs incurred to deter beaver
57.24 damage. Eligible expenditures include:

57.25 (1) nonlethally trapping and relocating beavers that are causing property damage;

57.26 (2) fencing and other hardware for tree and plant protection;

57.27 (3) planting native vegetation that is beaver-resistant; and

57.28 (4) creating buffer strips of native vegetation that deter beaver damage to other properties.

57.29 Subd. 4. **Report.** The commissioner must report to the legislature by February 1, 2025,
57.30 on the uses and effectiveness of the nonlethal beaver management grant program and make
58.1 recommendations for further changes to the program, including possible future funding
58.2 amounts and sources of funding.

58.21 Sec. 45. **RULEMAKING; CHANGES TO NONFERROUS METALLIC MINERAL**
58.22 **LEASE TERMS.**

58.23 (a) The commissioner of natural resources must amend paragraph 8c of the lease terms
58.24 under Minnesota Rules, part 6125.0700, as follows:

58.25 (1) in the first paragraph, strike ": (1) the net return value of the metallic minerals and
58.26 associated mineral products recovered from each ton of dried crude ore mined from the
58.27 mining unit exceeds \$75; and (2)";

58.28 (2) amend the second paragraph to read "The adjustment to the base rate must be
58.29 computed by multiplying a fraction, the numerator of which is the Base Index and the
58.30 denominator of which is equal to the Producer Price Index for All Commodities for the
59.1 month in question, by the net return value of the metallic minerals and associated mineral
59.2 products recovered from each ton of dried crude ore mined from the mining unit. The
59.3 resulting product must be carried to four decimal places and then rounded to the nearest
59.4 one-hundredth of a dollar. This product must be used instead of the net return value to
59.5 reference Appendix A: Royalty Base Rate Table and to determine the base rate."; and

59.6 (3) in the third paragraph, make changes to the example consistent with clauses (1) and
59.7 (2) and update and reformat as needed.

59.8 (b) The commissioner may use the good-cause exemption under Minnesota Statutes,
59.9 section 14.388, subdivision 1, clause (3), to adopt the rule under paragraph (a), and Minnesota
59.10 Statutes, section 14.386, does not apply except as provided under Minnesota Statutes, section
59.11 14.388.

59.12 (c) Effective on the date that the rule under paragraph (a) is adopted, all existing
59.13 nonferrous metallic mineral leases issued by the commissioner are deemed amended to
59.14 reflect the adopted rule.

59.15 Sec. 46. **REPORT.**

59.16 By December 1, 2027, the commissioner of natural resources must report to the chairs
59.17 and ranking minority members of the legislative committees with jurisdiction over
59.18 environment and natural resources on the effect of eliminating the shotgun zone on deer
59.19 hunting and deer populations. The report may include any recommendations for additional
59.20 statutory or policy changes that the commissioner deems advisable.

59.21 Sec. 47. **STUDY OF IMPACT OF EAGLES ON LOONS.**

59.22 The commissioner of natural resources must conduct a study of the impact that eagles
59.23 have on loons in this state. The study must include an assessment of the impact that the
59.24 presence of bald eagles has on juvenile loons and on the loon population generally. By
59.25 March 1, 2028, the commissioner must submit a report on the results of the study to the
59.26 chairs and ranking minority members of the legislative committees and divisions with
59.27 jurisdiction over the environment.

76.7 Sec. 51. **REPEALER.**

76.8 Minnesota Statutes 2022, sections 84.033, subdivision 3; and 97B.802, are repealed.

76.9 **ARTICLE 4**

76.10 **BOARD OF WATER AND SOIL RESOURCES**

76.11 Section 1. Minnesota Statutes 2022, section 103B.101, subdivision 12, is amended to read:

76.12 Subd. 12. **Authority to issue penalty orders.** ~~(a) Except as provided under subdivision~~
76.13 ~~12a,~~ The board may issue an order requiring violations to be corrected and administratively
76.14 assessing monetary penalties of up to \$10,000 per violation for violations of this chapter
76.15 and chapters 103C, 103D, 103E, 103F, and 103G, any rules adopted under those chapters,
76.16 and any standards, limitations, or conditions established by the board.

76.17 ~~(b) Administrative penalties issued by the board under paragraph (a) or subdivision 12a,~~
76.18 may be appealed according to section 116.072, if the recipient of the penalty requests a
76.19 hearing by notifying the commissioner in writing within 30 days after receipt of the order.
76.20 For the purposes of this section, the terms "commissioner" and "agency" as used in section
76.21 116.072 mean the board. If a hearing is not requested within the 30-day period, the order
76.22 becomes a final order not subject to further review.

76.23 ~~(c) Administrative penalty orders issued under paragraph (a) or subdivision 12a, may~~
76.24 be enforced under section 116.072, subdivision 9. Penalty amounts must be remitted within
76.25 30 days of issuance of the order.

76.26 ~~(d) If the board determines that sufficient steps have been taken to fully resolve~~
76.27 noncompliance, all or part of a penalty issued under this subdivision may be forgiven.

76.28 Sec. 2. Minnesota Statutes 2022, section 103B.101, subdivision 12a, is amended to read:

76.29 Subd. 12a. **Authority to issue penalty orders; counties and watershed districts.** ~~(a)~~
76.30 A county or watershed district with jurisdiction or the Board of Water and Soil Resources
77.1 may issue an order requiring violations of the water resources riparian protection requirements
77.2 under sections 103F.415, 103F.421, and 103F.48 to be corrected and administratively
77.3 assessing monetary penalties up to \$500 \$10,000 for noncompliance commencing on day
77.4 one of the 11th month after the noncompliance notice was issued. The proceeds collected
77.5 from an administrative penalty order issued under this section must be remitted to the county
77.6 or watershed district with jurisdiction over the noncompliant site, or otherwise remitted to
77.7 the Board of Water and Soil Resources.

77.8 ~~(b) Before exercising this authority, the Board of Water and Soil Resources must adopt~~
77.9 a plan containing procedures for the issuance of administrative penalty orders by local
77.10 governments and the board as authorized in this subdivision and subdivision 12. This plan,
77.11 and any subsequent amendments, will become ~~is~~ effective 30 days after being published in

59.28 Sec. 48. **REPEALER.**

59.29 Minnesota Statutes 2022, sections 97B.318; and 97B.802, are repealed.

77.12 the State Register. ~~The initial plan must be published in the State Register no later than July~~
77.13 ~~1, 2017.~~

77.14 (c) Administrative penalties may be reissued and appealed under paragraph (a) according
77.15 to section 103F.48, subdivision 9.

77.16 Sec. 3. Minnesota Statutes 2023 Supplement, section 103B.104, is amended to read:

77.17 **103B.104 LAWNS TO LEGUMES PROGRAM.**

77.18 (a) The Board of Water and Soil Resources may provide financial and technical assistance
77.19 to plant residential landscapes and community spaces with native vegetation and
77.20 pollinator-friendly forbs and legumes to:

77.21 (1) protect a diversity of pollinators with declining populations; and

77.22 (2) provide additional benefits for water management, carbon sequestration, and landscape
77.23 and climate resiliency.

77.24 (b) The board must establish criteria for grants or payments awarded under this section.
77.25 Grants or payments awarded under this section may give priority consideration for proposals
77.26 in areas identified by the United States Fish and Wildlife Service as areas where there is a
77.27 high potential for rusty patched bumble bees and other priority species to be present.

77.28 (c) The board may collaborate with and enter into agreements with federal, state, and
77.29 local agencies; Tribal Nations; nonprofit organizations; and contractors to implement and
77.30 promote the program.

77.31 (d) Data on individuals who apply for or receive financial or technical assistance to plant
77.32 residential landscapes or community spaces under the program are classified as private data
78.1 on individuals, as defined by section 13.02, subdivision 12. Section 13.05, subdivision 11,
78.2 applies to an agreement between the board and a private person to implement the program.

78.3 Sec. 4. Minnesota Statutes 2023 Supplement, section 103F.06, is amended by adding a
78.4 subdivision to read:

78.5 Subd. 7. **Grant requirements.** In addition to the applicable grants management
78.6 requirements under sections 16B.97 to 16B.991, as a condition of receiving financial
78.7 assistance to purchase soil health equipment under this section, a farmer must commit to:

78.8 (1) if not certified under sections 17.9891 to 17.993, achieving certification no later than
78.9 24 months after the grant agreement is fully executed;

78.10 (2) not leasing or renting the equipment to another for economic gain; and

78.11 (3) if selling the equipment, selling it for no more than the farmer's documented share
78.12 of the total purchase price.

78.13 Sec. 5. Minnesota Statutes 2022, section 103F.48, subdivision 7, is amended to read:

78.14 Subd. 7. **Corrective actions.** (a) If the soil and water conservation district determines
78.15 a landowner is not in compliance with this section, the district must notify the county or
78.16 watershed district with jurisdiction over the noncompliant site and the board. The county
78.17 or watershed district with jurisdiction or the board must provide the landowner with a list
78.18 of corrective actions needed to come into compliance and a practical timeline to meet the
78.19 requirements in this section. The county or watershed district with jurisdiction must provide
78.20 a copy of the corrective action notice to the board.

78.21 (b) A county or watershed district exercising jurisdiction under this subdivision and the
78.22 enforcement authority granted in section 103B.101, subdivision 12a, shall affirm their
78.23 jurisdiction and identify the ordinance, rule, or other official controls to carry out the
78.24 compliance provisions of this section and section 103B.101, subdivision 12a, by notice to
78.25 the board prior to March 31, 2017. A county or watershed district must provide notice to
78.26 the board at least 60 days prior to the effective date of a subsequent decision on their
78.27 jurisdiction.

78.28 (c) If the landowner does not comply with the list of actions and timeline provided, the
78.29 county or watershed district may enforce this section under the authority granted in section
78.30 103B.101, subdivision 12a, or by rule of the watershed district or ordinance or other official
78.31 control of the county. Before exercising administrative penalty authority, a county or
78.32 watershed district must adopt a plan consistent with the plan adopted by the board containing
79.1 procedures for the issuance of administrative penalty orders and may issue orders beginning
79.2 November 1, 2017. If a county or watershed district with jurisdiction over the noncompliant
79.3 site has not adopted a plan, rule, ordinance, or official control under this paragraph, the
79.4 board must enforce this section under the authority granted in section 103B.101, subdivision
79.5 ~~12a~~ 12.

79.6 (d) If the county, watershed district, or board determines that sufficient steps have been
79.7 taken to fully resolve noncompliance, all or part of the penalty may be forgiven.

79.8 (e) An order issued under paragraph (c) may be appealed to the board as provided under
79.9 subdivision 9.

79.10 (f) A corrective action is not required for conditions resulting from a flood or other act
79.11 of nature.

79.12 (g) A landowner agent or operator of a landowner may not remove or willfully degrade
79.13 a riparian buffer or water quality practice, wholly or partially, unless the agent or operator
79.14 has obtained a signed statement from the property owner stating that the permission for the
79.15 work has been granted by the unit of government authorized to approve the work in this
79.16 section or that a buffer or water quality practice is not required as validated by the soil and
79.17 water conservation district. Removal or willful degradation of a riparian buffer or water
79.18 quality practice, wholly or partially, by an agent or operator is a separate and independent
79.19 offense and may be subject to the corrective actions and penalties in this subdivision.

79.20 Sec. 6. **[103F.49] DRAIN TILE SELLER'S DISCLOSURE REQUIRED.**

79.21 Subdivision 1. **Definition.** For purposes of this section, "drain tile" means a system of
79.22 tile, corrugated plastic tubing, pipe, or other conduit installed beneath the ground surface
79.23 to collect and convey water.

79.24 Subd. 2. **Disclosure required.** (a) Before signing an agreement to sell or transfer real
79.25 property classified for purposes of taxation under section 273.13 as class 2a or 2b, the seller
79.26 must disclose in writing to the buyer the status and location of all known drain tile on the
79.27 property by delivering to the buyer:

79.28 (1) a statement by the seller that the seller does not know of any drain tile on the property;
79.29 or

79.30 (2) a disclosure statement indicating the legal description and county and, to the extent
79.31 practicable, a map drawn from available information and accurate to scale identifying the
79.32 location of drain tile on the property, including tile diameter and all outlets and control
79.33 structures, and the drainage water flow path for the first mile downstream of the drain tile.

80.1 (b) At the time of closing the sale, the disclosure statement information, name and mailing
80.2 address of the buyer, and the quartile, section, township, and range in which drain tile is
80.3 located must be provided on a drain tile disclosure certificate signed by the seller or a person
80.4 authorized to act on behalf of the seller.

80.5 (c) A drain tile certificate need not be provided if the seller does not know of any drain
80.6 tile on the property and the deed or other instrument of conveyance contains the statement:
80.7 "The Seller certifies that the Seller does not know of any drain tile on the described real
80.8 property."

80.9 (d) If a deed is given pursuant to a contract for deed, the drain tile disclosure certificate
80.10 required by this subdivision must be signed by the buyer or a person authorized to act on
80.11 behalf of the buyer. If the buyer knows of no drain tile on the property, a drain tile disclosure
80.12 certificate is not required if the following statement appears on the deed, followed by the
80.13 signature of the grantee or, if there is more than one grantee, the signature of at least one
80.14 of the grantees: "The Grantee certifies that the Grantee does not know of any drain tile on
80.15 the described real property." The statement and signature of the grantee may be on the front
80.16 or back of the deed or on an attached sheet, and an acknowledgment of the statement by
80.17 the grantee is not required for the deed to be recordable.

80.18 (e) If the seller fails to provide a required drain tile disclosure certificate, the buyer, or
80.19 a person authorized to act on behalf of the buyer, may sign a drain tile disclosure certificate
80.20 based on the information provided on the disclosure statement required by this section or
80.21 based on other available information.

80.22 (f) A county recorder or registrar of titles may not record a deed or other instrument of
80.23 conveyance dated after January 1, 2026, for which a certificate of value is required under
80.24 section 272.115, or any deed or other instrument of conveyance dated after January 1, 2026.

80.25 from a governmental body exempt from the payment of state deed tax, unless the deed or
80.26 other instrument of conveyance contains the statement made in accordance with paragraph
80.27 (c) or (d) or is accompanied by the drain tile disclosure certificate containing all the
80.28 information required by paragraph (b) or (d).

80.29 (g) The county recorder or registrar of titles must not accept a certificate unless it contains
80.30 all required information. The county recorder or registrar of titles must note on each deed
80.31 or other instrument of conveyance accompanied by a drain tile disclosure certificate that
80.32 the drain tile disclosure certificate was received. The notation must include the statement
80.33 "No drain tile on property" if the disclosure certificate states that there is no drain tile on
80.34 the property.

81.1 (h) The drain tile disclosure certificate must not be filed or recorded in the records
81.2 maintained by the county recorder or registrar of titles. After noting "No drain tile on
81.3 property" on the deed or other instrument of conveyance, the county recorder or registrar
81.4 of titles must destroy or return to the buyer the drain tile disclosure certificate.

81.5 (i) The county recorder or registrar of titles must collect from the buyer or the person
81.6 seeking to record a deed or other instrument of conveyance a fee of \$50 for receipt of a
81.7 completed drain tile disclosure certificate. By the tenth day of each month, the county
81.8 recorder or registrar of titles must transmit the drain tile disclosure certificates to the Board
81.9 of Water and Soil Resources. By the tenth day after the end of each calendar quarter, the
81.10 county recorder or registrar of titles must transmit to the Board of Water and Soil Resources
81.11 \$42.50 of the fee for each drain disclosure certificate received during the quarter. The board
81.12 must maintain the drain tile disclosure certificate for at least six years. The board may store
81.13 the certificate as an electronic image. A copy of that image is as valid as the original.

81.14 (j) The Board of Water and Soil Resources, in consultation with county recorders, must
81.15 prescribe the form for a drain tile disclosure certificate and provide drain tile disclosure
81.16 certificate forms to county recorders, registrars of titles, and other interested persons.

81.17 (k) Failure to comply with a requirement of this section does not impair:

81.18 (1) the validity of a deed or other instrument of conveyance as between the parties to
81.19 the deed or instrument or as to any other person who otherwise would be bound by the deed
81.20 or instrument; or

81.21 (2) the record, as notice, of any deed or other instrument of conveyance accepted for
81.22 filing or recording contrary to the provisions of this subdivision.

81.23 Subd. 3. **Liability for failure to disclose.** Unless the buyer and seller agree to the
81.24 contrary, in writing, before the closing of the sale, a seller who fails to disclose the existence
81.25 or known status of drain tile at the time of sale and knew or had reason to know of the
81.26 existence or known status of the drain tile is liable to the buyer for costs incurred to repair
81.27 the drain tile and reasonable attorney fees for collection of costs from the seller, if the action

81.28 is commenced within six years after the date the buyer closed the purchase of the real
81.29 property where the drain tile is located.

81.30 **EFFECTIVE DATE.** This section is effective July 1, 2025.

81.31 Sec. 7. **SOIL HEALTH APPROPRIATIONS; REPORT.**

81.32 By January 15, 2026, the Board of Water and Soil Resources must submit a report to
81.33 the chairs and ranking minority members of the legislative committees and divisions with
82.1 jurisdiction over environment and natural resources on the expenditure of money appropriated
82.2 for soil health activities under Laws 2023, chapter 60, article 1, section 4, paragraph (k).

82.3 **ARTICLE 5**

82.4 **PACKAGING WASTE AND COST REDUCTION ACT**

82.5 Section 1. **[115A.144] SHORT TITLE.**

82.6 Sections 115A.144 to 115A.1462 may be cited as the "Packaging Waste and Cost
82.7 Reduction Act."

54.10 Sec. 40. **MANURE MANAGEMENT GRANTS.**

54.11 (a) Money appropriated in this act to the Board of Water and Soil Resources for manure
54.12 management grants may be used to enhance groundwater protection and reduce greenhouse
54.13 gases associated with agriculture. Priority must be given to areas with high groundwater
54.14 nitrate levels or geology conducive to groundwater pollution, such as those shown on the
54.15 Department of Agriculture's vulnerable groundwater area map.

54.16 (b) Funded activities may include projects that limit agricultural use of vulnerable land,
54.17 such as establishing karst feature buffers or conservation easements, and cost-share assistance
54.18 for constructing manure management and storage facilities. All funded projects must be
54.19 designed to result in improved water quality or reduced greenhouse gas emissions. Feedlot
54.20 grant recipients must agree to prepare and complete a nutrient management plan and must
54.21 operate at fewer than 1,000 animal units. Grants for expanded liquid manure storage capacity
54.22 must not exceed 12 months of storage based on current animal numbers. Anaerobic digesters
54.23 are not eligible for grants under this section.

54.24 (c) Grants must prioritize applicants that will manage nutrient application using the
54.25 Pollution Control Agency's latest published manure management tool and that will comply
54.26 with the land application requirements and vulnerable field restrictions applicable to permitted
54.27 feedlots in Minnesota.

54.28 (d) The board may use this appropriation to match federal money. The board must ensure
54.29 that grant agreements include terms necessary to document implementation of approved
54.30 plans and activities.

77.23 **ARTICLE 5**

77.24 **PACKAGING WASTE AND COST REDUCTION ACT**

77.25 Section 1. **[115A.144] SHORT TITLE.**

77.26 Sections 115A.144 to 115A.1462 may be cited as the "Packaging Waste and Cost
77.27 Reduction Act."

82.8 Sec. 2. [115A.1441] DEFINITIONS.

82.9 Subdivision 1. **Scope.** For the purposes of sections 115A.144 to 115A.1462, the terms
82.10 in this section have the meanings given.

82.11 Subd. 2. **Advisory board.** "Advisory board" or "board" means the Producer
82.12 Responsibility Advisory Board established under section 115A.1444.

82.13 Subd. 3. **Brand.** "Brand" means a name, symbol, word, or mark that identifies a product
82.14 and attributes the product and its components, including packaging, to the brand owner.

82.15 Subd. 4. **Brand owner.** "Brand owner" means a person that owns or licenses a brand or
82.16 that otherwise has rights to market a product under the brand, whether or not the brand's
82.17 trademark is registered.

82.18 Subd. 5. **Collection rate.** "Collection rate" means the amount of a covered material by
82.19 covered materials type collected by service providers and transported for recycling or
82.20 composting divided by the total amount of the type of a covered material by covered materials
82.21 type sold or distributed into the state by the relevant unit of measurement established in
82.22 section 115A.1451.

82.23 Subd. 6. **Compostable material.** "Compostable material" means a covered material
82.24 that:

82.25 (1) meets, and is labeled to reflect that it meets, the American Society for Testing and
82.26 Materials Standard Specification for Labeling of Plastics Designed to be Aerobically
82.27 Composted in Municipal or Industrial Facilities (D6400) or its successor;

82.28 (2) meets, and is labeled to reflect that it meets, the American Society for Testing and
82.29 Materials Standard Specification for Labeling of End Items that Incorporate Plastics and
82.30 Polymers as Coatings or Additives with Paper and Other Substrates Designed to be
82.31 Aerobically Composted in Municipal or Industrial Facilities (D6868) or its successor;

83.1 (3) is comprised of only wood without any coatings or additives; or

83.2 (4) is comprised of only paper without any coatings or additives.

83.3 Subd. 7. **Composting.** "Composting" means the controlled microbial degradation of
83.4 source-separated compostable materials to yield a humus-like product.

83.5 Subd. 8. **Composting rate.** "Composting rate" means the amount of compostable covered
83.6 material that is managed through composting, divided by the total amount of compostable
83.7 covered material sold or distributed into the state by the relevant unit of measurement
83.8 established in section 115A.1451.

83.9 Subd. 9. **Covered material.** "Covered material" means packaging and paper products
83.10 introduced into the state. Covered material does not include exempt materials.

78.1 Sec. 2. [115A.1441] DEFINITIONS.

78.2 Subdivision 1. **Scope.** For the purposes of sections 115A.144 to 115A.1462, the terms
78.3 in this section have the meanings given.

78.4 Subd. 2. **Advisory board.** "Advisory board" or "board" means the Producer
78.5 Responsibility Advisory Board established under section 115A.1444.

78.6 Subd. 3. **Brand.** "Brand" means a name, symbol, word, or mark that identifies a product
78.7 and attributes the product and its components, including packaging, to the brand owner.

78.8 Subd. 4. **Brand owner.** "Brand owner" means a person that owns or licenses a brand or
78.9 that otherwise has rights to market a product under the brand, whether or not the brand's
78.10 trademark is registered.

78.11 Subd. 5. **Collection rate.** "Collection rate" means the amount of a covered material by
78.12 covered materials type collected by service providers and transported for recycling or
78.13 composting divided by the total amount of the type of a covered material by covered materials
78.14 type sold or distributed into the state by the relevant unit of measurement established in
78.15 section 115A.1451.

78.16 Subd. 6. **Compostable material.** "Compostable material" means a covered material
78.17 that:

78.18 (1) meets, and is labeled to reflect that it meets, the American Society for Testing and
78.19 Materials Standard Specification for Labeling of Plastics Designed to be Aerobically
78.20 Composted in Municipal or Industrial Facilities (D6400) or its successor;

78.21 (2) meets, and is labeled to reflect that it meets, the American Society for Testing and
78.22 Materials Standard Specification for Labeling of End Items that Incorporate Plastics and
78.23 Polymers as Coatings or Additives with Paper and Other Substrates Designed to be
78.24 Aerobically Composted in Municipal or Industrial Facilities (D6868) or its successor;

78.25 (3) is comprised of only wood without any coatings or additives; or

78.26 (4) is comprised of only paper without any coatings or additives.

78.27 Subd. 7. **Composting.** "Composting" means the controlled microbial degradation of
78.28 source-separated compostable materials to yield a humus-like product.

78.29 Subd. 8. **Composting rate.** "Composting rate" means the amount of compostable covered
78.30 material that is managed through composting, divided by the total amount of compostable
78.31 covered material sold or distributed into the state by the relevant unit of measurement
78.32 established in section 115A.1451.

79.1 Subd. 9. **Covered material.** "Covered material" means packaging and paper products
79.2 introduced into the state. Covered material does not include exempt materials.

83.11 Subd. 10. **Covered materials type.** "Covered materials type" means a singular and
83.12 specific type of covered material that can be categorized based on distinguishing chemical
83.13 or physical properties, including properties that allow for a covered materials type to be
83.14 aggregated into a commonly defined discrete commodity category for purposes of reuse,
83.15 recycling, or composting, and based on similar uses in the form of a product or package.

83.16 Subd. 11. **De minimis producer.** "De minimis producer" means a person that in the
83.17 most recent fiscal year:

83.18 (1) introduced less than one ton of covered material into this state; or
83.19 (2) earned global gross revenues of less than \$2,000,000.

83.20 Subd. 12. **Drop-off collection site.** "Drop-off collection site" means a physical location
83.21 where covered materials are accepted from the public and that is open a minimum of 12
83.22 hours weekly throughout the year.

83.23 Subd. 13. **Environmental impact.** "Environmental impact" means the impact of a
83.24 covered material on human health and the environment from extraction and processing of
83.25 the raw materials composing the material through manufacturing; distribution; use; recovery
83.26 for reuse, recycling, or composting; and final disposal.

83.27 Subd. 14. **Exempt materials.** "Exempt materials" means materials, or any portion of
83.28 materials, that:

83.29 (1) are packaging for infant formula, as defined in United States Code, title 21, section
83.30 321(z);

83.31 (2) are packaging for medical food, as defined in United States Code, title 21, section
83.32 360ee(b)(3);

84.1 (3) are packaging for a fortified oral nutritional supplement used by persons who require
84.2 supplemental or sole source nutrition to meet nutritional needs due to special dietary needs
84.3 directly related to cancer, chronic kidney disease, diabetes, malnutrition, or failure to thrive,
84.4 as those terms are defined by the International Classification of Diseases, Tenth Revision;

84.5 (4) are packaging for medical devices or drugs, as defined in the federal Food, Drug,
84.6 and Cosmetic Act, United States Code, title 21, sections 321(g), 321(h), and 353(b)(1), as
84.7 amended;

79.3 Subd. 10. **Covered materials type.** "Covered materials type" means a singular and
79.4 specific type of covered material, such as paper, plastic, metal, or glass, that can be
79.5 categorized based on distinguishing chemical or physical properties, including properties
79.6 that allow for a covered materials type to be aggregated into a commonly defined discrete
79.7 commodity category for purposes of reuse, recycling, or composting, and based on similar
79.8 uses in the form of a product or package.

79.9 Subd. 11. **De minimis producer.** "De minimis producer" means a person that in the
79.10 most recent fiscal year:

79.11 (1) introduced less than one ton of covered material into this state; or
79.12 (2) earned global gross revenues of less than \$2,000,000.

79.13 Subd. 12. **Drop-off collection site.** "Drop-off collection site" means a physical location
79.14 where covered materials are accepted from the public and that is open a minimum of 12
79.15 hours weekly throughout the year.

79.16 Subd. 13. **Environmental impact.** "Environmental impact" means the impact of a
79.17 covered material on human health and the environment from extraction and processing of
79.18 the raw materials composing the material through manufacturing; distribution; use; recovery
79.19 for reuse, recycling, or composting; and final disposal.

79.20 Subd. 14. **Exempt materials.** "Exempt materials" means materials, or any portion of
79.21 materials, that:

79.22 (1) are packaging for infant formula, as defined in United States Code, title 21, section
79.23 321(z);

79.24 (2) are packaging for medical food, as defined in United States Code, title 21, section
79.25 360ee(b)(3);

79.26 (3) are packaging for a fortified oral nutritional supplement used by persons who require
79.27 supplemental or sole source nutrition to meet nutritional needs due to special dietary needs
79.28 directly related to cancer, chronic kidney disease, diabetes, malnutrition, or failure to thrive,
79.29 as those terms are defined by the International Classification of Diseases, Tenth Revision;

79.30 (4) are a product, including its peripheral accessories, and the packaging or packaging
79.31 components for any investigational or approved product regulated as a drug or medical
79.32 device by the United States Food and Drug Administration;

80.1 (5) are medical equipment or products or their components, including consumable
80.2 medical equipment or products and their components, and the packaging or packaging
80.3 components for any products used in health care settings, including hospitals and clinics
80.4 that are regulated by the United States Food and Drug Administration or used for infection
80.5 prevention and dispensing of medication;

- 84.8 (5) are packaging for products regulated as animal biologics, including vaccines, bacterins,
84.9 antisera, diagnostic kits, and other products of biological origin, under the federal
84.10 Virus-Serum-Toxin Act, United States Code, title 21, section 151 et seq., as amended;
- 84.11 (6) are packaging for products regulated under the federal Insecticide, Fungicide, and
84.12 Rodenticide Act, United States Code, title 7, section 136 et seq., as amended;
- 84.13 (7) are paper products used for a print publication with a circulation of less than 20,000
84.14 that primarily includes content derived from primary sources related to news and current
84.15 events; or
- 84.16 (8) are exempt materials, as determined by the commissioner under section 115A.1453.
84.17 subdivision 6.
- 84.18 Subd. 15. **Food packaging.** "Food packaging" has the meaning given in section 325F.075.
- 84.19 Subd. 16. **Independent auditor.** "Independent auditor" means an independent and
84.20 actively licensed certified public accountant that is:
- 84.21 (1) retained by a producer responsibility organization;
- 84.22 (2) not otherwise employed by or affiliated with a producer responsibility organization;
84.23 and
- 84.24 (3) qualified to conduct an audit under state law.

- 80.6 (6) are medical equipment or products and the packaging or packaging components for
80.7 any product intended for Research Use Only as defined in the Federal Food, Drug, and
80.8 Cosmetic Act, United States Code, title 21, section 360 et seq.;
- 80.9 (7) are drugs, biological products, parasiticides, medical devices, or in vitro diagnostics
80.10 used to treat, or administered to, animals and regulated by the United States Food and Drug
80.11 Administration under the Federal Food, Drug, and Cosmetic Act, United States Code, title
80.12 21, section 301 et seq., by the United States Department of Agriculture under the federal
80.13 Virus-Serum-Toxin Act, United States Code, title 21, section 151 et seq.;
- 80.14 (8) are packaging for products regulated or by the United States Environmental Protection
80.15 Agency under the Federal Insecticide, Fungicide, and Rodenticide Act, United States Code,
80.16 title 7, section 136 et seq.;
- 80.18 (10) are paper products used for a print publication that primarily includes content derived
80.19 from primary sources related to news and current events;
- 80.17 (9) are packaging used to contain liquefied petroleum gas and are designed to be refilled;
- 80.20 (11) are packaging used to contain hazardous or flammable products regulated by the
80.21 2012 federal Occupational Safety and Health Administration Hazard Communications
80.22 Standard, Code of Federal Regulations, title 29, section 1910.200, that prevents the packaging
80.23 from being waste reduced or made reusable, recyclable, or compostable, as determined by
80.24 the commissioner; or
- 80.25 (12) are packaging that is being collected and properly managed through a paint
80.26 stewardship plan approved under section 115A.1415.
- 80.27 Subd. 15. **Food packaging.** "Food packaging" has the meaning given in section 325F.075
80.28 and only includes those materials that are supplied to a residential consumer.
- 80.29 Subd. 16. **Independent auditor.** "Independent auditor" means an independent and
80.30 actively licensed certified public accountant that is:
- 80.31 (1) retained by a producer responsibility organization;
- 81.1 (2) not otherwise employed by or affiliated with a producer responsibility organization;
81.2 and
- 81.3 (3) qualified to conduct an audit under state law.

84.25 Subd. 17. **Infrastructure investment.** "Infrastructure investment" means an investment
84.26 by a producer responsibility organization that funds:

84.27 (1) equipment or facilities in which covered materials are prepared for reuse, recycling,
84.28 or composting;

84.29 (2) equipment or facilities used for waste reduction, reuse, recycling, or composting of
84.30 covered materials; or

85.1 (3) the expansion or strengthening of demand for and use of covered materials by
85.2 responsible markets in the state or region.

85.3 Subd. 18. **Introduce.** "Introduce" means to sell, offer for sale, distribute, or use to ship
85.4 a product within or into this state.

85.5 Subd. 19. **Living wage.** "Living wage" means the minimum hourly wage necessary to
85.6 allow a person working 40 hours per week to afford basic needs.

85.7 Subd. 20. **Needs assessment.** "Needs assessment" means an assessment conducted
85.8 according to section 115A.1450. Except where the context requires otherwise, needs
85.9 assessment means the most recently completed needs assessment.

85.10 Subd. 21. **Nondisclosure agreement.** "Nondisclosure agreement" means an agreement
85.11 that requires the parties to the agreement to treat private and nonpublic data submitted to
85.12 facilitate the completion of a needs assessment according to section 115A.06, subdivision
85.13 13.

85.14 Subd. 22. **Packaging.** "Packaging" has the meaning given in section 115A.03 and
85.15 includes food packaging. Packaging does not include exempt materials.

85.16 Subd. 23. **Paper product.** "Paper product" means a product made primarily from wood
85.17 pulp or other cellulosic fibers, except that paper product does not include bound books or
85.18 products that recycling or composting facilities will not accept because of the unsafe or
85.19 unsanitary nature of the paper product.

85.20 Subd. 24. **Postconsumer recycled content.** "Postconsumer recycled content" means
85.21 the portion of a product composed of postconsumer material, expressed as a percentage of
85.22 the total weight of the product.

85.23 Subd. 25. **Producer.** (a) "Producer" means the following person responsible for
85.24 compliance with requirements under sections 115A.144 to 115A.1462 for a covered material
85.25 sold, offered for sale, or distributed in or into this state:

85.26 (1) for items sold in or with packaging at a physical retail location in this state;

81.4 Subd. 17. **Infrastructure investment.** "Infrastructure investment" means an investment
81.5 by a producer responsibility organization that funds or reimburses service providers for:

81.6 (1) equipment or facilities in which covered materials are prepared for reuse, recycling,
81.7 or composting;

81.8 (2) equipment or facilities used for waste reduction, reuse, recycling, or composting of
81.9 covered materials; or

81.10 (3) the expansion or strengthening of demand for and use of covered materials by
81.11 responsible markets in the state or region.

81.12 Subd. 18. **Introduce.** "Introduce" means to sell, offer for sale, distribute, or use to ship
81.13 a product within or into this state.

81.14 Subd. 19. **Living wage.** "Living wage" means the minimum hourly wage necessary to
81.15 allow a person working 40 hours per week to afford basic needs.

81.16 Subd. 20. **Needs assessment.** "Needs assessment" means an assessment conducted
81.17 according to section 115A.1450. Except where the context requires otherwise, needs
81.18 assessment means the most recently completed needs assessment.

81.19 Subd. 21. **Nondisclosure agreement.** "Nondisclosure agreement" means an agreement
81.20 that requires the parties to the agreement to treat private and nonpublic data submitted to
81.21 facilitate completion of a needs assessment according to the definitions and requirements
81.22 established in section 115A.06, subdivision 13.

81.23 Subd. 22. **Packaging.** "Packaging" has the meaning given in section 115A.03 and
81.24 includes food packaging and only includes those materials that are supplied to a residential
81.25 consumer. Packaging does not include exempt materials.

81.26 Subd. 23. **Paper product.** "Paper product" means a product made primarily from wood
81.27 pulp or other cellulosic fibers, except that paper product does not include bound books or
81.28 products that recycling or composting facilities will not accept because of the unsafe or
81.29 unsanitary nature of the paper product.

81.30 Subd. 24. **Postconsumer recycled content.** "Postconsumer recycled content" means
81.31 the portion of a product composed of postconsumer material, expressed as a percentage of
81.32 the total weight of the product.

82.1 Subd. 25. **Producer.** (a) "Producer" means the following person responsible for
82.2 compliance with requirements under this act for a covered material sold, offered for sale,
82.3 or distributed in or into this state:

82.4 (1) for items sold in or with packaging at a physical retail location in this state;

85.27 (i) if the item is sold in or with packaging under the brand of the item manufacturer or
85.28 is sold in packaging that lacks identification of a brand, the producer is the person that
85.29 manufactures the item;

85.30 (ii) if there is no person to which item (i) applies, the producer is the person that is
85.31 licensed to manufacture and sell or offer for sale to consumers in this state an item with
85.32 packaging under the brand or trademark of another manufacturer or person;

86.1 (iii) if there is no person to which item (i) or (ii) applies, the producer is the brand owner
86.2 of the item;

86.3 (iv) if there is no person described in item (i), (ii), or (iii) within the United States, the
86.4 producer is the person who is the importer of record for the item into the United States for
86.5 use in a commercial enterprise that sells, offers for sale, or distributes the item in this state;
86.6 or

86.7 (v) if there is no person described in items (i) to (iv), the producer is the person that first
86.8 distributes the item in or into this state;

86.9 (2) for items sold or distributed in packaging in or into this state via e-commerce, remote
86.10 sale, or distribution;

86.11 (i) for packaging used to directly protect or contain the item, the producer of the packaging
86.12 is the same as the producer identified under clause (1); and

86.13 (ii) for packaging used to ship the item to a consumer, the producer of the packaging is
86.14 the person that packages the item to be shipped to the consumer;

86.15 (3) for packaging that is a covered material and is not included in clauses (1) and (2),
86.16 the producer of the packaging is the person that first distributes the item in or into this state;

86.17 (4) for paper products that are magazines, catalogs, telephone directories, or similar
86.18 publications, the producer is the publisher;

86.19 (5) for paper products not described in clause (4):

86.20 (i) if the paper product is sold under the manufacturer's own brand, the producer is the
86.21 person that manufactures the paper product;

86.22 (ii) if there is no person to which item (i) applies, the producer is the person that is the
86.23 owner or licensee of a brand or trademark under which the paper product is used in a
86.24 commercial enterprise, sold, offered for sale, or distributed in or into this state, whether or
86.25 not the trademark is registered in this state;

86.26 (iii) if there is no person to which item (i) or (ii) applies, the producer is the brand owner
86.27 of the paper product;

86.28 (iv) if there is no person described in item (i), (ii), or (iii) within the United States, the
86.29 producer is the person that imports the paper product into the United States for use in a

82.5 (i) if the item is sold in or with packaging under the brand of the item manufacturer or
82.6 is sold in packaging that lacks identification of a brand, the producer is the person that
82.7 manufactures the item;

82.8 (ii) if there is no person to which item (i) applies, the producer is the person that is
82.9 licensed to manufacture and sell or offer for sale to consumers in this state an item with
82.10 packaging under the brand or trademark of another manufacturer or person;

82.11 (iii) if there is no person to which item (i) or (ii) applies, the producer is the brand owner
82.12 of the item;

82.13 (iv) if there is no person described in item (i), (ii), or (iii) within the United States, the
82.14 producer is the person who is the importer of record for the item into the United States for
82.15 use in a commercial enterprise that sells, offers for sale, or distributes the item in this state;
82.16 or

82.17 (v) if there is no person described in items (i) to (iv), the producer is the person that first
82.18 distributes the item in or into this state;

82.19 (2) for items sold or distributed in packaging in or into this state via e-commerce, remote
82.20 sale, or distribution;

82.21 (i) for packaging used to directly protect or contain the item, the producer of the packaging
82.22 is the same as the producer identified under clause (1); and

82.23 (ii) for packaging used to ship the item to a consumer, the producer of the packaging is
82.24 the person that packages the item to be shipped to the consumer;

82.25 (3) for packaging that is a covered material and is not included in clauses (1) and (2),
82.26 the producer of the packaging is the person that first distributes the item in or into this state;

82.27 (4) for paper products that are magazines, catalogs, telephone directories, or similar
82.28 publications, the producer is the publisher;

82.29 (5) for paper products not described in clause (4):

82.30 (i) if the paper product is sold under the manufacturer's own brand, the producer is the
82.31 person that manufactures the paper product;

83.1 (ii) if there is no person to which item (i) applies, the producer is the person that is the
83.2 owner or licensee of a brand or trademark under which the paper product is used in a
83.3 commercial enterprise, sold, offered for sale, or distributed in or into this state, whether or
83.4 not the trademark is registered in this state;

83.5 (iii) if there is no person to which item (i) or (ii) applies, the producer is the brand owner
83.6 of the paper product;

83.7 (iv) if there is no person described in item (i), (ii), or (iii) within the United States, the
83.8 producer is the person that imports the paper product into the United States for use in a

86.30 commercial enterprise that sells, offers for sale, or distributes the paper product in this state;
86.31 or

87.1 (v) if there is no person described in items (i) to (iv), the producer is the person that first
87.2 distributes the paper product in or into this state; and

87.3 (6) a person is the producer of a covered material sold, offered for sale, or distributed
87.4 in or into this state, as defined in clauses (1) to (5), except:

87.5 (i) where another person has mutually signed an agreement with a producer as defined
87.6 in clauses (1) to (5) that contractually assigns responsibility to the person as the producer,
87.7 and the person has joined a registered producer responsibility organization as the responsible
87.8 producer for that covered material under sections 115A.144 to 115A.1462. In the event that
87.9 another person is assigned responsibility as the producer under this subdivision, the producer
87.10 under clauses (1) to (5) must provide written certification of that contractual agreement to
87.11 the producer responsibility organization; and

87.12 (ii) if the producer described in clauses (1) to (5) is a business operated wholly or in part
87.13 as a franchise, the producer is the franchisor if that franchisor has franchisees that have a
87.14 commercial presence within the state.

87.15 (b) "Producer" does not include:

87.16 (1) government agencies, municipalities, or other political subdivisions of the state;

87.17 (2) registered 501(c)(3) charitable organizations and 501(c)(4) social welfare
87.18 organizations; or

87.19 (3) de minimis producers.

87.20 Subd. 26. **Producer responsibility organization.** "Producer responsibility organization"
87.21 means a nonprofit corporation that is tax exempt under chapter 501(c)(3) of the federal
87.22 Internal Revenue Code and that is created by a group of producers to implement activities
87.23 under sections 115A.144 to 115A.1462.

87.24 Subd. 27. **Recycling.** "Recycling" has the meaning given in section 115A.03 except that
87.25 recycling does not include reuse or composting.

87.26 Subd. 28. **Recycling rate.** "Recycling rate" means the amount of covered material, in
87.27 aggregate or by individual covered materials type, managed through recycling in a calendar
87.28 year divided by the total amount of covered materials sold or distributed into the state by
87.29 the relevant unit of measurement established in section 115A.1451.

83.9 commercial enterprise that sells, offers for sale, or distributes the paper product in this state;
83.10 or

83.11 (v) if there is no person described in items (i) to (iv), the producer is the person that first
83.12 distributes the paper product in or into this state; and

83.13 (6) a person is the producer of a covered material sold, offered for sale, or distributed
83.14 in or into this state, as defined in clauses (1) to (5), except:

83.15 (i) where another person has mutually signed an agreement with a producer as defined
83.16 in clauses (1) to (5) that contractually assigns responsibility to the person as the producer,
83.17 and the person has joined a registered producer responsibility organization as the responsible
83.18 producer for that covered material under this act. In the event that another person is assigned
83.19 responsibility as the producer under this subdivision, the producer under clauses (1) to (5)
83.20 must provide written certification of that contractual agreement to the producer responsibility
83.21 organization; and

83.22 (ii) if the producer described in clauses (1) to (5) is a business operated wholly or in part
83.23 as a franchise, the producer is the franchisor if that franchisor has franchisees that have a
83.24 commercial presence within the state.

83.25 (b) "Producer" does not include:

83.26 (1) government agencies, municipalities, or other political subdivisions of the state;

83.27 (2) registered 501(c)(3) charitable organizations and 501(c)(4) social welfare
83.28 organizations;

83.29 (3) de minimis producers;

83.30 (4) a mill that uses any virgin wood fiber in the products it produces; or

83.31 (5) a paper mill that produces container board derived from 100 percent postconsumer
83.32 recycled content and non-postconsumer recycled content.

84.1 Subd. 26. **Producer responsibility organization.** "Producer responsibility organization"
84.2 means a nonprofit corporation that is tax exempt under chapter 501(c)(3) of the federal
84.3 Internal Revenue Code and that is created by a group of producers to implement activities
84.4 under this act.

84.5 Subd. 27. **Recycling.** "Recycling" has the meaning given in section 115A.03 except that
84.6 recycling does not include reuse or composting, as defined in this act.

84.7 Subd. 28. **Recycling rate.** "Recycling rate" means the amount of covered material, in
84.8 aggregate or by individual covered materials type, recycled in a calendar year divided by
84.9 the total amount of covered materials sold or distributed into the state by the relevant unit
84.10 of measurement established in section 115A.1451.

87.30 Subd. 29. **Refill.** "Refill" means the continued use of a covered material by a consumer
87.31 through a system that is:

88.1 (1) intentionally designed and marketed for repeated filling of a covered material to
88.2 reduce demand for new production of the covered material;

88.3 (2) supported by adequate logistics and infrastructure to provide convenient access for
88.4 consumers; and

88.5 (3) compliant with all applicable state and local statutes, rules, ordinances, and other
88.6 laws governing health and safety.

88.7 Subd. 30. **Responsible market.** "Responsible market" means a materials market that:

88.8 (1) reuses, recycles, composts, or otherwise recovers materials and disposes of
88.9 contaminants in a manner that protects the environment and minimizes risks to public health
88.10 and worker health and safety;

88.11 (2) complies with all applicable federal, state, and local statutes, rules, ordinances, and
88.12 other laws governing environmental, health, safety, and financial responsibility;

88.13 (3) possesses all requisite licenses and permits required by government agencies;

88.14 (4) if the market operates in the state, manages waste according to the waste management
88.15 goal and priority order of waste management practices stated in section 115A.02; and

88.16 (5) minimizes adverse impacts to environmental justice areas.

88.17 Subd. 31. **Return rate.** "Return rate" means the amount of reusable covered material
88.18 in aggregate or by individual covered materials type, collected for reuse by the producer or
88.19 service provider in a calendar year divided by the total amount of reusable covered materials
88.20 sold or distributed into the state by the relevant unit of measurement established in section
88.21 115A.1451.

88.22 Subd. 32. **Reusable.** "Reusable" means capable of reuse.

88.23 Subd. 33. **Reuse.** "Reuse" means the return of a covered material to the marketplace and
88.24 the continued use of the covered material by a producer or service provider when the covered
88.25 material is:

88.26 (1) intentionally designed and marketed to be used multiple times for its original intended
88.27 purpose without a change in form;

88.28 (2) designed for durability and maintenance to extend its useful life and reduce demand
88.29 for new production of the covered material;

89.1 (3) supported by adequate logistics and infrastructure at a retail location, by a service
89.2 provider, or on behalf of or by a producer, that provides convenient access for consumers;
89.3 and

84.11 Subd. 29. **Refill.** "Refill" means the continued use of a covered material by a consumer
84.12 through a system that is:

84.13 (1) intentionally designed and marketed for repeated filling of a covered material to
84.14 reduce demand for new production of the covered material;

84.15 (2) supported by adequate logistics and infrastructure to provide convenient access for
84.16 consumers; and

84.17 (3) compliant with all applicable state and local statute, rule, ordinance, or other law
84.18 governing health and safety.

84.19 Subd. 30. **Responsible market.** "Responsible market" means a materials market that:

84.20 (1) reuses, recycles, composts, or otherwise recovers materials and disposes of
84.21 contaminants in a manner that protects the environment and minimizes risks to public health
84.22 and worker health and safety;

84.23 (2) complies with all applicable federal, state, and local statutes, rules, ordinances, or
84.24 other laws governing environmental, health, safety, and financial responsibility;

84.25 (3) possesses all requisite licenses and permits required by government agencies;

84.26 (4) if the market operates in the state, manages waste according to the waste management
84.27 goal and priority order of waste management practices stated in section 115A.02; and

84.28 (5) minimizes adverse impacts to environmental justice areas.

84.29 Subd. 31. **Return rate.** "Return rate" means the amount of reusable covered material in
84.30 aggregate or by individual covered materials type, collected for reuse by the producer or
84.31 service provider in a calendar year, divided by the total amount of reusable covered materials
85.1 sold or distributed into the state by the relevant unit of measurement established in section
85.2 115A.1451.

85.3 Subd. 32. **Reusable.** "Reusable" means capable of reuse.

85.4 Subd. 33. **Reuse.** "Reuse" means the return of a covered material to the marketplace and
85.5 the continued use of the covered material by a producer or service provider when the covered
85.6 material is:

85.7 (1) intentionally designed and marketed to be used multiple times for its original intended
85.8 purpose without a change in form;

85.9 (2) designed for durability and maintenance to extend its useful life and reduce demand
85.10 for new production of the covered material;

85.11 (3) supported by adequate logistics and infrastructure at a retail location, by a service
85.12 provider, or on behalf of or by a producer, that provides convenient access for consumers;
85.13 and

89.4 (4) compliant with all applicable state and local statutes, rules, ordinances, and other
89.5 laws governing health and safety.

89.6 Subd. 34. **Reuse rate.** "Reuse rate" means the share of units of a covered material sold
89.7 or distributed into the state in a calendar year that are deemed reusable by the commissioner
89.8 according to section 115A.1451.

89.9 Subd. 35. **Service provider.** "Service provider" means an entity that collects, transfers,
89.10 sorts, processes, or otherwise prepares covered materials for reuse, recycling, or composting.
89.11 A political subdivision that provides or that contracts or otherwise arranges with another
89.12 party to provide reuse, collection, recycling, or composting services for covered materials
89.13 within its jurisdiction may be a service provider regardless of whether it provided, contracted
89.14 for, or otherwise arranged for similar services before the approval of the applicable
89.15 stewardship plan.

89.16 Subd. 36. **Third-party certification.** "Third-party certification" means certification by
89.17 an accredited independent organization that a standard or process required by sections
89.18 115A.144 to 115A.1462, or a stewardship plan approved under sections 115A.144 to
89.19 115A.1462, has been achieved.

89.20 Subd. 37. **Toxic substance.** "Toxic substance" means hazardous waste; a problem
89.21 material; a chemical or chemical class regulated under section 115A.965, 116.943, 325F.075,
89.22 or 325F.172 to 325F.179; or a chemical of high concern identified under section 116.9402.

89.23 Subd. 38. **Waste reduction or source reduction.** "Waste reduction" or "source reduction"
89.24 has the meaning given in section 115A.03, except that waste reduction or source reduction
89.25 includes refill, but does not include reuse.

89.26 Sec. 3. [115A.144] ESTABLISHMENT OF PROGRAM.

89.27 Producers must implement and finance a statewide program for packaging and paper
89.28 products in accordance with sections 115A.144 to 115A.1462 that encourages packaging
89.29 redesign to reduce the environmental impacts and human health impacts and that reduces
89.30 generation of covered materials waste through waste reduction, reuse, recycling, and
89.31 composting and by providing for negotiation and execution of agreements to collect,
89.32 transport, and process used covered materials for reuse, recycling, and composting.

90.1 Sec. 4. [115A.144] REGISTRATION OF PRODUCER RESPONSIBILITY
90.2 ORGANIZATIONS.

90.3 Subdivision 1. **Annual registration.** (a) By January 1, 2025, and annually thereafter,
90.4 producers must appoint a producer responsibility organization and the organization must
90.5 register with the commissioner by submitting the following:

85.14 (4) compliant with all applicable state and local statutes, rules, ordinances, or other laws
85.15 governing health and safety.

85.16 Subd. 34. **Reuse rate.** "Reuse rate" means the share of units of a covered material sold
85.17 or distributed into the state in a calendar year that are deemed reusable by the commissioner
85.18 according to section 115A.1451.

85.19 Subd. 35. **Service provider.** "Service provider" means an entity that collects, transfers,
85.20 sorts, processes, recovers, or otherwise prepares covered materials for reuse, recycling, or
85.21 composting. A political subdivision that provides or that contracts or otherwise arranges
85.22 with another party to provide reuse, collection, recycling, or composting services for covered
85.23 materials within its jurisdiction may be a service provider regardless of whether it provided,
85.24 contracted for, or otherwise arranged for similar services before the approval of the applicable
85.25 stewardship plan.

85.26 Subd. 36. **Third-party certification.** "Third-party certification" means certification by
85.27 an accredited independent organization that a standard or process required by this act, or a
85.28 stewardship plan approved under this act, has been achieved.

85.29 Subd. 37. **This act.** "This act" means sections 115A.144 to 115A.1462.

85.30 Subd. 38. **Toxic substance.** "Toxic substance" means hazardous waste; a problem
85.31 material; a chemical or chemical class regulated under section 115A.965, 116.943, 325F.075,
85.32 or 325F.172 to 325F.179; or a chemical of high concern identified under section 116.9402.

86.1 Subd. 39. **Waste reduction or source reduction.** "Waste reduction" or "source reduction"
86.2 has the meaning given in section 115A.03, except that waste reduction or source reduction
86.3 does not include reuse, but does include refill, as defined in this act.

86.4 Sec. 3. [115A.144] ESTABLISHMENT OF PROGRAM.

86.5 Producers must implement and finance a statewide program for packaging and paper
86.6 products in accordance with this act that encourages packaging redesign to reduce the
86.7 environmental impacts and human health impacts and that reduces generation of covered
86.8 materials waste through waste reduction, reuse, recycling, and composting and by providing
86.9 for negotiation and execution of agreements to collect, transport, and process used covered
86.10 materials for reuse, recycling, and composting.

86.11 Sec. 4. [115A.144] REGISTRATION OF PRODUCER RESPONSIBILITY
86.12 ORGANIZATIONS AND SERVICE PROVIDERS.

86.13 Subdivision 1. **Annual registration.** (a) By July 1, 2025, and each January 1 thereafter,
86.14 producers must appoint a producer responsibility organization. The producer responsibility
86.15 organization must register with the commissioner by July 1, 2026, and each January 1
86.16 thereafter by submitting the following:

90.6 (1) contact information for a person responsible for implementing an approved
90.7 stewardship plan;

90.8 (2) a list of all member producers that will operate under the stewardship plan
90.9 administered by the producer responsibility organization and, for each producer, a list of
90.10 all brands of the producer's covered materials introduced in this state;

90.11 (3) copies of written agreements with each producer stating that each producer agrees
90.12 to operate under an approved stewardship plan administered by the producer responsibility
90.13 organization;

90.14 (4) a list of current board members and the executive director if different than the person
90.15 responsible for implementing approved stewardship plans; and

90.16 (5) payment of the annual fee required under subdivision 2.

90.17 (b) If more than a single producer responsibility organization is established, the producers
90.18 and producer responsibility organizations must establish a coordinating body and process
90.19 to prevent redundancy of service contracts among service providers and to ensure the efficient
90.20 delivery of waste management services. The stewardship plans of all producer responsibility
90.21 organizations must be integrated into a single stewardship plan that covers all requirements
90.22 of sections 115A.144 to 115A.1462 and encompasses all producers when submitted to the
90.23 commissioner for approval. The annual reports of all producer responsibility organizations
90.24 must be integrated into a single annual report that covers all requirements of sections
90.25 115A.144 to 115A.1462 and encompasses all producers when submitted to the commissioner.

90.26 Subd. 2. **Registration fee.** (a) As part of its annual registration with the commissioner,
90.27 a producer responsibility organization must submit to the commissioner an annual fee for
90.28 the following year, as determined by the commissioner. Beginning October 1, 2028, and
90.29 annually thereafter, the commissioner must notify registered producer responsibility
90.30 organizations in writing of the amount of the fee for the following year. If there is more
90.31 than one registered producer responsibility organization, the coordinating body described
90.32 in subdivision 1, paragraph (b), must equitably apportion payment of the annual fee between
90.33 all registered producer responsibility organizations. The annual fee must be set at an amount
91.1 anticipated to in the aggregate meet but not exceed the commissioner's estimate of the costs
91.2 required to perform the commissioner's duties as described in section 115A.1445 and to
91.3 otherwise administer, implement, and enforce sections 115A.144 to 115A.1462.

91.4 (b) The commissioner must reconcile the fees paid by a producer responsibility
91.5 organization under this subdivision with the actual costs incurred by the agency on an annual
91.6 basis, by means of credits or refunds to or additional payments required of a producer
91.7 responsibility organization, as applicable.

86.17 (1) contact information for a person responsible for implementing an approved
86.18 stewardship plan;

86.19 (2) a list of all member producers that will operate under the stewardship plan
86.20 administered by the producer responsibility organization and, for each producer, a list of
86.21 all brands of the producer's covered materials introduced;

86.22 (3) copies of written agreements with each producer stating that each producer agrees
86.23 to operate under an approved stewardship plan administered by the producer responsibility
86.24 organization;

86.25 (4) a list of current board members and the executive director if different than the person
86.26 responsible for implementing approved stewardship plans; and

86.27 (5) documentation demonstrating adequate financial responsibility and financial controls
86.28 to ensure proper management of funds and payment of the annual fee required under
86.29 subdivision 2.

86.30 (b) Following the approval of the initial producer responsibility organization and the
86.31 initial stewardship plan, if more than a single producer responsibility organization is
86.32 established, the producers and producer responsibility organizations must establish a
87.1 coordinating body and process to prevent redundancy. The stewardship plans of all producer
87.2 responsibility organizations must be integrated into a single stewardship plan that covers
87.3 all requirements of this act and encompasses all producers when submitted to the
87.4 commissioner for approval. The annual reports of all producer responsibility organizations
87.5 must be integrated into a single annual report that covers all requirements of this act and
87.6 encompasses all producers when submitted to the commissioner.

87.7 Subd. 2. **Registration fee.** (a) As part of its annual registration with the commissioner,
87.8 a producer responsibility organization must submit to the commissioner an annual fee for
87.9 the following year, as determined by the commissioner. Beginning October 1, 2026, and
87.10 annually thereafter, the commissioner must notify registered producer responsibility
87.11 organizations in writing of the amount of the fee for the following year. If there is more
87.12 than one registered producer responsibility organization, the coordinating body described
87.13 in subdivision 1, paragraph (b), must equitably apportion payment of the annual fee between
87.14 all registered producer responsibility organizations. The annual fee must be set at an amount
87.15 anticipated to in the aggregate meet but not exceed the commissioner's estimate of the costs
87.16 required to perform the commissioner's duties as described in section 115A.1445 and to
87.17 otherwise administer, implement, and enforce this act.

87.18 (b) The commissioner must reconcile the fees paid by a producer responsibility
87.19 organization under this subdivision with the actual costs incurred by the agency on an annual
87.20 basis, by means of credits or refunds to or additional payments required of a producer
87.21 responsibility organization, as applicable.

91.8 (c) Fees collected by the commissioner under this section are appropriated to the
91.9 commissioner for the purposes of sections 115A.144 to 115A.1462.

91.10 Subd. 3. **Initial producer responsibility organization registration; implementation**
91.11 **fee.** (a) Notwithstanding the other provisions of this section, the commissioner may not
91.12 allow registration of more than one producer responsibility organization under this section
91.13 before the first stewardship plan approved by the commissioner expires. If more than one
91.14 producer responsibility organization applies to register under this section before the first
91.15 stewardship plan is approved by the commissioner, the commissioner must select the producer
91.16 responsibility organization that will represent producers until the first stewardship plan
91.17 expires and must return the registration fee paid by applicants who are not selected. When
91.18 selecting a producer responsibility organization, the commissioner must consider whether
91.19 the producer responsibility organization:

91.20 (1) has a governing board consisting of producers that represent a diversity of covered
91.21 materials introduced in the state; and

91.22 (2) demonstrates adequate financial responsibility and financial controls to ensure proper
91.23 management of funds.

91.24 (b) By October 1, 2025, and annually until the first stewardship plan is approved, the
91.25 commissioner must provide written notice to the initial producer responsibility organization
91.26 registered under this section of the commissioner's estimate of the cost of conducting the

87.22 Subd. 3. **Initial producer responsibility organization registration; implementation**
87.23 **fee.** (a) By January 1, 2025, producers must appoint a producer responsibility organization.
87.24 The producer responsibility organization must register with the commissioner by submitting
87.25 the following:

87.26 (1) contact information for a person responsible for implementing an approved
87.27 stewardship plan;

87.28 (2) a list of current member producers and their written agreements confirming producers
87.29 will operate under an approved stewardship plan administered by the producer responsibility
87.30 organization;

87.31 (3) a plan for recruiting additional member producers and executing written agreements
87.32 confirming producers will operate under an approved stewardship plan administered by the
87.33 producer responsibility organization;

88.1 (4) a list of current board members and the executive director if different than the person
88.2 responsible for implementing approved stewardship plans; and

88.3 (5) documentation demonstrating adequate financial responsibility and financial controls
88.4 to ensure proper management of funds and payment of the annual fee required under
88.5 subdivision 2.

88.6 (b) Notwithstanding the other provisions of this section, the commissioner may not allow
88.7 registration of more than one producer responsibility organization under this section before
88.8 the first stewardship plan approved by the commissioner expires. If more than one producer
88.9 responsibility organization applies to register under this section before the first stewardship
88.10 plan is approved by the commissioner, the commissioner must select the producer
88.11 responsibility organization that will represent producers until the first stewardship plan
88.12 expires and must return the registration fee paid by applicants who are not selected. When
88.13 selecting a producer responsibility organization, the commissioner must consider whether
88.14 the producer responsibility organization:

88.15 (1) has a governing board consisting of producers that represent a diversity of covered
88.16 materials introduced; and

88.17 (2) demonstrates adequate financial responsibility and financial controls to ensure proper
88.18 management of funds.

88.19 (c) By January 1, 2025, and annually until the first stewardship plan is approved, the
88.20 commissioner must provide written notice to the initial producer responsibility organization
88.21 appointed by producers of the commissioner's estimate of the cost of conducting the

91.27 initial needs assessment and the commissioner's costs to administer sections 115A.144 to
91.28 115A.1462 during the period prior to plan approval. The producer responsibility organization
91.29 must remit payment in full for these costs to the commissioner within 45 days of receipt of
91.30 this notice. The producer responsibility organization may charge each member producer to
91.31 cover the cost of its implementation fee according to each producer's unit-, weight-, volume-,
91.32 or sales-based market share or by another method it determines to be an equitable
91.33 determination of each producer's payment obligation.

92.1 Subd. 4. **Requirement for additional producer responsibility organizations.** The
92.2 commissioner may allow registration of more than one producer responsibility organization
92.3 if:

92.4 (1) producers of a covered materials type or a specific covered material appoint a producer
92.5 responsibility organization; or

92.6 (2) producers organize under additional producer responsibility organizations that meet
92.7 the criteria established in subdivision 3, paragraph (a).

92.8 Sec. 5. **[115A.1444] ESTABLISHMENT OF PRODUCER RESPONSIBILITY**
92.9 **ADVISORY BOARD.**

92.10 Subdivision 1. **Establishment.** The Producer Responsibility Advisory Board is established
92.11 to review all **programs** conducted by producer responsibility organizations under **sections**
92.12 **115A.144 to 115A.1462** and to advise the commissioner and producer responsibility
92.13 organizations regarding the implementation of **sections 115A.144 to 115A.1462.**

92.14 Subd. 2. **Membership.** (a) The membership of the advisory board consists of persons
92.15 appointed by the commissioner by January 1, 2025, as follows:

92.16 (1) two members representing manufacturers of covered materials or a statewide or
92.17 national trade association representing those manufacturers;

92.18 (2) two members representing recycling facilities that manage covered materials;

92.19 (3) one member representing a waste hauler or a statewide association representing waste
92.20 haulers;

88.22 preliminary needs assessment, initial needs assessment, and the commissioner's costs to
88.23 administer **this act** during the period prior to plan approval. The producer responsibility
88.24 organization must remit payment in full for these costs to the commissioner within 45 days
88.25 of receipt of this notice. The producer responsibility organization may charge each member
88.26 producer to cover the cost of its implementation fee according to each producer's unit-,
88.27 weight-, volume-, or sales-based market share or by another method it determines to be an
88.28 equitable determination of each producer's payment obligation.

88.29 Subd. 4. **Requirement for additional producer responsibility organizations.** After
88.30 the first stewardship plan approved by the commissioner expires, the commissioner may
88.31 allow registration of more than one producer responsibility organization if:

88.32 (1) producers of a covered materials type or a specific covered material appoint a producer
88.33 responsibility organization; or

89.1 (2) producers organize under additional producer responsibility organizations that meet
89.2 the criteria established in subdivision 3, paragraph (a).

89.3 Subd. 5. **Registration of service providers.** (a) By January 1, 2027, and annually
89.4 thereafter, a service provider seeking reimbursement for services provided under an approved
89.5 stewardship plan according to section 115A.1451 must register with the commissioner by
89.6 submitting the following information:

89.7 (1) contact information for a person representing the service provider; and

89.8 (2) address of the service provider.

89.9 (b) A service provider may register at any time.

89.10 Sec. 5. **[115A.1444] ESTABLISHMENT OF PRODUCER RESPONSIBILITY**
89.11 **ADVISORY BOARD.**

89.12 Subdivision 1. **Establishment.** The Producer Responsibility Advisory Board is established
89.13 to review all **activities** conducted by producer responsibility organizations under **this act**
89.14 and to advise the commissioner and producer responsibility organizations regarding the
89.15 implementation of **this act.**

89.16 Subd. 2. **Membership.** (a) The membership of the advisory board consists of persons
89.17 appointed by the commissioner by January 1, 2025, as follows:

89.18 (1) two members representing manufacturers of covered materials or a statewide or
89.19 national trade association representing those manufacturers;

89.20 (2) two members representing recycling facilities that manage covered materials;

89.21 (3) one member representing a waste hauler or a statewide association representing waste
89.22 haulers;

92.21 (4) one member representing retailers of covered materials or a statewide trade association
92.22 representing those retailers;

92.23 (5) one member representing a statewide nonprofit environmental organization;

92.24 (6) one member representing a community-based nonprofit environmental justice
92.25 organization;

92.26 (7) one member representing a waste facility that receives and sorts covered materials
92.27 and transfers them to another facility for reuse, recycling, or composting;

92.28 (8) one member representing a waste facility that receives compostable materials for
92.29 composting or a statewide trade association that represents such facilities;

93.1 (9) two members representing an entity that develops or offers for sale covered materials
93.2 that are designed for reuse and maintained through a reuse system or infrastructure or a
93.3 statewide or national trade association that represents such entities;

93.4 (10) three members representing organizations of political subdivisions;

93.5 (11) two members representing other stakeholders or additional members of interests
93.6 represented under clauses (1) to (10) as determined by the commissioner; and

93.7 (12) one member representing the commissioner.

93.8 (b) In making appointments under paragraph (a), the commissioner:

93.9 (1) may not appoint members who are state legislators or registered lobbyists;

93.10 (2) may not appoint members who are employees of a producer required to be members
93.11 of a producer responsibility organization in this state under sections 115A.144 to 115A.1462;
93.12 and

93.13 (3) must endeavor to appoint members from all regions of the state.

93.14 Subd. 3. **Terms; removal.** A member of the advisory board appointed under subdivision
93.15 2, paragraph (a), clause (12), serves at the pleasure of the commissioner. All other members
93.16 serve for a term of four years, except that the initial term for nine of the initial appointees
93.17 must be two years so that membership terms are staggered. Members may be reappointed
93.18 but may not serve more than eight consecutive years. Removing members and filling of
93.19 vacancies is governed by section 15.059, subdivision 4. Except as otherwise provided,
93.20 chapter 15 does not apply to the board.

93.21 Subd. 4. **Compensation.** Members of the board must be compensated according to
93.22 section 15.059, subdivision 3.

89.23 (4) one member representing retailers of covered materials or a statewide trade association
89.24 representing those retailers;

89.25 (5) one member representing a statewide nonprofit environmental organization;

89.26 (6) one member representing a community-based nonprofit environmental justice
89.27 organization;

89.28 (7) one member representing a waste facility that receives and sorts covered materials
89.29 and transfers them to another facility for reuse, recycling, or composting;

89.30 (8) one member representing a waste facility that receives compostable materials for
89.31 composting or a statewide trade association that represents such facilities;

90.1 (9) two members representing an entity that develops or offers for sale covered materials
90.2 that are designed for reuse and maintained through a reuse system or infrastructure or a
90.3 statewide or national trade association that represents such entities;

90.4 (10) three members representing organizations of political subdivisions, with at least
90.5 one member representing a political subdivision outside the metropolitan area;

90.6 (11) two members representing other stakeholders or additional members of interests
90.7 represented under clauses (1) to (10) as determined by the commissioner; and

90.8 (12) one member representing the commissioner.

90.9 (b) In making appointments under paragraph (a), the commissioner:

90.10 (1) may not appoint members who are state legislators or registered lobbyists;

90.11 (2) may not appoint members who are employees of a producer required to be members
90.12 of a producer responsibility organization in this state under this act; and

90.13 (3) must endeavor to appoint members from all regions of the state.

90.14 Subd. 3. **Terms; removal.** A member of the advisory board appointed under subdivision
90.15 2, paragraph (a), clause (12), serves at the pleasure of the commissioner. All other members
90.16 serve for a term of four years, except that the initial term for nine of the initial appointees
90.17 must be two years so that membership terms are staggered. Members may be reappointed
90.18 but may not serve more than eight consecutive years. Removing members and filling of
90.19 vacancies is governed by section 15.059, subdivision 4. Except as otherwise provided,
90.20 chapter 15 does not apply to the board.

90.21 Subd. 4. **Compensation.** Members of the board must be compensated according to
90.22 section 15.059, subdivision 3.

93.23 Subd. 5. **Quorum.** A majority of the voting board members constitutes a quorum. If
93.24 there is a vacancy in the membership of the board, a majority of the remaining voting
93.25 members of the board constitutes a quorum.

93.26 Subd. 6. **Voting.** Action by the advisory board requires a quorum and a majority of those
93.27 present and voting. All members of the advisory board, except the member appointed under
93.28 subdivision 2, paragraph (a), clause (12), are voting members of the board.

93.29 Subd. 7. **Meetings.** The advisory board must meet at least two times per year and may
93.30 meet more frequently upon ten days' written notice at the request of the chair or a majority
93.31 of its members.

93.32 Subd. 8. **Open meetings.** Meetings of the board must comply with chapter 13D.

94.1 Subd. 9. **Chair.** At its initial meeting, and every two years thereafter, the advisory board
94.2 must elect a chair and vice-chair from among its members.

94.3 Subd. 10. **Administrative and operating support.** The commissioner must provide
94.4 administrative and operating support to the advisory board and may contract with a third-party
94.5 facilitator to assist in administering the activities of the advisory board, including establishing
94.6 a website or landing page on the agency website.

94.7 Subd. 11. **Conflict of interest policies.** The commissioner must assist the advisory board
94.8 in developing policies and procedures governing the disclosure of actual or perceived
94.9 conflicts of interest that advisory board members may have as a result of their employment
94.10 or financial holdings of themselves or of family members. Each advisory board member is
94.11 responsible for reviewing the conflict of interest policies and procedures. An advisory board
94.12 member must disclose any instance of actual or perceived conflicts of interest at each meeting
94.13 of the advisory board at which recommendations regarding stewardship plans, programs,
94.14 operations, or activities are made by the advisory board.

94.15 Sec. 6. **[115A.1445] COMMISSIONER RESPONSIBILITIES.**

94.16 The commissioner must:

94.17 (1) appoint the initial membership of the advisory board by January 1, 2025, according
94.18 to section 115A.1444;

94.19 (2) provide administrative and operating support to the advisory board, as required by
94.20 section 115A.1444, subdivision 10;

94.21 (3) complete an initial needs assessment by December 31, 2026, and update the needs
94.22 assessment every five years thereafter, according to section 115A.1450;

94.23 (4) approve stewardship plans and amendments to stewardship plans according to section
94.24 115A.1451;

90.23 Subd. 5. **Quorum.** A majority of the voting board members constitutes a quorum. If
90.24 there is a vacancy in the membership of the board, a majority of the remaining voting
90.25 members of the board constitutes a quorum.

90.26 Subd. 6. **Voting.** Action by the advisory board requires a quorum and a majority of those
90.27 present and voting. All members of the advisory board, except the member appointed under
90.28 subdivision 2, paragraph (a), clause (12), are voting members of the board.

90.29 Subd. 7. **Meetings.** The advisory board must meet at least two times per year and may
90.30 meet more frequently upon ten days' written notice at the request of the chair or a majority
90.31 of its members.

90.32 Subd. 8. **Open meetings.** Meetings of the board must comply with chapter 13D.

91.1 Subd. 9. **Chair.** At its initial meeting, and every two years thereafter, the advisory board
91.2 must elect a chair and vice-chair from among its members.

91.3 Subd. 10. **Administrative and operating support.** The commissioner must provide
91.4 administrative and operating support to the advisory board and may contract with a third-party
91.5 facilitator to assist in administering the activities of the advisory board, including establishing
91.6 a website or landing page on the agency website.

91.7 Subd. 11. **Conflict of interest policies.** The commissioner must assist the advisory board
91.8 in developing policies and procedures governing the disclosure of actual or perceived
91.9 conflicts of interest that advisory board members may have as a result of their employment
91.10 or financial holdings of themselves or of family members. Each advisory board member is
91.11 responsible for reviewing the conflict of interest policies and procedures. An advisory board
91.12 member must disclose any instance of actual or perceived conflicts of interest at each meeting
91.13 of the advisory board at which recommendations regarding stewardship plans, programs,
91.14 operations, or activities are made by the advisory board.

91.15 Sec. 6. **[115A.1445] COMMISSIONER RESPONSIBILITIES.**

91.16 The commissioner must:

91.17 (1) appoint the initial membership of the advisory board by January 1, 2025, according
91.18 to section 115A.1444;

91.19 (2) provide administrative and operating support to the advisory board, as required by
91.20 section 115A.1444, subdivision 10;

91.21 (3) complete a preliminary needs assessment by December 31, 2025, an initial needs
91.22 assessment by December 31, 2026, and update the needs assessment every five years
91.23 thereafter, according to section 115A.1450;

91.24 (4) approve stewardship plans and amendments to stewardship plans according to section
91.25 115A.1451;

94.25 (5) provide the lists of covered materials that are recyclable or compostable and exempt
94.26 materials developed by the commissioner under section 115A.1453 to all producer
94.27 responsibility organizations by March 1, 2027;

94.28 (6) post on the agency's website:

94.29 (i) the most recent registration materials submitted by producer responsibility
94.30 organizations, including all information submitted under section 115A.1443, subdivision
94.31 1;

94.32 (ii) the most recent needs assessment;

95.1 (iii) any stewardship plan or amendment submitted by a producer responsibility
95.2 organization under section 115A.1451 that is in draft form during the public comment
95.3 period;

95.4 (iv) the most recent lists of recyclable or compostable covered materials and of exempt
95.5 materials developed by the commissioner under section 115A.1453;

95.6 (v) the most recent list of exempt materials approved by the commissioner under section
95.7 115A.1453;

95.8 (vi) links to producer responsibility organization websites;

95.9 (vii) comments of the public, advisory board, and producer responsibility organizations
95.10 on the documents listed in items (ii), (iii), (iv), and (viii), and the responses of the
95.11 commissioner to those comments; and

95.12 (viii) links to adopted rules implementing sections 115A.144 to 115A.1462;

95.13 (7) provide producer responsibility organizations with information regarding Minnesota
95.14 and federal laws that prohibit toxic substances in covered materials;

95.15 (8) require and approve independent auditors to perform an annual financial audit of
95.16 program operations of each producer responsibility organization; and

95.17 (9) consider and respond in writing to all written comments received from the advisory
95.18 board.

95.19 Sec. 7. **[115A.1446] PRODUCER RESPONSIBILITY ADVISORY BOARD**
95.20 **RESPONSIBILITIES.**

95.21 The Producer Responsibility Advisory Board must:

95.22 (1) convene its initial meeting by March 1, 2025;

91.26 (5) provide lists established according to the requirements of section 115A.1453 to all
91.27 producer responsibility organizations by March 1, 2027;

91.28 (6) establish or approve requirements according to section 115A.1451, subdivision 7;

91.29 (7) post on the agency's website:

91.30 (i) the most recent registration materials submitted by producer responsibility
91.31 organizations, including all information submitted under section 115A.1443, subdivision
91.32 1;

92.2 (iii) the most recent needs assessments;

92.1 (ii) a list of registered service providers;

92.3 (iv) any stewardship plan or amendment submitted by a producer responsibility
92.4 organization under section 115A.1451 that is in draft form during the public comment
92.5 period;

92.6 (v) the most recent lists established according to section 115A.1453;

92.7 (vi) the list of exempt materials and covered materials exempt from performance targets
92.8 and statewide requirements as approved in the stewardship plan;

92.9 (vii) links to producer responsibility organization websites;

92.10 (viii) comments of the public, advisory board, and producer responsibility organizations
92.11 on the documents listed in items (iii), (iv), (v), and (ix), and the responses of the
92.12 commissioner to those comments; and

92.13 (ix) links to adopted rules implementing this act;

92.14 (8) provide producer responsibility organizations with information regarding Minnesota
92.15 and federal laws that prohibit toxic substances in covered materials;

92.16 (9) require each producer responsibility organization to secure an independent auditor
92.17 to perform an annual financial audit of program operations and approve the selection of
92.18 each auditor; and

92.19 (10) consider and respond in writing to all written comments received from the advisory
92.20 board.

92.21 Sec. 7. **[115A.1446] PRODUCER RESPONSIBILITY ADVISORY BOARD**
92.22 **RESPONSIBILITIES.**

92.23 The Producer Responsibility Advisory Board must:

92.24 (1) convene its initial meeting by March 1, 2025;

95.23 (2) consult with the commissioner regarding the scope of the needs assessment and to
95.24 provide written comments on needs assessments, according to section 115A.1450, subdivision
95.25 2;

95.26 (3) advise on the development of stewardship plans and amendments to stewardship
95.27 plans under section 115A.1451;

95.28 (4) submit comments to producer responsibility organizations and to the commissioner
95.29 on any matter relevant to the administration of sections 115A.144 to 115A.1462; and

95.30 (5) provide written comments to the commissioner during any rulemaking process
95.31 undertaken by the commissioner under section 115A.1459.

96.1 Sec. 8. **[115A.1447] PRODUCER RESPONSIBILITY ORGANIZATION**
96.2 **RESPONSIBILITIES.**

96.3 A producer responsibility organization must:

96.4 (1) annually register with the commissioner, according to section 115A.1443;

96.5 (2) submit a stewardship plan to the commissioner by March 1, 2028, and every five
96.6 years thereafter, according to section 115A.1451;

96.7 (3) implement stewardship plans approved by the commissioner under section 115A.1451
96.8 and to comply with the requirements of sections 115A.144 to 115A.1462;

96.9 (4) forward upon receipt from the commissioner the lists of covered materials that are
96.10 recyclable or compostable and exempt materials developed by the commissioner under
96.11 section 115A.1453 to all service providers that participate in a stewardship plan administered
96.12 by the producer responsibility organization;

96.13 (5) collect producer fees according to section 115A.1454;

96.14 (6) submit the reports required by section 115A.1456;

96.15 (7) ensure that producers operating under a stewardship plan administered by the producer
96.16 responsibility organization comply with the requirements of the stewardship plan and with
96.17 sections 115A.144 to 115A.1462;

96.18 (8) expel a producer from the producer responsibility organization if efforts to return
96.19 the producer to compliance with the plan or with the requirements of sections 115A.144 to
96.20 115A.1462 are unsuccessful. The producer responsibility organization must notify the
96.21 commissioner when a producer has been expelled under this clause;

96.22 (9) consider and respond in writing to comments received from the advisory board,
96.23 including justifications for not incorporating any recommendations;

92.25 (2) consult with the commissioner regarding the scope of the needs assessments and to
92.26 provide written comments on needs assessments, according to section 115A.1450, subdivision
92.27 2;

92.28 (3) advise on the development of stewardship plans and amendments to stewardship
92.29 plans under section 115A.1451;

93.1 (4) submit comments to producer responsibility organizations and to the commissioner
93.2 on any matter relevant to the administration of this act; and

93.3 (5) provide written comments to the commissioner during any rulemaking process
93.4 undertaken by the commissioner under section 115A.1459.

93.5 Sec. 8. **[115A.1447] PRODUCER RESPONSIBILITY ORGANIZATION**
93.6 **RESPONSIBILITIES.**

93.7 A producer responsibility organization must:

93.8 (1) annually register with the commissioner, according to section 115A.1443;

93.9 (2) submit a stewardship plan to the commissioner by March 1, 2027, and every five
93.10 years thereafter, according to section 115A.1451;

93.11 (3) implement stewardship plans approved by the commissioner under section 115A.1451
93.12 and to comply with the requirements of this act;

93.13 (4) forward upon receipt from the commissioner the lists established according to section
93.14 115A.1453 to all service providers that participate in a stewardship plan administered by
93.15 the producer responsibility organization;

93.16 (5) collect producer fees according to section 115A.1454;

93.17 (6) submit the reports required by section 115A.1456;

93.18 (7) ensure that producers operating under a stewardship plan administered by the producer
93.19 responsibility organization comply with the requirements of the stewardship plan and with
93.20 this act;

93.21 (8) expel a producer from the producer responsibility organization if efforts to return
93.22 the producer to compliance with the plan or with the requirements of this act are unsuccessful.
93.23 The producer responsibility organization must notify the commissioner when a producer
93.24 has been expelled under this clause;

93.25 (9) consider and respond in writing to comments received from the advisory board,
93.26 including justifications for not incorporating any recommendations;

96.24 (10) provide producers with information regarding state and federal laws that prohibit
96.25 substances in covered materials, including sections 115A.965, 116.943, 325F.075, and
96.26 325F.172 to 325F.179 and all laws prohibiting toxic substances in covered materials;

96.27 (11) maintain a website according to section 115A.1457;

96.28 (12) notify the commissioner within 30 days if a change is made to the contact information
96.29 for a person responsible for implementing the stewardship plan, a change to the board
96.30 members, or a change to the executive director; and

96.31 (13) assist service providers in identifying and using responsible markets;

97.1 Sec. 9. **[115A.1448] PRODUCER RESPONSIBILITIES.**

97.2 Subdivision 1. **Registration required; prohibition of sale.** (a) After January 1, 2025,
97.3 a producer must be a member of a producer responsibility organization registered in this
97.4 state.

97.5 (b) After January 1, 2029, no producer may introduce covered materials, either separately
97.6 or when used to package another product, unless the producer operates under a written
97.7 agreement with a producer responsibility organization to operate under an approved
97.8 stewardship plan.

97.9 (c) After January 1, 2032, no producer may introduce covered materials into the state
97.10 unless the covered materials are:

97.11 (1) collected under a program in a stewardship plan approved by the commissioner under
97.12 section 115A.1451, subdivision 4;

97.13 (2) reusable, included in a reuse system that meets the reuse rate and return rate required
97.14 under section 115A.1451, subdivision 7, and included in an approved stewardship plan;

97.15 (3) capable of waste reduction and are in a system for waste reduction included in an
97.16 approved stewardship plan;

97.17 (4) included on the list established under section 115A.1453, subdivision 1; or

97.18 (5) included on the list established under section 115A.1453, subdivision 2.

93.27 (10) provide producers with information regarding state and federal laws that prohibit
93.28 substances in covered materials, including sections 115A.965, 116.943, 325F.075, 325F.172
93.29 to 325F.179, and all laws prohibiting toxic substances in covered materials;

93.30 (11) maintain a website according to section 115A.1457;

94.1 (12) notify the commissioner within 30 days if a change is made to the contact information
94.2 for a person responsible for implementing the stewardship plan, a change to the board
94.3 members, or a change to the executive director;

94.4 (13) assist service providers in identifying and using responsible markets;

94.5 (14) reimburse service providers in a timely manner and according to reimbursement
94.6 rates approved in a stewardship plan as established according to section 115A.1451; and

94.7 (15) comply with all other applicable requirements of this act.

94.8 Sec. 9. **[115A.1448] PRODUCER RESPONSIBILITIES.**

94.9 Subdivision 1. **Registration required; prohibition of sale.** (a) After January 1, 2025,
94.10 a producer must be a member of a producer responsibility organization registered in this
94.11 state.

94.12 (b) After January 1, 2029, no producer may introduce covered materials, either separately
94.13 or when used to package another product, unless the producer operates under a written
94.14 agreement with a producer responsibility organization to operate under an approved
94.15 stewardship plan.

94.16 (c) After January 1, 2032, no producer may introduce covered materials unless the
94.17 covered materials are:

94.18 (1) reusable and capable of being managed through a reuse system that meets the reuse
94.19 rate and return rate required under section 115A.1451, subdivision 7;

94.20 (2) capable of refill and supported by a refill system;

94.21 (3) included on the list established under section 115A.1453, subdivision 1; or

94.22 (4) included on the list established under section 115A.1453, subdivision 2.

94.23 (d) A producer responsibility organization may petition the commissioner for a two-year
94.24 extension to comply with the requirements of paragraph (c). The commissioner may approve
94.25 the extension if the petition demonstrates that the market or technical issues prevent a
94.26 covered material from being considered reusable or included in the lists established under
94.27 section 115A.1453. The producer responsibility organization may petition the commissioner

97.19 Subd. 2. **Duties.** A producer must:

97.20 (1) implement the requirements of the stewardship plan under which the producer operates

97.21 and to comply with the requirements of sections 115A.144 to 115A.1462; and

97.22 (2) pay producer fees according to section 115A.1454.

97.23 Sec. 10. **[115A.1449] SERVICE PROVIDER RESPONSIBILITIES.**

97.24 A service provider participating in an approved stewardship plan must:

97.25 (1) provide for the collection and management of covered materials generated in the

97.26 state pursuant to contractual agreements with a producer responsibility organization or

97.27 arrangements with other service providers that are entered into under an approved stewardship

97.28 plan; and

97.29 (2) if the service provider is a political subdivision, provide at least a one-year advance

97.30 notice to the producer responsibility organization if the political subdivision plans to cease

97.31 acting as a service provider.

98.1 Sec. 11. **[115A.1450] NEEDS ASSESSMENT.**

98.2 Subdivision 1. **Needs assessment required.** By December 31, 2026, and every five

98.3 years thereafter, the commissioner must complete a statewide needs assessment according

98.4 to this section.

94.28 for additional extensions in annual increments until January 1, 2040, if the producer

94.29 responsibility organization demonstrates that market or technical issues persist.

94.30 Subd. 2. **Duties.** A producer must:

95.1 (1) implement the requirements of the stewardship plan under which the producer

95.2 operates;

95.3 (2) pay producer fees according to section 115A.1454; and

95.4 (3) comply with all other applicable requirements of this act.

95.5 Sec. 10. **[115A.1449] SERVICE PROVIDER RESPONSIBILITIES.**

95.6 A service provider receiving reimbursement or funding under an approved stewardship

95.7 plan must:

95.8 (1) ensure the collection, transportation, and management of covered materials generated

95.9 in the state pursuant to the lists established under section 115A.1453 or covered materials

95.10 that are capable of refill or reuse;

95.11 (2) register with the commissioner and submit invoices to the producer responsibility

95.12 organization for reimbursement for services rendered;

95.13 (3) meet performance standards established in an approved stewardship plan under

95.14 section 115A.1451;

95.15 (2) ensure that covered materials are sent to responsible markets;

95.16 (3) provide documentation to the producer responsibility organization on the amounts,

95.17 covered materials types, and volumes of covered materials collected, transported, and

95.18 managed for recycling, composting, or reuse; and

95.19 (6) comply with all other applicable requirements of this act.

95.20 Sec. 11. **[115A.1450] NEEDS ASSESSMENTS.**

95.21 Subdivision 1. **Needs assessments required.** (a) By December 31, 2025, and every five

95.22 years thereafter, the commissioner must complete a preliminary needs assessment according

95.23 to this section.

95.24 (b) By December 31, 2026, and every five years thereafter, the commissioner must

95.25 complete a statewide needs assessment according to this section. The commissioner may

98.5 Subd. 2. **Input from interested parties.** In conducting a needs assessment, the
98.6 commissioner must:

98.7 (1) initiate a consultation process to obtain recommendations from the advisory board,
98.8 political subdivisions, service providers, producer responsibility organizations, and other
98.9 interested parties regarding the type and scope of information that should be collected and
98.10 analyzed in the statewide needs assessment required by this section;

98.11 (2) contract with a third party who is not a producer or a producer responsibility
98.12 organization to conduct the needs assessment; and

98.13 (3) prior to finalizing the needs assessment, make the draft needs assessment available
98.14 for comment by the advisory board, producer responsibility organizations, and the public.
98.15 The commissioner must respond in writing to the comments and recommendations of the
98.16 advisory board and producer responsibility organizations.

95.26 adjust what is required to be included in a specific needs assessment to inform the next
95.27 stewardship plan.

95.28 Subd. 2. **Input from interested parties.** In conducting a needs assessment, the
95.29 commissioner must:

96.1 (1) initiate a consultation process to obtain recommendations from the advisory board,
96.2 political subdivisions, service providers, producer responsibility organizations, and other
96.3 interested parties regarding the type and scope of information that should be collected and
96.4 analyzed in the statewide needs assessment required by this section;

96.5 (2) contract with a third party who is not a producer or a producer responsibility
96.6 organization to conduct the needs assessment; and

96.7 (3) prior to finalizing the needs assessment, make the draft needs assessment available
96.8 for comment by the advisory board, producer responsibility organizations, and the public.
96.9 The commissioner must respond in writing to the comments and recommendations of the
96.10 advisory board and producer responsibility organizations.

96.11 Subd. 3. **Content of preliminary needs assessment.** A preliminary needs assessment
96.12 must be completed for a preceding period of no less than 12 months and no more than 36
96.13 months, that includes:

96.14 (1) tons of collected covered materials;

96.15 (2) recycling and composting program characteristics, including a description of
96.16 single-stream and dual-stream recycling systems used in the state and prevalence of use,
96.17 average frequency of collection of covered materials for recycling and composting, types
96.18 of collection containers used, and commonly accepted materials for recycling and
96.19 composting;

96.20 (3) total number and types of single-family and multifamily households and residential
96.21 properties receiving recycling and composting collection services;

96.22 (4) processing capacity at recycling facilities, including total tons processed and number
96.23 of bales created, the range of material composition and bales produced, and current
96.24 technologies utilized;

96.25 (5) size and number of depot, container, or drop-off locations;

96.26 (6) size and number of transfer stations and transfer locations;

96.27 (7) average term length of residential recycling and composting collection contracts
96.28 issued by political subdivisions and an assessment of contract cost structures;

96.29 (8) average recycling facility processing fees charged to collectors delivering covered
96.30 materials for recycling;

98.17 Subd. 3. Content of needs assessment. A needs assessment must include at a minimum:

98.18 (1) an evaluation of the performance of:

98.19 (i) existing waste reduction, reuse, recycling, and composting efforts for each covered

98.20 materials type, as applicable, including collection rates, recycling rates, composting rates,

98.21 reuse rates, and return rates for each covered materials type;

98.22 (ii) the stewardship plan with respect to the recycling rate, composting rate, reuse rate,

98.23 and return rate for all covered materials; and

98.24 (iii) the extent to which postconsumer recycled content is incorporated into each covered

98.25 materials type, as applicable;

98.26 (2) an evaluation of a representative sample of management of covered materials with

98.27 mixed municipal solid waste, as source-separated recyclable materials, and as

98.28 source-separated compostable materials as received by waste management, recycling, and

98.29 composting facilities in the state, and relevant findings from any publicly available waste

98.30 stream evaluations conducted within the previous year, to evaluate the amount and portion

98.31 of covered materials being disposed of that would otherwise be recyclable or compostable;

99.1 (3) proposals for a range of potential performance targets to meet statewide requirements

99.2 as applicable to each covered materials type to be accomplished within a five-year time

99.3 frame in multiple units of measurement, including but not limited to unit-based, weight-based,

99.4 and volume-based, for each of the following:

99.5 (i) waste reduction;

99.6 (ii) reuse rates and return rates;

99.7 (iii) recycling rates;

99.8 (iv) composting rates; and

99.9 (v) postconsumer recycled content;

96.31 (9) available markets in the state for covered materials and the capacity of those markets;

96.32 and

97.1 (10) covered materials sales by volume, weight, and material types introduced by

97.2 producers.

97.3 Subd. 4. Content of needs assessment. A needs assessment must include at least the

97.4 following:

97.5 (1) an evaluation of the performance of:

97.6 (i) existing waste reduction, reuse, recycling, and composting efforts for each covered

97.7 materials type, as applicable, including collection rates, recycling rates, composting rates,

97.8 reuse rates, and return rates for each covered materials type;

97.9 (ii) overall recycling rate, composting rate, reuse rate, and return rate for all covered

97.10 materials; and

97.11 (iii) the extent to which postconsumer recycled content, by the best estimate, is or could

97.12 be incorporated into each covered materials type, as applicable;

97.13 (2) an evaluation of a representative sample of management of covered materials with

97.14 mixed municipal solid waste, as source-separated recyclable materials, and as

97.15 source-separated compostable materials as received by waste management, recycling, and

97.16 composting facilities in the state, and relevant findings from any publicly available waste

97.17 stream evaluations conducted within the previous year, to evaluate the amount and portion

97.18 of covered materials being disposed of that would otherwise be recyclable or compostable;

97.19 (3) proposals for a range of outcomes for each covered materials type to be accomplished

97.20 within a five-year time frame in multiple units of measurement, including but not limited

97.21 to unit-based, weight-based, and volume-based, for each of the following:

97.22 (i) waste reduction;

97.23 (ii) reuse rate and return rates;

97.24 (iii) recycling rates;

97.25 (iv) composting rates; and

97.26 (v) postconsumer recycled content, if applicable;

99.10 (4) an evaluation of the following factors for each covered material collected for recycling
99.11 or composting;

99.12 (i) current availability of recycling collection services;
99.13 (ii) recycling collection and processing infrastructure;
99.14 (iii) capacity and technology for sorting covered materials;
99.15 (iv) availability of responsible end markets;
99.16 (v) the presence and amount of processing residuals, contamination, and toxic substances;
99.17 (vi) quantity of material estimated to be available and recoverable;
99.18 (vii) projected future conditions for clauses (i) to (vi); and
99.19 (viii) other criteria or factors determined by the commissioner;

99.20 (5) recommended collection methods, by covered materials type, to maximize collection
99.21 efficiency and feedstock quality;

99.22 (6) proposed plans and metrics for how to measure progress in achieving performance
99.23 targets and statewide requirements;

99.24 (7) an evaluation of options for third-party certification of activities to meet obligations
99.25 of sections 115A.144 to 115A.1462;

97.27 (4) proposals for a range of outcomes for the categories established in section 115A.1451,
97.28 subdivision 7, that consider:

97.29 (i) information contained in or used to prepare a needs assessment according to this
97.30 subdivision;

97.31 (ii) goals and requirements of the Waste Management Act under this chapter;

98.1 (iii) statewide goals for greenhouse gas emission reductions under section 216H.02;
98.2 (iv) need for continuous progress toward generating less waste from covered materials
98.3 and the complete reuse, recycling, or composting of the covered materials that are generated,
98.4 in doing so reducing impacts to human health and the environment;

98.5 (v) a preference for statewide requirements that accomplish and further the goals and
98.6 requirements in clauses (2) to (4) as soon as practicable and to the maximum extent
98.7 achievable; and

98.8 (vi) information from packaging and paper producer responsibility programs operating
98.9 in other jurisdictions;

98.10 (5) an evaluation of the following factors for each covered material collected for recycling
98.11 or composting;

98.12 (i) availability of recycling and composting collection services;
98.13 (ii) recycling and composting processing infrastructure;
98.14 (iii) capacity and technology for sorting covered materials;
98.15 (iv) availability of responsible end markets;
98.16 (v) presence and amount of processing residuals, contamination, and toxic substances;
98.17 (vi) quantity of material estimated to be available and recoverable;
98.18 (vii) projected future conditions for items (i) to (vi); and
98.19 (viii) other criteria or factors determined by the commissioner;

98.20 (6) recommended collection methods by covered materials type to maximize collection
98.21 efficiency, feedstock quality, level of service, and convenience for collection of covered
98.22 materials included on lists established in section 115A.1453;

98.23 (7) proposed plans and metrics for how to measure progress in achieving performance
98.24 targets and statewide requirements;

98.25 (8) an evaluation of options for third-party certification of activities to meet obligations
98.26 of this act;

99.26 (8) an inventory of the current system, including:

99.27 (i) infrastructure, capacity, performance, funding level, and method and sources of
99.28 financing for the existing waste reduction, reuse, collection, transportation, processing,
99.29 recycling, and composting systems for covered materials operating in the state; and
100.1 (ii) availability and cost of waste reduction, reuse, recycling, and composting services
100.2 for covered materials at single-family residences, multifamily residences, commercial
100.3 facilities, industrial facilities, institutional facilities, and public places, including identification
100.4 of disparities in the availability of these services in environmental justice areas compared
100.5 with other areas and proposals for reducing or eliminating those disparities;

100.6 (9) an evaluation of investments needed to:

100.7 (i) increase waste reduction, reuse, recycling, and composting rates of covered materials
100.8 in order to achieve performance targets proposed in clause (3);
100.9 (ii) maintain or improve operations of existing infrastructure, taking into account the
100.10 waste reduction, reuse, recycling, and composting of covered materials;
100.11 (iii) expand the availability and accessibility of recycling collection services for recyclable
100.12 covered materials to all residents of the state at an equivalent level of service and convenience
100.13 as collection services for mixed municipal solid waste; and
100.14 (iv) establish and expand the availability and accessibility of reuse services for reusable
100.15 covered materials;
100.16 (10) proposed formulas reimbursing service providers, based on factors identified in
100.17 section 115A.1455, subdivision 4;
100.18 (11) an assessment of the viability and robustness of markets for recyclable covered
100.19 materials and the degree to which these markets can be considered responsible markets;
100.20 (12) an assessment of the level and causes of contamination of source-separated recyclable
100.21 materials, source-separated compostable materials and collected reusables, and the impacts
100.22 of contamination on service providers, including the cost to manage this contamination;
100.23 (13) an assessment of toxic substances intentionally added to covered materials, their
100.24 potential environmental impacts and human health impacts, and whether this limits one or
100.25 more covered materials types from being used as a marketable feedstock;

98.27 (9) an inventory of the current system including:

99.1 (ii) an estimate of total annual collection and processing service costs based on registered
99.2 service provider costs; and
98.28 (i) infrastructure, capacity, performance, funding level, and method and sources of
98.29 financing for the existing waste reduction, reuse, collection, transportation, processing,
98.30 recycling, and composting systems for covered materials operating in the state;
99.3 (iii) availability and cost of waste reduction, reuse, recycling, and composting services
99.4 for covered materials at single-family residences, at multifamily residences, and in public
99.5 places where political subdivisions arrange for collection of recyclable or compostable
99.6 materials, including identification of disparities in the availability of these services in
99.7 environmental justice areas compared with other areas and proposals for reducing or
99.8 eliminating those disparities;
99.9 (10) an evaluation of investments needed to increase waste reduction, reuse, recycling,
99.10 and composting rates of covered materials according to the range of proposed performance
99.11 targets and statewide requirements including investments that would:

99.12 (i) maintain or improve operations of existing infrastructure and accounts for waste
99.13 reduction, reuse, recycling, and composting of covered materials;

99.14 (ii) expand the availability and accessibility of recycling collection services for recyclable
99.15 covered materials to all residents of the state at a comparable level of convenience as
99.16 collection services for mixed municipal solid waste; and

99.17 (iii) establish and expand the availability and accessibility of reuse services for reusable
99.18 covered materials;

99.19 (11) a recommended methodology for applying criteria and formulas to establish
99.20 reimbursement rates as described in section 115A.1455;

99.21 (12) an assessment of the viability and robustness of markets for recyclable covered
99.22 materials and the degree to which these markets can be considered responsible markets;

99.23 (13) an assessment of the level and causes of contamination of source-separated recyclable
99.24 materials, source-separated compostable materials and collected reusables, and the impacts
99.25 of contamination on service providers, including the cost to manage this contamination;

99.26 (14) an assessment of what toxic substances might be intentionally added to covered
99.27 materials and best practices to eliminate or mitigate their use or presence in covered materials;

100.26 (14) an assessment of current best practices to increase public awareness, educate, and
100.27 complete outreach activities accounting for culturally responsive materials and methods
100.28 and an evaluation of the **impact** of these practices on:

100.29 (i) using product labels as a means of informing consumers about environmentally sound
100.30 use and management of covered materials;

101.1 (ii) increasing public awareness of how to use and manage covered materials in an
101.2 environmentally sound manner and how to access waste reduction, reuse, recycling, and
101.3 composting services; and

101.4 (iii) encouraging behavior change to increase participation in waste reduction, reuse,
101.5 recycling, and composting programs;

101.6 (15) an assessment of each covered material's:

101.7 (i) generation of hazardous waste and greenhouse gas emissions; and

101.8 (ii) impacts on environmental justice and public health;

101.9 (16) identification of the covered materials with the most significant environmental
101.10 impact; and

101.11 (17) other items identified by the commissioner that would aid the creation of the
101.12 stewardship plan, its administration, and the enforcement of **sections 115A.144 to 115A.1462.**

101.13 Subd. 4. **Needs assessment as baseline.** When determining the extent to which any
101.14 statewide requirement or performance target under **sections 115A.144 to 115A.1462** has
101.15 been achieved, information contained in a needs assessment must serve as the baseline for
101.16 that determination, when applicable.

101.17 Subd. 5. **Participation required.** A service provider or other person with data or
101.18 information necessary to complete a needs assessment must provide the data or information
101.19 to the commissioner **in a timely fashion** upon request. A service provider or other person
101.20 who does not want to be identified with information submitted to the commissioner under
101.21 this subdivision may request to proceed under a nondisclosure agreement. Once a request
101.22 is made, the requestor, the commissioner, and all third parties participating in the completion
101.23 of the needs assessment in whatever capacity must enter into a nondisclosure agreement.
101.24 Once these parties have entered into a nondisclosure agreement, the requestor must submit
101.25 the necessary data or information to the contractor selected by the commissioner. **The**
101.26 contractor must aggregate and anonymize the data or information received from all parties
101.27 proceeding under a nondisclosure agreement under this subdivision and must then submit
101.28 the aggregated anonymized information to the commissioner or to the party or parties
101.29 contracted to complete the needs assessment.

99.28 (15) an assessment of current best practices to increase public awareness, educate, and
99.29 complete outreach activities accounting for culturally responsive materials and methods
99.30 and an evaluation of the **efficacy** of these **efforts including assessments and evaluations of**
99.31 **current best practices and efforts** on:

100.1 (i) using product labels as a means of informing consumers about environmentally sound
100.2 use and management of covered materials;

100.3 (ii) increasing public awareness of how to use and manage covered materials in an
100.4 environmentally sound manner and how to access waste reduction, reuse, recycling, and
100.5 composting services; and

100.6 (iii) encouraging behavior change to increase participation in waste reduction, reuse,
100.7 recycling, and composting programs;

100.8 (16) identification of the covered materials with the most significant environmental
100.9 impact, **including assessing each covered material's generation of hazardous waste, generation**
100.10 **of greenhouse gases, environmental justice impacts, public health impacts, and other impacts;**
100.11 and

100.12 (17) other items identified by the commissioner that would aid the creation of the
100.13 stewardship plan, its administration, and the enforcement of **this act.**

100.14 Subd. 5. **Needs assessment as baseline.** When determining the extent to which any
100.15 statewide requirement or performance target under **this act** has been achieved, information
100.16 contained in a needs assessment must serve as the baseline for that determination, when
100.17 applicable.

100.18 Subd. 6. **Participation required.** **(a)** A service provider or other person with data or
100.19 information necessary to complete a needs assessment must provide the data or information
100.20 to the commissioner upon request. A service provider or other person who does not want
100.21 to be identified with information submitted to the commissioner under this subdivision may
100.22 request to proceed under a nondisclosure agreement. **A nondisclosure agreement is limited**
100.23 **to the items under section 115A.06, subdivision 13.** Once a request is made, the requestor,
100.24 the commissioner, and all third parties participating in the completion of the needs assessment
100.25 in whatever capacity must enter into a nondisclosure agreement. Once these parties have
100.26 entered into a nondisclosure agreement, the requestor must submit the necessary data or
100.27 information to the contractor selected by the commissioner **according to subdivision 2, who**
100.28 **must aggregate and anonymize the data or information, excluding location data necessary**
100.29 **to assess needs,** received from all parties proceeding under a nondisclosure agreement under
100.30 this subdivision and must then submit the aggregated anonymized information to the
100.31 commissioner or to the party or parties contracted to complete the needs assessment, **including**

101.30 Sec. 12. **[115A.1451] STEWARDSHIP PLAN.**

101.31 Subdivision 1. **Stewardship plan required.** By March 1, 2028, and every five years
101.32 thereafter, a producer responsibility organization must submit a stewardship plan to the
102.1 commissioner that describes the proposed operation by the organization of programs to
102.2 fulfill the requirements of sections 115A.144 to 115A.1462 and that incorporates the findings
102.3 and results of needs assessments. Once approved, a stewardship plan remains in effect for
102.4 five years, as amended, or until a subsequent stewardship plan is approved.

102.5 Subd. 2. **Advisory board review of draft plan and amendments.** A producer
102.6 responsibility organization must submit a draft stewardship plan or draft amendment to the
102.7 advisory board at least 60 days before submitting the draft plan or draft amendment to the
102.8 commissioner to allow the advisory board to submit comments and must address advisory
102.9 board comments and recommendations before submitting the draft plan or draft amendment
102.10 to the commissioner.

102.11 Subd. 3. **Content of stewardship plans.** A proposed stewardship plan must include at
102.12 least the following:

102.13 (1) performance targets applicable to each covered materials type to be accomplished
102.14 within a five-year period, established in subdivision 5, paragraph (a);

102.15 (2) a description of the methods of collection to be used for each covered materials type
102.16 and how they will meet the statewide requirement established in subdivision 7;

102.17 (3) a description of the methods of collection to be used for each covered materials type
102.18 managed through a reuse system, including infrastructure, convenience metrics, and
102.19 measurement, and how they will meet the statewide requirement established in subdivision
102.20 7;

100.32 assessing each covered material's generation of hazardous waste, generation of greenhouse
100.33 gases, environmental justice impacts, public health impacts, and other impacts.

101.1 (b) The commissioner, any employee of the agency, or any agent thereof, when authorized
101.2 by the commissioner, may enter upon any property, public or private, for the purpose of
101.3 obtaining information necessary for completing the evaluation in subdivision 4, clause (2).

101.4 Sec. 12. **[115A.1451] STEWARDSHIP PLAN.**

101.5 Subdivision 1. **Stewardship plan required.** By March 1, 2027, and every five years
101.6 thereafter, a producer responsibility organization must submit a stewardship plan to the
101.7 commissioner that describes the proposed operation by the organization of programs to
101.8 fulfill the requirements of this act and that incorporates the findings and results of needs
101.9 assessments. Once approved, a stewardship plan remains in effect for five years, as amended,
101.10 or until a subsequent stewardship plan is approved.

101.11 Subd. 2. **Advisory board review of draft plan and amendments.** A producer
101.12 responsibility organization must submit a draft stewardship plan or draft amendment to the
101.13 advisory board at least 60 days prior to submitting the draft plan or draft amendment to the
101.14 commissioner to allow the advisory board to submit comments and must address advisory
101.15 board comments and recommendations prior to submission of the draft plan or draft
101.16 amendment to the commissioner.

101.17 Subd. 3. **Content of stewardship plans.** A proposed stewardship plan must include at
101.18 least the following:

101.19 (1) performance targets as applicable to each covered materials type to be accomplished
101.20 within a five-year period, established in subdivision 5, paragraph (a);

101.21 (2) a description of the anticipated method of collection, how reimbursements will
101.22 support a level of convenience for collection, service convenience metrics, processing
101.23 infrastructure and management methods to be used for each covered materials type, and
101.24 how these will meet the statewide requirements established in subdivision 7 for covered
101.25 materials;

101.26 (i) included on the list established in section 115A.1453, subdivision 1;

101.27 (ii) included on the list established in section 115A.1453, subdivision 2;

101.28 (iii) that are reusable covered materials managed through a reuse system; and

101.29 (iv) that are capable of refill and managed through a system of waste reduction;

102.21 (4) a description of the methods to be used for each covered materials type for waste
102.22 reduction, including infrastructure, convenience metrics, and measurement methods for
102.23 refill, and how they will meet the statewide requirement established in subdivision 7;

102.24 (5) proposals for exemptions from performance targets and statewide requirements for
102.25 covered materials that cannot be waste reduced or made reusable, recyclable, or compostable
102.26 due to federal or state health and safety requirements; The producer responsibility
102.27 organization must identify the specific requirements and the impact of covered materials;

102.28 (6) a plan for how the producer responsibility organization will measure recycling, waste
102.29 reduction, and reuse according to subdivision 6 and a description of how the organization
102.30 will measure composting and inclusion of postconsumer recycled content;

102.31 (7) third-party certifications as required by the commissioner or voluntarily undertaken;

102.32 (8) a budget and identification of funding needs for each of the five calendar years
102.33 covered by the plan, including:

103.1 (i) producer fees and a description of the process used to calculate the fees, including
103.2 an explanation of how the fees meet the requirements of section 115A.1454; and

103.3 (ii) a plan for infrastructure investments, including a description of how the process to
103.4 offer and select opportunities will be conducted in an open, competitive, and fair manner;
103.5 how it will address gaps in the system not met by service providers; and the financial and
103.6 legal instruments to be used;

103.7 (9) an explanation of how the program will be fully paid for by producers, without any
103.8 fee, charge, surcharge, or other cost to members of the public, businesses, service providers,
103.9 the state or any political subdivision, or any other person who is not a producer. For purposes
103.10 of this requirement, a deposit made in connection with a product's refill, reuse, or recycling
103.11 that can be redeemed by a consumer is not a fee, charge, surcharge, or other cost;

103.12 (10) a description of activities to be undertaken during the next five calendar years,
103.13 which must at a minimum describe how the producer responsibility organization, acting on
103.14 behalf of producers, will:

103.15 (i) minimize the environmental impacts and human health impacts of covered materials;

101.30 (3) proposals for exemptions from performance targets and statewide requirements for
101.31 covered materials that cannot be waste reduced or made reusable, recyclable, or compostable
102.1 due to federal or state health and safety requirements, identifying the specific federal or
102.2 state requirements and their impact on the covered materials;

102.3 (4) a plan for how the producer responsibility organization will measure recycling, waste
102.4 reduction, reuse, composting, and inclusion of postconsumer recycled content, according
102.5 to subdivision 6 and by covered materials type as applicable;

102.6 (5) third-party certifications as required by the commissioner or voluntarily undertaken;

102.7 (6) a budget identifying funding needs for each of the five calendar years covered by
102.8 the plan, producer fees, a description of the process used to calculate the fees, and an
102.9 explanation of how the fees meet the requirements of section 115A.1454;

102.10 (7) set goals for infrastructure investments, including a description of how the process
102.11 to offer and select opportunities will be conducted in an open, competitive, and fair manner;
102.12 how it will address gaps in the system not met by service providers; and potential financial
102.13 and legal instruments to be used;

102.14 (8) an explanation of how the program will be paid for by the producer responsibility
102.15 organization through fees from producers, without any new or additional consumer-facing
102.16 fee to members of the public, businesses, service providers, the state or any political
102.17 subdivisions, or any other person who is not a producer, unless the fee is:

102.18 (i) a deposit made in connection with a product's refill, reuse, or recycling that can be
102.19 redeemed by a consumer; or

102.20 (ii) a charge for service by a service provider, regardless of whether registered;

102.21 (9) a description of activities to be undertaken during the next five calendar years, which
102.22 must at a minimum describe how the producer responsibility organization, acting on behalf
102.23 of producers, will:

102.24 (i) minimize the environmental impacts and human health impacts of covered materials;
102.25 including assessing each covered material's generation of hazardous waste, generation of
102.26 greenhouse gases, environmental justice impacts, public health impacts, and other impacts;

103.16 (ii) incorporate as program objectives the improved design of covered materials according
103.17 to section 115A.1454, subdivision 1, clause (2);

103.18 (iii) expand and increase the convenience of waste reduction, reuse, collection, recycling,
103.19 and composting services in conformance with the waste management hierarchy under section
103.20 115A.02;

103.21 (iv) ensure statewide coverage of collection services for covered materials on the
103.22 recyclable or compostable list established under section 115A.1453, subdivision 1, at no
103.23 cost to all single-family and multifamily residences and political subdivisions that arrange
103.24 for the collection of recyclable materials from public places, at the equivalent level of service
103.25 and convenience as collection services for mixed municipal solid waste; and

103.26 (v) ensure that postconsumer recycled materials are delivered to responsible markets;

103.27 (11) a description of how the program uses and interacts with existing collection, waste
103.28 reduction, reuse, recycling, and composting efforts and service providers and how the
103.29 producer responsibility organization will reimburse service providers for the cost of;

104.1 (ii) managing covered materials generated from all single-family residences; multifamily
104.2 residences; public places; and commercial, industrial, and institutional facilities in the state;

103.30 (i) collecting covered materials generated from all single-family residences, multifamily
103.31 residences, and public places in the state; and

104.3 (12) a description of how, for each covered material, the plan will be designed to minimize
104.4 environmental impacts;

104.5 (13) a description of how the producer responsibility organization will ensure that all
104.6 persons engaged in reuse, recycling, composting, and management of mixed municipal solid
104.7 waste are made aware of bid opportunities under section 115A.1455;

104.8 (14) reimbursement formulas and schedules of reimbursement rates for service providers
104.9 that elect to participate in the program and a description of how the formulas and schedules
104.10 were developed according to section 115A.1455;

102.27 (ii) incorporate as program objectives the improved design of covered materials according
102.28 to section 115A.1454, subdivision 1, clause (2);

102.29 (iii) provide funding to expand and increase the convenience of waste reduction, reuse,
102.30 collection, recycling, and composting services according to the order of the waste
102.31 management hierarchy under section 115A.02;

103.1 (iv) provide for reasonable reimbursement rates for statewide coverage of recycling
103.2 services for covered materials on the lists established in section 115A.1453 to single-family
103.3 residences, multifamily residences, and political subdivisions arranging for collection,
103.4 transportation, and processing of recyclable materials at a comparable level of convenience
103.5 as services for mixed municipal solid waste according to section 115A.1455; and

103.6 (v) monitor to ensure that postconsumer recycled materials are delivered to responsible
103.7 markets;

103.8 (10) describe how the producer responsibility organization will promote the opportunity
103.9 for all service providers to register with the commissioner and to submit for reimbursement
103.10 with the producer responsibility organization;

103.11 (11) a description of how the program will reimburse service providers under an approved
103.12 stewardship plan, including but not limited to:

103.13 (i) the use of differentiated rates developed according to the requirements and factors
103.14 established under section 115A.1455, subdivision 4;

103.15 (ii) clear and reasonable timelines for reimbursement, with a frequency of no less than
103.16 monthly unless agreed to by a service provider and a producer responsibility organization;
103.17 and

103.18 (iii) a process to resolve disputes that arise between the producer responsibility
103.19 organization and a service provider regarding the determination and payment of
103.20 reimbursements;

104.11 (15) terms and conditions for service agreements, including:

104.12 (i) an agreement that the producer responsibility organization will treat nonpublic data

104.13 submitted by service providers electing to participate in the program as nonpublic data;

104.14 (ii) a requirement that service providers accept all covered materials on the compostable

104.15 materials list established by the commissioner under section 115A.1453; and

104.16 (iii) performance standards for service providers that include a requirement that service

104.17 providers sorting commingled recyclable materials meet minimum material standards and

104.18 bale quality standards, minimum capture rates, and maximum processing residual rates and

104.19 demonstrate materials have been sent to a responsible market;

104.20 (16) a process to resolve disputes that arise between the producer responsibility

104.21 organization and a service provider regarding the determination and payment of the

104.22 reasonable cost of services provided under an approved stewardship plan;

104.23 (17) a description of how the producer responsibility organization will provide technical

104.24 assistance to:

104.25 (i) service providers in order to deliver covered materials to responsible markets;

104.26 (ii) producers regarding toxic substances in covered materials and actions producers can

104.27 take to reduce intentionally added toxic substances in covered materials through proof of

104.28 testing or an analytical and scientifically demonstrated methodology; and

104.29 (iii) producers to make changes in product design that reduce the environmental impact

104.30 of covered materials or that increase the recoverability or marketability of covered materials

104.31 for reuse, recycling, or composting;

105.1 (18) a description of how the producer responsibility organization will increase public

105.2 awareness, educate, and complete outreach activities accounting for culturally responsive

105.3 materials and methods and evaluate the efficacy of these efforts, including:

105.4 (i) assist producers in improving product labels as a means of informing consumers

105.5 about refilling, reusing, recycling, composting, and other environmentally sound methods

105.6 of managing covered materials;

105.7 (ii) increase public awareness of how to use and manage covered materials in an

105.8 environmentally sound manner and how to access waste reduction, reuse, recycling, and

105.9 composting services; and

105.10 (iii) encourage behavior change to increase participation in waste reduction, reuse,

105.11 recycling, and composting programs;

105.12 (19) a summary of consultations held with the advisory board and other stakeholders to

105.13 provide input to the stewardship plan, a list of recommendations that were incorporated into

103.28 (13) a description of how the producer responsibility organization will treat and protect

103.29 nonpublic data submitted by service providers;

103.24 (i) requirements that service providers must accept all covered materials on the lists

103.25 established by the commissioner under section 115A.1453; and

103.21 (12) performance standards for service providers that are reimbursed under an approved

103.22 stewardship plan, including but not limited to the following, as applicable to the service

103.23 provided:

103.26 (ii) labor standards and safety practices, including but not limited to safety programs,

103.27 health benefits, and living wages;

103.30 (14) a description of how the producer responsibility organization will provide technical

103.31 assistance to:

103.32 (i) service providers in order to deliver covered materials to responsible markets;

104.1 (ii) producers regarding toxic substances in covered materials and actions producers can

104.2 take to reduce intentionally added toxic substances in covered materials, including verification

104.3 by suppliers through certificates of compliance, upon request; and

104.4 (iii) producers to make changes in product design that reduce the environmental impact

104.5 of covered materials or that increase the recoverability or marketability of covered materials

104.6 for reuse, recycling, or composting;

104.7 (15) a description of how the producer responsibility organization will increase public

104.8 awareness, educate, and complete outreach activities accounting for culturally responsive

104.9 materials and methods and evaluate the efficacy of these efforts including how the producer

104.10 responsibility organization will:

104.11 (i) assist producers in improving product labels as a means of informing consumers

104.12 about refilling, reusing, recycling, composting, and other environmentally sound methods

104.13 of managing covered materials;

104.14 (ii) increase public awareness of how to use and manage covered materials in an

104.15 environmentally sound manner and how to access waste reduction, reuse, recycling, and

104.16 composting services; and

104.17 (iii) encourage behavior change to increase participation in waste reduction, reuse,

104.18 recycling, and composting programs;

104.19 (16) a summary of consultations held with the advisory board and other stakeholders to

104.20 provide input to the stewardship plan, a list of recommendations that were incorporated into

105.14 the stewardship plan as a result, and a list of rejected recommendations and the reasons for
105.15 rejection; and

105.16 (20) strategies to incorporate findings from any relevant studies required by the
105.17 legislature.

105.18 Subd. 4. **Plan and amendment review and approval procedure.** (a) The commissioner
105.19 must review and approve, deny, or request additional information for a draft stewardship
105.20 plan or a draft plan amendment no later than 120 days after the date the commissioner
105.21 receives it from a producer responsibility organization. The commissioner must post the
105.22 draft plan or draft amendment on the agency's website and allow public comment for no
105.23 less than 45 days before approving, denying, or requesting additional information on the
105.24 draft plan or draft amendment.

105.25 (b) If the commissioner denies or requests additional information for a draft plan or draft
105.26 amendment, the commissioner must provide the producer responsibility organization with
105.27 the reasons, in writing, that the plan or plan amendment does not meet the plan requirements
105.28 of subdivision 3. The producer responsibility organization has 60 days from the date that
105.29 the rejection or request for additional information is received to submit to the commissioner
105.30 any additional information necessary for the approval of the draft plan or draft amendment.
105.31 The commissioner must review and approve or disapprove the revised draft plan or draft
105.32 amendment no later than 60 days after the date the commissioner receives it.

106.1 (c) A producer responsibility organization may resubmit a draft plan or draft amendment
106.2 to the commissioner on not more than two occasions. If, after the second resubmission, the
106.3 commissioner determines that the draft plan or draft amendment does not meet the plan
106.4 requirements of sections 115A.144 to 115A.1462, the commissioner must modify the draft
106.5 plan or draft amendment as necessary for it to meet the requirements of sections 115A.144
106.6 to 115A.1462 and approve it.

106.7 (d) Upon recommendation by the advisory board, or upon the commissioner's own
106.8 initiative, the commissioner may require an amendment to a stewardship plan if the
106.9 commissioner determines that an amendment is necessary to ensure that the producer
106.10 responsibility organization maintains compliance with sections 115A.144 to 115A.1462.

106.11 Subd. 5. **Performance targets.** (a) The producer responsibility organization must propose
106.12 performance targets based on the needs assessment that meet the statewide requirements in
106.13 subdivision 7 that must be included in a stewardship plan approved under this section.
106.14 Performance targets must include targets for reuse rates, return rates, recycling rates,
106.15 composting rates, and postconsumer recycled content by covered materials type that are to
106.16 be achieved by the end of the stewardship plan's term. The producer responsibility
106.17 organization must select the unit that is most appropriate to measure each performance
106.18 target as informed by the needs assessment.

104.21 the stewardship plan as a result, and a list of rejected recommendations and the reasons for
104.22 rejection; and

104.23 (17) strategies to incorporate findings from any relevant studies required by the
104.24 legislature.

104.25 Subd. 4. **Plan and amendment review and approval procedure.** (a) The commissioner
104.26 must review and approve, deny, or request additional information for a draft stewardship
104.27 plan or a draft plan amendment no later than 120 days after the date the commissioner
104.28 receives it from a producer responsibility organization. The commissioner must post the
104.29 draft plan or draft amendment on the agency's website and allow public comment for no
104.30 less than 45 days before approving, denying, or requesting additional information on the
104.31 draft plan or draft amendment.

104.32 (b) If the commissioner denies, or requests additional information for, a draft plan or
104.33 draft amendment, the commissioner must provide the producer responsibility organization
105.1 with the reasons, in writing, that the plan or plan amendment does not meet the plan
105.2 requirements of subdivision 3. The producer responsibility organization shall have 60 days
105.3 from the date that the rejection or request for additional information is received to submit
105.4 to the commissioner any additional information necessary for the approval of the draft plan
105.5 or draft amendment. The commissioner shall review and approve or disapprove the revised
105.6 draft plan or draft amendment no later than 60 days after the date the commissioner receives
105.7 it.

105.8 (c) A producer responsibility organization may resubmit a draft plan or draft amendment
105.9 to the commissioner on not more than two occasions. If after the second resubmission, the
105.10 commissioner determines that the draft plan or draft amendment does not meet the plan
105.11 requirements of this act, the commissioner must modify the draft plan or draft amendment
105.12 as necessary for it to meet the requirements of this act and approve it.

105.13 (d) Upon recommendation by the advisory board, or upon the commissioner's own
105.14 initiative, the commissioner may require an amendment to a stewardship plan if the
105.15 commissioner determines that an amendment is necessary to ensure that the producer
105.16 responsibility organization maintains compliance with the requirements of this act.

105.17 Subd. 5. **Performance targets.** (a) The producer responsibility organization must propose
105.18 performance targets based on the needs assessment that meet the statewide requirements in
105.19 subdivision 7 that must be included in a stewardship plan approved under this section.
105.20 Performance targets must include reuse rates, return rates, recycling rates, composting rates,
105.21 and targets for waste reduction, and postconsumer recycled content by covered materials
105.22 type that are to be achieved by the end of the stewardship plan's term. The producer
105.23 responsibility organization must select the unit that is most appropriate to measure each
105.24 performance target as informed by the needs assessment.

106.19 (b) The commissioner may require that a producer responsibility organization obtain
106.20 third-party certification of any activity or achievement of any standard required by sections
106.21 115A.144 to 115A.1462. The commissioner must provide a producer responsibility
106.22 organization with notice of at least one year prior to requiring use of third-party certification
106.23 under this paragraph.

106.24 (c) The performance targets proposed under this subdivision must demonstrate continuous
106.25 improvement in reducing the environmental and human health impacts of covered materials
106.26 over time.

106.27 Subd. 6. **Measurement criteria for performance targets.** (a) For purposes of
106.28 determining whether recycling performance targets are being met, except as modified by
106.29 the commissioner, a stewardship plan must stipulate that the amount of recycled material
106.30 must be measured at the point at which material leaves a recycling facility and must account
106.31 for:

106.32 (1) levels of estimated contamination documented by the facility;

106.33 (2) any exclusions for fuel or energy capture; and

107.1 (3) compliance with sections 115A.965, 116.943, 325F.075, and 325F.172 to 325F.179
107.2 and all other laws pertaining to toxic substances in covered materials.

107.3 (b) For purposes of determining whether waste reduction performance targets are being
107.4 met, a stewardship plan must ensure that the amount of waste reduction of covered materials
107.5 is measured in a manner that can determine the extent to which the amount of material used
107.6 for a covered material is eliminated beyond what is necessary to efficiently deliver a product
107.7 without damage or spoilage or other means of covered material redesign to reduce overall
107.8 use and environmental impacts.

107.9 (c) For purposes of determining whether reuse targets are being met, a stewardship plan
107.10 must provide for the measurement of the amount of reusable covered materials to be at the
107.11 point at which reusable covered materials meet the following criteria as demonstrated by
107.12 the producer and approved by the commissioner:

107.13 (1) whether the average minimum number of cycles of reuses within a recognized reuse
107.14 system has been met based on the number of times an item must be reused for it to have
107.15 lower environmental impacts than the single-use version of the item; and

107.16 (2) whether the demonstrated or research-based anticipated return rate of the covered
107.17 material to the reuse system has been met.

107.18 (d) For other targets, the producer responsibility organization must propose a calculation
107.19 point for review and approval as part of the stewardship plan based on findings from the
107.20 needs assessment.

105.25 (b) The commissioner may require that a producer responsibility organization obtain
105.26 third-party certification of any activity or achievement of any standard required by this act.
105.27 The commissioner must provide a producer responsibility organization with notice of at
105.28 least one year prior to requiring use of third-party certification under this paragraph if such
105.29 certifications are readily available, applicable, and of reasonable cost.

105.30 (c) Proposed performance targets must demonstrate continuous improvement in reducing
105.31 environmental impacts and human health impacts of covered materials over time.

105.32 Subd. 6. **Measurement criteria for performance targets.** (a) For purposes of
105.33 determining whether recycling performance targets are being met, except as modified by
105.34 the commissioner, a stewardship plan must provide for the measurement of the amount of
106.1 recycled material to be at the point at which material leaves a recycling facility and must
106.2 account for:

106.3 (1) levels of estimated contamination documented by the facility;

106.4 (2) any exclusions for fuel or energy capture; and

106.5 (3) compliance with sections 115A.965, 116.943, 325F.075, and 325F.172 to 325F.179;
106.6 and all other laws pertaining to toxic substances in covered materials.

106.7 (b) For purposes of determining whether waste reduction performance targets are being
106.8 met, a stewardship plan must provide for the measurement of the amount of waste reduction
106.9 of covered materials in a manner that can determine the extent to which the amount of
106.10 material used for a covered material is eliminated beyond what is necessary to efficiently
106.11 deliver a product without damage or spoilage, or other means of covered material redesign
106.12 to reduce overall use and environmental impacts.

106.13 (c) For purposes of determining whether reuse targets are being met, a stewardship plan
106.14 must provide for the measurement of the amount of reusable covered materials to be at the
106.15 point at which reusable covered materials meet the following criteria as demonstrated by
106.16 the producer and approved by the commissioner:

106.17 (1) whether the average minimum number of cycles of reuses within a recognized reuse
106.18 system has been met based on the number of times an item must be reused for it to have
106.19 lower environmental impacts than the single-use versions of those items; and

106.20 (2) whether the demonstrated or research-based anticipated return rate of the covered
106.21 material to the reuse system has been met.

106.22 (d) For other targets, the producer responsibility organization must propose a calculation
106.23 point for review and approval as part of the stewardship plan based on findings from the
106.24 needs assessment.

107.21 Subd. 7. **Statewide requirements.** (a) The producer responsibility organization must
107.22 ensure the following requirements are met collectively by its members by the end of the
107.23 year indicated:
107.24 (1) by 2033:
107.25 (i) the combined recycling rate and composting rate must be no less than 65 percent of
107.26 covered materials by weight sold or distributed;
107.27 (ii) the reuse rate is ten percent of the number of units of packaging sold or distributed
107.28 into the state, with a return rate of no less than 90 percent;
107.29 (iii) the weight of covered materials introduced must be waste reduced by 15 percent,
107.30 compared to levels identified in the initial needs assessment; and
107.31 (iv) all covered materials introduced must contain at least ten percent postconsumer
107.32 recycled content, with all covered materials containing an overall average of at least 30
108.1 percent, as applicable, excluding compostable materials that cannot include postconsumer
108.2 recycled content because of unique chemical or physical properties or health and safety
108.3 requirements that prohibit introduction of postconsumer recycled content; and
108.4 (2) by 2038:
108.5 (i) the combined recycling rate and composting rate must be no less than 75 percent of
108.6 covered materials by weight sold or distributed into the state;
108.7 (ii) the reuse rate is 20 percent of the number of units of packaging sold or distributed
108.8 into the state, with a return rate of no less than 95 percent;
108.9 (iii) the weight of covered materials introduced must be waste reduced by 25 percent,
108.10 compared to levels identified in the initial needs estimate; and
108.11 (iv) all covered materials introduced must contain at least 30 percent postconsumer
108.12 recycled content, with all covered products containing an overall average of at least 50
108.13 percent, as applicable, excluding compostable materials that cannot include postconsumer
108.14 recycled content because of unique chemical or physical properties or health and safety
108.15 requirements that prohibit introduction of postconsumer recycled content.

106.25 Subd. 7. **Statewide requirements.** (a) The commissioner must establish or approve
106.26 statewide requirements and the date the statewide requirements must be met for the following
106.27 categories:

106.28 (1) recycling rate;
106.29 (2) composting rate;
106.30 (3) reuse rate;
106.31 (4) return rate;
107.1 (5) the percentage of covered materials introduced that must be waste reduced; and

108.16 (b) The commissioner may adjust any requirement established in paragraph (a) by no
108.17 more than five percent after submitting the proposed adjustment to the advisory board and
108.18 considering the board's recommendations before making the adjustment.

108.19 (c) After 2038, the commissioner may establish additional statewide requirements for:

108.20 (1) the amount of covered materials that must be recycled or composted;

108.21 (2) the number of units of packaging sold or distributed into the state that must be reusable
108.22 and the return rate that must be met when returned to an established reuse system;

108.23 (3) the weight of covered materials introduced that must be waste reduced; and

108.24 (4) the percent of postconsumer recycled content that must be used in covered materials
108.25 introduced.

108.26 The statewide requirements established under this paragraph must not be less than those
108.27 listed in paragraph (a), clause (2).

107.2 (6) the percentage of postconsumer recycled content that covered materials introduced
107.3 must contain, including an overall percentage for all covered materials, as applicable,
107.4 excluding compostable materials that cannot include postconsumer recycled content because
107.5 unique chemical or physical properties or health and safety requirements prohibit introduction
107.6 of postconsumer recycled content.

107.7 (b) The commissioner may use the following information and criteria when establishing
107.8 statewide requirements under paragraph (a):

107.9 (1) needs assessments under section 115A.1450;

107.10 (2) goals and requirements of the Waste Management Act under this chapter;

107.11 (3) statewide goals for greenhouse gas emission reductions under section 216H.02;

107.12 (4) need for continuous progress toward generating less waste from covered materials
107.13 and the complete reuse, recycling, or composting of the covered materials that are generated,
107.14 in doing so reducing impacts to human health and the environment;

107.15 (5) a preference for statewide requirements that accomplish and further the goals and
107.16 requirements in clauses (2) to (4) as soon as practicable and to the maximum extent
107.17 achievable; and

107.18 (6) information from packaging and paper producer responsibility programs operating
107.19 in other jurisdictions.

107.20 (c) The commissioner must consult with the product stewardship organization on the
107.21 proposed statewide requirements and must submit proposed statewide requirements under

108.28 Sec. 13. **[115A.1453] RECYCLABLE OR COMPOSTABLE COVERED**
108.29 **MATERIALS LISTS; EXEMPT MATERIALS LIST.**

108.30 Subdivision 1. **List required.** By March 1, 2027, the commissioner must complete a
108.31 list of covered materials determined to be recyclable or compostable statewide through
109.1 systems where covered materials are commingled into a recyclables stream and a separate
109.2 compostables stream. These covered materials must be collected at the equivalent level of
109.3 service and convenience as collection services for mixed municipal solid waste.

109.4 Subd. 2. **Alternative collection list required.** By March 1, 2027, the commissioner
109.5 must complete a list of covered materials determined to be recyclable or compostable and
109.6 collected statewide through systems other than the system required for covered materials
109.7 on the list established in subdivision 1.

109.8 Subd. 3. **Input from interested parties.** The commissioner must consult with the
109.9 advisory board, producer responsibility organizations, service providers, political
109.10 subdivisions, and other interested parties to develop or amend the recyclable or compostable
109.11 covered materials lists.

109.12 Subd. 4. **Criteria.** In developing the lists under subdivisions 1 and 2, the commissioner
109.13 may consider the following criteria:

- 109.14 (1) current availability of recycling collection services;
109.15 (2) recycling collection and processing infrastructure;
109.16 (3) capacity and technology for sorting covered materials;
109.17 (4) availability of responsible end markets;
109.18 (5) presence and amount of processing residuals, contamination, and toxic substances;
109.19 (6) quantity of material estimated to be available and recoverable;
109.20 (7) projected future conditions for clauses (1) to (6);

107.22 paragraph (a) to the advisory board and consider the board's recommendations before
107.23 finalizing the statewide requirements.

107.24 (d) Every five years, the commissioner must review the statewide requirements established
107.25 under paragraph (a). If the commissioner decides an update is not warranted at that time,
107.26 the commissioner must submit the reasoning to the advisory board and consider the board's
107.27 recommendations before making a final decision. If the commissioner decides an update is
107.28 warranted, the process in paragraphs (b) and (c) must be utilized.

107.29 (e) The producer responsibility organization must ensure the statewide requirements are
107.30 met.

108.1 Sec. 13. **[115A.1453] RECYCLABLE OR COMPOSTABLE COVERED**
108.2 **MATERIALS LISTS.**

108.3 Subdivision 1. **List required.** By March 1, 2027, the commissioner must complete a
108.4 list of covered materials determined to be recyclable or compostable statewide through
108.5 systems where covered materials are commingled into a recyclables stream and a separate
108.6 compostables stream. These covered materials must be collected at a comparable level of
108.7 convenience as collection services for mixed municipal solid waste.

108.8 Subd. 2. **Alternative collection list required.** By March 1, 2027, the commissioner
108.9 must complete a list of covered materials determined to be recyclable or compostable and
108.10 collected statewide through systems other than the system required for covered materials
108.11 on the list established in subdivision 1.

108.12 Subd. 3. **Input from interested parties.** The commissioner must consult with the
108.13 advisory board, producer responsibility organizations, service providers, political
108.14 subdivisions, and other interested parties to develop or amend the recyclable or compostable
108.15 covered materials lists and must review any petitions by interested parties for addition or
108.16 removal of covered materials from the lists created under this section.

108.17 Subd. 4. **Criteria.** In developing the lists under subdivisions 1 and 2, the commissioner
108.18 may consider the following criteria:

- 108.19 (1) current availability of recycling collection services;
108.20 (2) recycling collection and processing infrastructure;
108.21 (3) capacity and technology for sorting covered materials;
108.22 (4) availability of responsible end markets;
108.23 (5) presence and amount of processing residuals and contamination;
108.24 (6) quantity of material estimated to be available and recoverable;
108.25 (7) projected future conditions for clauses (1) to (6);

109.21 (8) if collected for recycling, the covered material type and form must be one that is
109.22 regularly sorted and aggregated into defined streams for recycling processes or the packaging
109.23 format must be specified in a relevant Institution of Scrap Recycling Industries specification;
109.24 and
109.25 (9) other criteria or factors determined by the commissioner.
109.26 Subd. 5. **Collection requirements.** (a) A producer responsibility organization must
109.27 collect covered materials included in a list established under subdivision 1, on a statewide
109.28 basis, as follows:
109.29 (1) for residents that have curbside mixed municipal solid waste collection, provide
109.30 collection of covered materials at the same frequency and on the same day as mixed
109.31 municipal solid waste collection;
110.1 (2) provide collection of covered materials at each recycling or mixed municipal solid
110.2 waste drop-off site that is open to the public, including but not limited to canister sites,
110.3 transfer stations, and disposal facilities;
110.4 (3) provide a durable container dedicated to the collection of covered materials to every
110.5 residential unit served according to this paragraph; and
110.6 (4) in addition to the requirements of clauses (1) to (3), the producer responsibility
110.7 organization may collect or contract for the collection of covered materials from the public
110.8 by other means, including but not limited to other drop off locations or mobile collections.
110.9 (b) A producer responsibility organization must collect covered materials included in a
110.10 list established under subdivision 2, on a statewide basis, as follows:
110.11 (1) the producer responsibility organization must provide:
110.12 (i) for each county with a population of 10,000 or less, at least two permanent drop-off
110.13 collection sites;
110.14 (ii) for each county with a population greater than 10,000 but less than or equal to
110.15 100,000, at least two permanent drop-off collection sites and at least one additional permanent
110.16 drop-off collection site for each additional 10,000 in population above a population of
110.17 10,000;
110.18 (iii) for each county with a population greater than 100,000, at least 11 permanent
110.19 drop-off collection sites and at least one additional permanent year-round drop-off collection
110.20 site for each additional 50,000 in population above a population of 100,000; and
110.21 (iv) a permanent drop-off collection site located within ten miles of at least 95 percent
110.22 of state residents;
110.23 (2) the producer responsibility organization may propose an alternative to the
110.24 requirements of paragraph (b), clause (1), as part of a stewardship plan if the producer

108.26 (8) if collected for recycling, the covered material type and form must be one that is
108.27 regularly sorted and aggregated into defined streams for recycling processes or the packaging
108.28 format must be specified in a relevant Institution of Scrap Recycling Industries specification;
108.29 and
108.30 (9) other criteria or factors determined by the commissioner.

110.25 responsibility organization demonstrates that the alternative will provide an equivalent or
110.26 greater level of service and convenience; and

110.27 (3) the producer responsibility organization may use the following additional collection
110.28 methods:

110.29 (i) curbside collection of source-separated covered materials;

110.30 (ii) curbside collection that is less frequent than collection of mixed municipal solid
110.31 waste;

110.32 (iii) mobile collection;

111.1 (iv) collection events;

111.2 (v) custom collection programs based on the use and generation of the covered material
111.3 being managed in a custom program; and

111.4 (vi) collection in the same manner provided for the covered materials in the list under
111.5 subdivision 1.

111.6 Subd. 6. **Exempt materials list.** (a) A producer may request the commissioner, on a
111.7 form prescribed by the commissioner, to classify as an exempt material one or more types
111.8 of packaging. The commissioner must submit the request to the advisory board for review
111.9 and comment before approving or denying the request.

111.10 (b) The commissioner may approve the request only if the commissioner determines
111.11 that a specific federal or state health and safety requirement prevents the packaging from
111.12 being waste reduced or made reusable, recyclable, or compostable.

111.13 (c) The commissioner must review and approve, deny, or request additional information
111.14 for a request for classification of packaging as an exempt material no later than 120 days
111.15 after the date the commissioner receives the request from a producer.

111.16 (d) The commissioner must post on the agency website a list of materials exempted
111.17 under this subdivision.

111.18 (e) An exemption granted under this section is valid for two years, after which a producer
111.19 must reapply according to this subdivision.

111.20 Subd. 7. **Amendment.** The commissioner may amend a list completed under this section
111.21 at any time and must provide amended lists to producer responsibility organizations as soon
111.22 as possible after adopting an amendment. Producer responsibility organizations must provide
111.23 amended lists to service providers as soon as possible after receiving the amendment and
111.24 incorporate changes in relevant service provider agreements and operations within a year.

109.1 Subd. 6. **Amendment.** The commissioner may amend a list completed under this section
109.2 at any time and must provide amended lists to producer responsibility organizations as soon
109.3 as possible after adopting an amendment. Producer responsibility organizations must provide
109.4 amended lists to service providers as soon as possible after receiving the amendment and
109.5 work to incorporate changes in relevant service provider reimbursement rates within a year.

111.25 Sec. 14. [115A.1454] PRODUCER FEES.

111.26 Subdivision 1. Annual fee. A producer responsibility organization must annually collect
111.27 a fee from each producer that must:

111.28 (1) be based on the total amount of covered materials each producer introduces in the
111.29 prior year calculated on a per-unit basis, such as per ton, per item, or another unit of
111.30 measurement;

112.1 (2) incentivize using materials and design attributes that reduce the environmental impacts
112.2 and human health impacts, as determined by the commissioner, of covered materials by the
112.3 following methods:

112.4 (i) eliminating intentionally added toxic substances in covered materials;

112.5 (ii) reducing the amount of packaging per individual covered material that is necessary
112.6 to efficiently deliver a product without damage or spoilage without reducing its ability to
112.7 be recycled or reducing the amount of paper used to manufacture individual paper products;

112.8 (iii) increasing covered materials managed in a reuse system;

112.9 (iv) increasing the proportion of postconsumer material in covered materials;

112.10 (v) enhancing recyclability or compostability of a covered material; and

112.11 (vi) increasing the amount of inputs derived from renewable and sustainable sources;

112.12 (3) discourage using materials and design attributes in a producer's covered materials
112.13 whose environmental impacts and human health impacts, as determined by the commissioner,
112.14 can be reduced by the methods listed under clause (2);

112.15 (4) prioritize reuse by charging covered materials that are managed through a reuse
112.16 system only once, upon initial entry into the marketplace, and by applying the lowest fee
112.17 to these covered materials; and

112.18 (5) generate revenue sufficient to pay in full:

112.19 (i) the annual registration fee required under section 115A.1443;

112.20 (ii) financial obligations to complete activities described in an approved stewardship
112.21 plan and to reimburse service providers under agreements in section 115A.1455;

112.22 (iii) the operating costs of the producer responsibility organization; and

112.23 (iv) for the establishment and maintenance of a financial reserve that is sufficient to
112.24 operate the program in a fiscally prudent and responsible manner.

112.25 Subd. 2. Overcollections. Revenue collected under this section that exceeds the amount
112.26 needed to pay the costs described in subdivision 1, clause (5), must be used to improve or

109.6 Sec. 14. [115A.1454] PRODUCER FEES.

109.7 Subdivision 1. Annual fee. A producer responsibility organization must annually collect
109.8 a fee from each producer that must:

109.9 (1) be based on the total amount of covered materials each producer introduces in the
109.10 prior year calculated on a per-unit basis, such as per ton, per item, or another unit of
109.11 measurement;

109.12 (2) incentivize using materials and design attributes that reduce the environmental impacts
109.13 and human health impacts, as determined by the commissioner, of covered materials by the
109.14 following methods:

109.15 (i) eliminating intentionally added toxic substances in covered materials;

109.16 (ii) reducing the amount of packaging per individual covered material that is necessary
109.17 to efficiently deliver a product without damage or spoilage without reducing its ability to
109.18 be recycled or reducing the amount of paper used to manufacture individual paper products;

109.19 (iii) increasing covered materials managed in a reuse system;

109.20 (iv) increasing the proportion of postconsumer material in covered materials;

109.21 (v) enhancing recyclability or compostability of a covered material; and

109.22 (vi) increasing the amount of inputs derived from renewable and sustainable sources;

109.23 (3) discourage using materials and design attributes in a producer's covered materials
109.24 whose environmental impacts and human health impacts, as determined by the commissioner,
109.25 can be reduced by the methods listed under clause (2);

109.26 (4) prioritize reuse by charging covered materials that are managed through a reuse
109.27 system only once, upon initial entry into the marketplace; and

109.28 (5) generate revenue sufficient to pay in full:

109.29 (i) the annual registration fee required under section 115A.1443;

109.30 (ii) financial obligations to complete activities described in an approved stewardship
109.31 plan and to reimburse service providers under section 115A.1455;

110.1 (iii) the operating costs of the producer responsibility organization; and

110.2 (iv) for the establishment and maintenance of a financial reserve that is sufficient to
110.3 operate the program in a fiscally prudent and responsible manner.

110.4 Subd. 2. Overcollections. Revenue collected under this section that exceeds the amount
110.5 needed to pay the costs described in subdivision 1, clause (5), must be used to improve or

112.27 enhance program outcomes or to reduce producer fees according to provisions of an approved
112.28 stewardship plan.

112.29 Subd. 3. **Prohibited conduct.** Fees collected under this section may not be used for
112.30 lobbying, as defined in section 3.084, subdivision 1.

113.1 Sec. 15. **[115A.1455] SERVICE PROVIDER AGREEMENTS; REIMBURSEMENT**
113.2 **RATES.**

113.3 Subdivision 1. **Service provider agreements and reimbursement required.** The **terms**
113.4 **and conditions** of the provision of waste reduction, reuse, collection, recycling, or composting
113.5 services under an approved stewardship plan **must be established under a service agreement**
113.6 **between a producer responsibility organization and a service provider. In addition to the**
113.7 **terms and conditions** established in an approved stewardship plan, each agreement must:

113.8 (1) establish strong labor standards and work safety practices, including but not limited
113.9 to safety programs, health benefits, and living wages;

113.10 (2) require the service provider to meet established performance standards;

113.11 (3) prohibit the service provider from charging a fee to any person for the services
113.12 provided under the service agreement; and

113.13 (4) establish clear and reasonable timelines for reimbursement that are no less than
113.14 monthly.

113.15 Subd. 2. **Collection of recyclables.** If a household does not have access to collection
113.16 services at **the equivalent** level of service and convenience as collection services for mixed
113.17 municipal solid waste for covered materials on **a** list established under section 115A.1453,
113.18 subdivision 1, the producer responsibility organization must ensure that collection service
113.19 is available to the household through a service provider.

113.20 Subd. 3. **Bidding processes.** (a) For procurement of services for management of covered
113.21 materials and for infrastructure investments included under an approved stewardship plan,
113.22 a producer responsibility organization must use the competitive bidding processes established
113.23 in section 16C.28, subdivision 1, and publicly post bid opportunities **when entering into**
113.24 **agreements with service providers that are not political subdivisions, except that preference**
113.25 **must be given to existing facilities, providers of services, and accounts in the state for waste**
113.26 **reduction, reuse, collection, recycling, and composting of covered materials.**

113.27 (b) No producer or producer responsibility organization may own or partially own
113.28 infrastructure **unless, after a bidding process described in paragraph (a), no service provider**
113.29 **bids on the contract, in which case the producer responsibility organization may make**
113.30 **infrastructure investments identified under an approved stewardship plan to implement the**
113.31 **requirements in sections 115A.144 to 115A.1462.**

110.6 enhance program outcomes or to reduce producer fees according to provisions of an approved
110.7 stewardship plan.

110.8 Subd. 3. **Prohibited conduct.** Fees collected under this section may not be used for
110.9 lobbying, as defined in section 3.084, subdivision 1.

110.10 Sec. 15. **[115A.1455] SERVICE PROVIDER; REIMBURSEMENT.**

110.11 Subdivision 1. **Service provider reimbursement required.** The **reimbursements**
110.12 **provided for** waste reduction, reuse, **processing**, recycling, or composting services under
110.13 **an approved stewardship plan shall only be provided to service providers that meet the**
110.14 **performance standards requirements** established under an approved stewardship plan.

110.15 Subd. 2. **Collection of recyclables.** If a household does not have access to collection
110.16 services at **a comparable** level of convenience as collection services for mixed municipal
110.17 solid waste for covered materials on **the recyclable covered materials** list established under
110.18 section 115A.1453, subdivision 1, the producer responsibility organization must ensure that
110.19 collection service is available to the household through a service provider.

110.20 Subd. 3. **Bidding processes.** (a) For infrastructure investments included under an
110.21 approved stewardship plan, a producer responsibility organization must use the competitive
110.22 bidding processes established in section 16C.28, subdivision 1, and publicly post bid
110.23 opportunities except that preference must be given to existing facilities, providers of services,
110.24 and **holders of service** accounts in the state for waste reduction, reuse, collection, recycling,
110.25 and composting of covered materials.

110.26 (b) No producer or producer responsibility organization may own or partially own
110.27 infrastructure **that is used to fulfill obligations** under **this act except in the following**
110.28 **circumstances:**

113.32 Subd. 4. **Reimbursement rates.** (a) Each service agreement must include reimbursement
113.33 rates for services that are based on formulas that:

- 114.1 (1) incorporate relevant cost information identified by the needs assessment;
114.2 (2) reflect conditions that affect waste reduction, reuse, collection, recycling, and
114.3 composting costs in the region or jurisdiction in which the services are provided, including
114.4 but not limited to:
114.5 (i) the number and size of households;
114.6 (ii) population density;
114.7 (iii) collections methods employed;

114.8 (iv) distance to consolidation or transfer facilities; reuse, recycling, or composting
114.9 facilities; or to responsible markets; and
114.10 (v) other factors that may contribute to regional or jurisdictional cost differences;

- 114.11 (3) reflect administrative costs of service providers, including education, public awareness
114.12 campaigns, and outreach program costs as applicable;
114.13 (4) reflect planned capital improvements to facilities and equipment costs;
114.14 (5) reflect the cost of managing contamination present in source-separated recyclable
114.15 materials and source-separated compostable materials, including disposal of contamination
114.16 and residuals;

110.29 (1) a producer may hold an ownership stake in infrastructure used to fulfill obligations
110.30 under this act so long as the stake was held prior to enactment of this act and said ownership
110.31 stake is fully disclosed by the producer to the producer responsibility organization; or

111.1 (2) if, after a bidding process described in paragraph (a), no service provider bids on the
111.2 contract, the producer responsibility organization may make infrastructure investments
111.3 identified under an approved stewardship plan to implement the requirements in this act.

111.4 Subd. 4. **Reimbursement rates.** (a) An approved stewardship plan must provide
111.5 reimbursement rates for services, collection, transportation, and management of covered
111.6 materials, exclusive of exempt materials, and incorporate relevant cost information identified
111.7 by the initial needs assessment. Reimbursement rates shall be established equivalent to 50
111.8 percent of the cost per ton by July 1, 2027, 75 percent of the cost per ton by July 1, 2028,
111.9 and 90 percent of the cost per ton by July 1, 2029, and each year thereafter and varied per
111.10 ton, as follows:

- 111.11 (1) a fixed amount for each ton of covered material collected by a service provider that
111.12 reflects conditions that affect collection, recycling, and composting costs in the region or
111.13 jurisdiction in which the services are provided, including but not limited to:
111.14 (i) the number and size of households;
111.15 (ii) population density;
111.16 (iii) collections methods employed;
111.17 (iv) public education efforts;
111.18 (v) distance to consolidation or transfer facilities; reuse, recycling, or composting
111.19 facilities; or to responsible markets;
111.20 (vi) other factors that may contribute to regional or jurisdictional cost differences;
111.21 (vii) proportion of covered compostable materials within all source-separated compostable
111.22 materials collected or managed through composting; and
111.23 (viii) the general quality of materials recycled or composted by service providers;

114.17 (6) reflect the proportion of covered compostable materials within all source-separated
114.18 compostable materials collected or managed through composting; and
114.19 (7) reflect the cost of managing contamination and cleaning or sanitation needed for
114.20 reuse systems.

111.24 (2) a fixed amount for each ton of covered material recycled or composted by a service
111.25 provider in the prior calendar year based upon:
111.26 (i) the average costs associated with the transportation and processing from a central
111.27 location within a political subdivision, of collected covered material from the political
111.28 subdivision to a recycling or composting facility;
111.29 (ii) the processing of and removal of contamination from covered material by a recycling
111.30 or composting facility;
112.1 (iii) the recycling or composting of covered materials in the state or in another jurisdiction
112.2 less the average fair market value for that covered material based on the market indices for
112.3 the region, updated monthly;
112.4 (iv) costs associated with the management of contaminated materials removed from
112.5 collected covered material; and
112.6 (v) the proportion of covered compostable materials within all source-separated
112.7 compostable materials collected or managed through composting;
112.8 (3) an additional fixed amount, in excess of the rate provided under clause (2), for each
112.9 material type per ton for covered materials that are not included on the lists established
112.10 according to section 115A.1453, subdivision 1, that are recycled or composted by a service
112.11 provider in the prior calendar year less the average fair market value for that covered material
112.12 based on the market indices for the region, updated monthly;
112.13 (4) a fixed amount for mixed recycling tons are managed through a process that includes
112.14 percentages of covered materials included on the lists established according to section
112.15 115A.1453, subdivision 1, and additional covered materials. The per ton fixed amount shall
112.16 be prorated for the values in clause (2), items (i) and (ii), based upon the most recent waste
112.17 characterization for mixed recycling ton averages;
112.18 (5) a fixed amount, based on population served, for administrative costs of service
112.19 providers, including education, public awareness campaigns, and outreach program costs
112.20 as applicable; and
112.21 (6) a fixed amount for the cost of managing covered materials capable of refill or reusable
112.22 covered materials for the costs associated with collection, cleaning, sanitation, distribution,
112.23 and management of contamination.

114.21 (b) Each service agreement with a service provider that is also a political subdivision
114.22 must include reimbursement rates that use a rate established in a contract between a political
114.23 subdivision and one or more service providers in place of paragraph (a), clauses (1) and
114.24 (2).

114.25 Subd. 5. **Local government authority.** (a) Nothing in sections 115A.144 to 115A.1462
114.26 shall be construed to require a political subdivision to agree to operate under a stewardship
114.27 plan or enter into a service agreement with a producer responsibility organization.

114.28 (b) Nothing in sections 115A.144 to 115A.1462 restricts the authority of a political
114.29 subdivision to provide waste management services to residents, to contract with any entity
114.30 to provide waste management services, or to exercise its authority granted under section
114.31 115A.94. A producer responsibility organization may not conduct activities that would
115.1 conflict, compete, or otherwise interfere with a political subdivision exercising its authority
115.2 under section 115A.94 to organize collection of solid waste, including materials collected
115.3 for recycling or composting, or to extend, renew, or otherwise manage any contracts entered
115.4 into as a result of exercising such authority or otherwise resulting from a competitive
115.5 procurement process.

115.6 Subd. 6. **Dispute.** There must be a dispute resolution process using third-party mediators
115.7 to resolve disputes related to reimbursements and service agreements.

115.8 Sec. 16. **[115A.1456] REPORTING.**

115.9 Subdivision 1. **Producer responsibility organization annual report.** (a) By July 1,
115.10 2031, and each May 1 thereafter, a producer responsibility organization must submit a
115.11 written report to the commissioner that contains, at a minimum, the following information
115.12 for the previous calendar year:

115.13 (1) the amount of covered materials introduced by each covered materials type, reported
115.14 in the same units used to establish fees under section 115A.1454, subdivision 1, clause (1);

112.24 (b) A service provider may retain all revenue from the sale of covered materials. Nothing
112.25 in this act may restrict a service provider from charging a fee for collection or processing
112.26 of covered materials to the extent that reimbursement from a producer responsibility
112.27 organization does not cover all costs of services, including operating profits and returns on
112.28 investments required by a service provider to provide sustainability of the services.

112.29 Subd. 5. **Local government authority.** (a) Nothing in this section shall be construed to
112.30 require a political subdivision to agree to operate under a stewardship plan, nor does it
112.31 restrict the authority of a political subdivision to provide waste management services to
112.32 residents or to contract with any entity to provide waste management services. Any political
112.33 subdivision that is also a service provider is eligible to be registered with the commissioner
113.1 and reimbursed per the rates and schedule approved in subdivision 4. If a majority of political
113.2 subdivisions in the state chooses not to participate in the program by January 1, 2030, the
113.3 commissioner shall revise the statewide requirements established under section 115A.1451,
113.4 subdivision 7.

113.5 (b) Nothing in this act restricts the authority of a political subdivision to provide waste
113.6 management services to residents, to contract with any entity to provide waste management
113.7 services, or to exercise its authority granted under section 115A.94. A producer responsibility
113.8 organization may not restrict or otherwise interfere with a political subdivision exercising
113.9 its authority under section 115A.94 to organize collection of solid waste, including materials
113.10 collected for recycling or composting, or to extend, renew, or otherwise manage any contracts
113.11 entered into as a result of exercising such authority or otherwise resulting from a competitive
113.12 procurement process.

113.13 Subd. 6. **Dispute resolution.** There must be a dispute resolution process for disputes
113.14 related to reimbursements utilizing third-party mediators.

113.15 Sec. 16. **[115A.1456] REPORTING.**

113.16 Subdivision 1. **Producer responsibility organization annual report.** (a) By July 1,
113.17 2031, and each July 1 thereafter, a producer responsibility organization must submit a written
113.18 report to the commissioner that contains, at a minimum, the following information for the
113.19 previous calendar year:

113.20 (1) the amount of covered materials introduced by each covered materials type, reported
113.21 in the same units used to establish fees under section 115A.1454, subdivision 1, clause (1);

115.15 (2) progress toward the performance targets reported in the same units used to establish
115.16 producer fees under section 115A.1454, subdivision 1, clause (1), and reported statewide
115.17 and for each county, including:
115.18 (i) the amount of covered materials successfully waste reduced, reused, recycled, and
115.19 composted by covered materials type and the strategies or collection method used; and
115.20 (ii) information about third-party certifications obtained;
115.21 (3) the total cost to implement the program and a detailed description of program
115.22 expenditures, including:
115.23 (i) the total amount of producer fees collected in the current calendar year; and
115.24 (ii) a description of infrastructure investments made during the previous year;
115.25 (4) a copy of a financial audit of program operations conducted by an independent auditor
115.26 approved by the commissioner;

115.27 (5) a description of program performance problems that emerged in specific locations
115.28 and efforts taken or proposed by the producer responsibility organization to address them;
115.29 (6) a discussion of technical assistance provided to producers regarding toxic substances
115.30 in covered materials and actions taken by producers to reduce intentionally added toxic
116.1 substances in covered materials beyond compliance with prohibitions already established
116.2 in law through proof of testing or an analytical and scientifically demonstrated methodology;
116.3 (7) a description of public awareness, education, and outreach activities undertaken,
116.4 including any evaluations conducted of their efficacy, plans for next calendar year's activities,
116.5 and an evaluation of the process established by the producer responsibility organization to
116.6 answer questions from consumers regarding collection, recycling, composting, waste
116.7 reduction, and reuse activities;
116.8 (8) a summary of consultations held with the advisory board and how any feedback was
116.9 incorporated into the report as a result of the consultations, together with a list of rejected
116.10 recommendations and the reasons for rejection;
116.11 (9) a list of any producers found to be out of compliance with sections 115A.144 to
116.12 115A.1462, and actions taken by the producer responsibility organization to return the
116.13 producer to compliance, and notification of any producers that are no longer participating
116.14 in the producer responsibility organization or have been expelled due to their lack of
116.15 compliance;

113.22 (2) progress toward the performance targets reported in the same units used to establish
113.23 producer fees under section 115A.1454, subdivision 1, clause (1), and reported statewide
113.24 and for each county including:
113.25 (i) the amount of covered materials successfully waste reduced, reused, recycled, and
113.26 composted by covered materials type and the strategies or collection method used; and
113.27 (ii) information about third-party certifications obtained;
113.28 (3) the total cost to implement the program and a detailed description of program
113.29 expenditures including:
113.30 (i) the total amount of producer fees collected in the current calendar year; and
113.31 (ii) a description of infrastructure investments made during the previous year;
114.1 (4) a copy of a financial audit of program operations conducted by an independent auditor
114.2 approved by the commissioner that meets the requirements of the Financial Accounting
114.3 Standards Board's Accounting Standards Update 2016-14, Not-for-Profit Entities (Topic
114.4 958), as amended;
114.5 (5) a description of program performance problems that emerged in specific locations
114.6 and efforts taken or proposed by the producer responsibility organization to address them;
114.7 (6) a discussion of technical assistance provided to producers regarding toxic substances
114.8 in covered materials and actions taken by producers to reduce intentionally added toxic
114.9 substances in covered materials beyond compliance with prohibitions already established
114.10 in law;
114.11 (7) a description of public awareness, education, and outreach activities undertaken
114.12 including any evaluations conducted of their efficacy, plans for next calendar year's activities,
114.13 and an evaluation of the process established by the producer responsibility organization to
114.14 answer questions from consumers regarding collection, recycling, composting, waste
114.15 reduction, and reuse activities;
114.16 (8) a summary of consultations held with the advisory board and how any feedback was
114.17 incorporated into the report as a result of the consultations, together with a list of rejected
114.18 recommendations and the reasons for rejection;
114.19 (9) a list of any producers found to be out of compliance with this act, and actions taken
114.20 by the producer responsibility organization to return the producer to compliance, and
114.21 notification of any producers that are no longer participating in the producer responsibility
114.22 organization or have been expelled due to their lack of compliance;

116.16 (10) any proposed amendments to the stewardship plan to improve program performance
116.17 or reduce costs, including changes to producer fees, infrastructure investments, or
116.18 reimbursement formula and rates; and

116.19 (11) any information requested by the commissioner to assist with determining
116.20 compliance with sections 115A.144 to 115A.1462.

116.21 (b) Every fourth year after a stewardship plan is approved by the commissioner, a
116.22 performance audit of the program must be completed. The performance audit must conform
116.23 to audit standards established by the United States Government Accountability Office; the
116.24 National Association of State Auditors, Comptrollers, and Treasurers; or another nationally
116.25 recognized organization approved by the commissioner.

116.26 Subd. 2. **Report following unmet target.** A producer responsibility organization that
116.27 fails to meet a performance target approved in a stewardship plan must, within 90 days of
116.28 filing an annual report under this section, file with the commissioner an explanation of the
116.29 factors contributing to the failure and propose an amendment to the stewardship plan
116.30 specifying changes in operations that the producer responsibility organization will make
116.31 that are designed to achieve the following year's targets. An amendment filed under this
116.32 subdivision must be reviewed by the advisory board and reviewed and approved by the
116.33 commissioner in the manner specified in section 115A.1451, subdivisions 2 and 4.

117.1 Subd. 3. **Commissioner's report.** By October 15, 2034, and every five years thereafter,
117.2 the commissioner must submit a report to the governor and to the chairs and ranking minority
117.3 members of the legislative committees with jurisdiction over solid waste. The report must
117.4 contain a summary of the operations of the Packaging Waste and Cost Reduction Act during
117.5 the previous five years, a summary of the needs assessment, a link to reports filed under
117.6 subdivisions 1 and 2, recommendations for policy, statutory, or regulatory changes to the
117.7 program, a list of efforts undertaken by the commissioner to enforce and secure compliance
117.8 with sections 115A.144 to 115A.1462, and any other information the commissioner deems
117.9 to be relevant.

117.10 Subd. 4. **Duty to cooperate.** Service providers must provide producer responsibility
117.11 organizations with data necessary to complete the reports required by this section upon
117.12 request.

114.23 (10) any proposed amendments to the stewardship plan to improve program performance
114.24 or reduce costs, including changes to producer fees, infrastructure investments, or
114.25 reimbursement rates;

114.26 (11) any recommendations for additions or removal of covered materials to or from the
114.27 recyclable or compostable covered materials lists developed under section 115A.1453; and

114.28 (12) any information requested by the commissioner to assist with determining
114.29 compliance with this act.

114.30 (b) Every fourth year after a stewardship plan is approved by the commissioner, a
114.31 performance audit of the program must be completed. The performance audit must conform
114.32 to audit standards established by the United States Government Accountability Office; the
115.1 National Association of State Auditors, Comptrollers, and Treasurers; or another nationally
115.2 recognized organization approved by the commissioner.

115.3 Subd. 2. **Report following unmet target.** A producer responsibility organization that
115.4 fails to meet a performance target approved in a stewardship plan must, within 90 days of
115.5 filing an annual report under this section, file with the commissioner an explanation of the
115.6 factors contributing to the failure and propose an amendment to the stewardship plan
115.7 specifying changes in operations that the producer responsibility organization will make
115.8 that are designed to achieve the following year's targets. If a performance target is unmet
115.9 due to lack of political subdivision participation in the program, the commissioner shall
115.10 revise the statewide requirements developed under section 115A.1451, subdivision 7. If a
115.11 revision to the statewide performance targets is required and completed by the commissioner,
115.12 the producer responsibility organization may revise the performance targets at the same
115.13 time. An amendment filed under this subdivision must be reviewed by the advisory board
115.14 and reviewed and approved by the commissioner in the manner specified in section
115.15 115A.1451, subdivisions 2 and 4.

115.16 Subd. 3. **Commissioner's report.** By October 15, 2034, and every five years thereafter,
115.17 the commissioner must submit a report to the governor and to the chairs and ranking minority
115.18 members of the legislative committees with jurisdiction over solid waste. The report must
115.19 contain a summary of the operations of the Packaging Waste and Cost Reduction Act during
115.20 the previous five years, a summary of the needs assessment, a link to reports filed under
115.21 subdivisions 1 and 2, recommendations for policy, statutory, or regulatory changes to the
115.22 program, an analysis of the impacts of exempting certain materials from the definition of
115.23 covered materials and of exempting certain persons from the definition of producer, a list
115.24 of efforts undertaken by the commissioner to enforce and secure compliance with this act,
115.25 and any other information the commissioner deems to be relevant.

115.26 Subd. 4. **Duty to cooperate.** Service providers must provide producer responsibility
115.27 organizations with data necessary to complete the reports required by this section upon
115.28 request.

117.13 Sec. 17. [115A.1457] PRODUCER RESPONSIBILITY ORGANIZATION
117.14 WEBSITES.

117.15 A producer responsibility organization must maintain a website that uses best practices
117.16 for accessibility that contains, at a minimum:

117.17 (1) information regarding a process that members of the public can use to contact the
117.18 producer responsibility organization with questions;

117.19 (2) a directory of all service providers operating under the stewardship plan administered
117.20 by the producer responsibility organization, grouped by location or political subdivision,
117.21 and information about how to request service;

117.22 (3) registration materials submitted to the commissioner under section 115A.1443;

117.23 (4) the draft and approved stewardship plan and any draft and approved amendments;

117.24 (5) information on how to manage covered materials included on the lists established
117.25 by the commissioner under section 115A.1453;

117.26 (6) information on reuse systems and waste reduction systems operating according to
117.27 sections 115A.144 to 115A.1462;

117.28 (7) the most recent list of exempt materials approved by the commissioner under section
117.29 115A.1453;

117.30 (8) the most recent needs assessment and all past needs assessments;

117.31 (9) annual reports filed by the producer responsibility organization;

118.1 (10) a link to administrative rules implementing sections 115A.144 to 115A.1462;

118.2 (11) comments of the advisory board on the documents listed in clauses (4) and (8), and
118.3 the responses of the producer responsibility organization to those comments;

118.4 (12) the names of producers and brands that are not in compliance with section
118.5 115A.1448;

118.6 (13) a list, that is updated at least monthly, of all member producers that will operate
118.7 under the stewardship plan administered by the producer responsibility organization and,
118.8 for each producer, a list of all brands of the producer's covered materials introduced in the
118.9 state; and

118.10 (14) education materials on waste reduction, reuse, recycling, and composting for
118.11 producers and the general public.

118.12 Sec. 18. [115A.1458] ANTICOMPETITIVE CONDUCT.

118.13 A producer responsibility organization that arranges collection, recycling, composting,
118.14 waste reduction, or reuse services under sections 115A.144 to 115A.1462 may engage in
118.15 anticompetitive conduct to the extent necessary to plan and implement collection, recycling,

115.29 Sec. 17. [115A.1457] PRODUCER RESPONSIBILITY ORGANIZATION
115.30 WEBSITES.

115.31 A producer responsibility organization must maintain a website that uses best practices
115.32 for accessibility and contains at least:

115.33 (1) information regarding a process that members of the public can use to contact the
115.34 producer responsibility organization with questions;

116.1 (2) a directory of all service providers operating under the stewardship plan administered
116.2 by the producer responsibility organization, grouped by location or political subdivision,
116.3 and information about how to request service;

116.4 (3) registration materials submitted to the commissioner under section 115A.1443;

116.5 (4) the draft and approved stewardship plan and any draft and approved amendments;

116.6 (5) information on how to manage materials included in lists established under section
116.7 115A.1453;

116.8 (6) the list of exempt materials as defined in this act and covered materials exempt from
116.9 performance targets and statewide requirements as approved in the stewardship plan;

116.10 (6) the most recent needs assessment and all past needs assessments;

116.11 (7) annual reports filed by the producer responsibility organization;

116.12 (8) a link to administrative rules implementing this act;

116.13 (9) comments of the advisory board on the documents listed in clauses (4) and (7), and
116.14 the responses of the producer responsibility organization to those comments;

116.15 (10) the names of producers and brands that are not in compliance with section
116.16 115A.1448;

116.17 (11) a list, that is updated at least monthly, of all member producers that will operate
116.18 under the stewardship plan administered by the producer responsibility organization and,
116.19 for each producer, a list of all brands of the producer's covered materials introduced in the
116.20 state; and

116.21 (12) education materials on waste reduction, reuse, recycling, and composting for
116.22 producers and the general public.

116.23 Sec. 18. [115A.1458] ANTICOMPETITIVE CONDUCT.

116.24 A producer responsibility organization that arranges collection, recycling, composting,
116.25 waste reduction, or reuse services under this act may engage in anticompetitive conduct to
116.26 the extent necessary to plan and implement collection, recycling, composting, waste

118.16 composting, waste reduction, or reuse systems to meet the obligations under sections
118.17 115A.144 to 115A.1462, and is immune from liability under state laws relating to antitrust,
118.18 restraint of trade, and unfair trade practices.

118.19 Sec. 19. [115A.1459] RULEMAKING.

118.20 The commissioner may adopt rules to implement sections 115A.144 to 115A.1462. The
118.21 18-month time limit under section 14.125 does not apply to the commissioner's rulemaking
118.22 authority under this section.

118.23 Sec. 20. [115A.1460] PROVIDING INFORMATION.

118.24 Upon request of the commissioner for purposes of determining compliance with sections
118.25 115A.144 to 115A.1462, or for purposes of implementing sections 115A.144 to 115A.1462,
118.26 a person must furnish to the commissioner any information that the person has or may
118.27 reasonably obtain.

119.1 Sec. 21. [115A.1461] DEPOSIT RETURN SYSTEM.

119.2 It is the intent of the legislature that if a bottle deposit return system is enacted in the
119.3 future, it will be harmonized with sections 115A.144 to 115A.1462 in a manner that ensures
119.4 that:

119.5 (1) materials covered in that system are exempt from sections 115A.144 to 115A.1462
119.6 or related financial obligations are reduced;

119.7 (2) colocation of drop-off facilities and alternative collection sites is maximized;

119.8 (3) education and outreach is integrated between the two programs; and

119.9 (4) waste reduction and reuse strategies are prioritized between the two programs.

119.10 Sec. 22. [115A.1462] ENFORCEMENT.

119.11 (a) The commissioner must enforce sections 115A.144 to 115A.1462 as provided under
119.12 this section and sections 115.071 and 116.072. The commissioner may revoke a registration
119.13 of a producer responsibility organization or producer found to have violated sections
119.14 115A.144 to 115A.1462.

119.15 (b) Notwithstanding the penalty limits contained in section 115.071, subdivision 3, and
119.16 except as otherwise provided in paragraph (c), a person that violates or fails to perform a

116.27 reduction, or reuse systems to meet the obligations under this act, and is immune from
116.28 liability under state laws relating to antitrust, restraint of trade, and unfair trade practices.

117.1 Sec. 19. [115A.1459] RULEMAKING.

117.2 The commissioner may adopt rules to implement this act. The 18-month time limit under
117.3 section 14.125 does not apply to the commissioner's rulemaking authority under this section.

117.4 Sec. 20. [115A.1460] PROVIDING INFORMATION.

117.5 Upon request of the commissioner for purposes of determining compliance with this
117.6 act, or for purposes of implementing this act, a person must furnish to the commissioner
117.7 any information that the person has or may reasonably obtain.

117.8 Sec. 21. [115A.1461] DEPOSIT RETURN SYSTEM.

117.9 (a) It is the intent of the legislature that if a bottle deposit return system is enacted in the
117.10 future, it will be harmonized with this act in a manner that ensures that:

117.11 (1) materials covered in that system are exempt from this act or related financial
117.12 obligations are reduced;

117.13 (2) colocation of drop-off facilities and alternative collection sites is maximized;

117.14 (3) education and outreach is integrated between the two programs; and

117.15 (4) waste reduction and reuse strategies are prioritized between the two programs.

117.16 (b) Any implementation of a deposit return system is created with at least a two-year
117.17 transition period prior to the expiry of the currently approved stewardship plan and conducted
117.18 in a manner that does not create sudden and significant operational or financial disruption
117.19 to the implementation of a stewardship plan under section 115A.1451, including provisions
117.20 of recycling or reuse services contained in the plan.

117.21 Sec. 22. [115A.1462] ENFORCEMENT.

117.22 (a) The commissioner must enforce this act as provided under this section and sections
117.23 115.071 and 116.072. The commissioner may revoke a registration of a producer
117.24 responsibility organization or producer found to have violated this act.

117.25 (b) Notwithstanding the penalty limits contained in section 115.071, subdivision 3, and
117.26 except as otherwise provided in paragraph (c), a person that violates or fails to perform a

119.17 duty imposed by sections 115A.144 to 115A.1462 or any rule adopted thereunder is liable
119.18 for a civil penalty not to exceed \$25,000 per day of violation.

119.19 (c) Notwithstanding the penalty limits contained in section 115.071, subdivision 3, a
119.20 producer responsibility organization or producer that violates a provision of or fails to
119.21 perform a duty imposed by sections 115A.144 to 115A.1462, a rule adopted thereunder, or
119.22 requirements of a stewardship plan approved by the commissioner, is liable for a civil
119.23 penalty not to exceed \$25,000 per day of violation. For a second violation occurring within
119.24 five years after the approval of a stewardship plan, a producer responsibility organization
119.25 or producer is liable for a civil penalty not to exceed \$50,000 per day of violation. For a
119.26 third or subsequent violation occurring within five years after the approval of a stewardship
119.27 plan, a producer responsibility organization or producer is liable for a civil penalty not to
119.28 exceed \$100,000 per day of violation.

119.29 Sec. 23. **WORKPLACE CONDITIONS AND EQUITY STUDY.**

119.30 (a) By January 1, 2032, the commissioner of the Pollution Control Agency must contract
119.31 with a third party that is not a producer or a producer responsibility organization to conduct
120.1 a study of the recycling, composting, and reuse facilities operating in the state. The study
120.2 must analyze, at a minimum, information about:

120.3 (1) working conditions, wage and benefit levels, and employment levels of minorities
120.4 and women at those facilities;

120.5 (2) barriers to ownership of recycling, composting, and reuse operations faced by women
120.6 and minorities;

120.7 (3) the degree to which residents of multifamily buildings have less convenient access
120.8 to recycling, composting, and reuse opportunities than those living in single-family homes;

120.9 (4) the degree to which environmental justice areas have access to fewer recycling,
120.10 composting, and reuse opportunities compared to other parts of the state;

120.11 (5) the degree to which programs to increase access, convenience, and education are
120.12 successful in raising reuse, recycling, and composting rates in areas where participation in
120.13 these activities is low;

120.14 (6) strategies to increase participation in reuse, recycling, and composting; and

120.15 (7) the degree to which residents and workers in environmental justice areas are impacted
120.16 by emissions, toxic substances, and other pollutants from solid waste facilities in comparison
120.17 to other areas of the state and provide recommendations to mitigate those impacts.

120.18 (b) The initial producer responsibility organization registered by the commissioner under
120.19 Minnesota Statutes, sections 115A.144 to 115A.1462, must cover the cost of conducting
120.20 the study through its annual registration fee and recommended actions identified in the study
120.21 must be considered as part of future stewardship plans as required under Minnesota Statutes,

117.27 duty imposed by this act or any rule adopted thereunder is liable for a civil penalty not to
117.28 exceed \$25,000 per day of violation.

117.29 (c) Notwithstanding the penalty limits contained in section 115.071, subdivision 3, a
117.30 producer responsibility organization or producer that violates a provision of or fails to
118.1 perform a duty imposed by this act, a rule adopted thereunder, or requirements of a
118.2 stewardship plan approved by the commissioner, is liable for a civil penalty not to exceed
118.3 \$25,000 per day of violation. For a second violation occurring within five years after the
118.4 approval of a stewardship plan, a producer responsibility organization or producer is liable
118.5 for a civil penalty not to exceed \$50,000 per day of violation. For a third or subsequent
118.6 violation occurring within five years after the approval of a stewardship plan, a producer
118.7 responsibility organization or producer is liable for a civil penalty not to exceed \$100,000
118.8 per day of violation.

118.9 Sec. 23. **WORKPLACE CONDITIONS AND EQUITY STUDY.**

118.10 (a) By January 1, 2032, the commissioner of the Pollution Control Agency must contract
118.11 with a third party that is not a producer or a producer responsibility organization to conduct
118.12 a study of the recycling, composting, and reuse facilities operating in the state. The study
118.13 must analyze, at a minimum information about:

118.14 (1) working conditions, wage and benefit levels, and employment levels of minorities
118.15 and women at those facilities;

118.16 (2) barriers to ownership of recycling, composting, and reuse operations faced by women
118.17 and minorities;

118.18 (3) the degree to which residents of multifamily buildings have less convenient access
118.19 to recycling, composting, and reuse opportunities than those living in single-family homes;

118.20 (4) the degree to which environmental justice areas have access to fewer recycling,
118.21 composting, and reuse opportunities compared to other parts of the state;

118.22 (5) the degree to which programs to increase access, convenience, and education are
118.23 successful in raising reuse, recycling, and composting rates in areas where participation in
118.24 these activities is low;

118.25 (6) strategies to increase participation in reuse, recycling, and composting; and

118.26 (7) the degree to which residents and workers in environmental justice areas are impacted
118.27 by emissions, toxic substances, and other pollutants from solid waste facilities in comparison
118.28 to other areas of the state and provide recommendations to mitigate those impacts.

118.29 (b) The initial producer responsibility organization registered by the commissioner under
118.30 Minnesota Statutes, sections 115A.144 to 115A.1462, must cover the cost of conducting
118.31 the study through its annual registration fee and recommended actions identified in the study
118.32 must be considered as part of future stewardship plans as required under Minnesota Statutes,

120.22 section 115A.1451, including adjustments to service provider agreements and reimbursements
120.23 as established under Minnesota Statutes, section 115A.1455.

120.24 **Sec. 24. COVERED MATERIALS POLLUTION AND CLEANUP STUDY.**

120.25 (a) By January 1, 2032, the commissioner of the Pollution Control Agency, in consultation
120.26 with the commissioners of health and natural resources, must contract with a third party
120.27 that is not a producer or a producer responsibility organization to conduct a study to identify
120.28 the contribution of covered products to litter and water pollution in Minnesota. The report
120.29 must at a minimum:

120.30 (1) analyze historical and current environmental and human health impacts of littered
120.31 covered materials and their associated toxic substances in the environment;

120.32 (2) estimate the cost of cleanup and prevention; and

121.1 (3) provide recommendations for how to reduce and mitigate the impacts of litter in the
121.2 state.

121.3 (b) The contracted third party must consult with units of local government, the
121.4 commissioners of health and natural resources, and environmental justice organizations.

121.5 (c) The initial producer responsibility organization registered by the commissioner under
121.6 Minnesota Statutes, sections 115A.144 to 115A.1462, must cover the cost of conducting
121.7 the study through its annual registration fee and recommended actions identified in the study
121.8 must be considered as part of future stewardship plans, as required under Minnesota Statutes,
121.9 section 115A.1451.

ARTICLE 6

FERAL SWINE AND FUR FARMS

121.12 Section 1. Minnesota Statutes 2023 Supplement, section 17.457, as amended by Laws
121.13 2024, chapter 85, section 8, is amended to read:

121.14 **17.457 RESTRICTED SPECIES.**

121.15 Subdivision 1. **Definitions.** (a) The definitions in this subdivision apply to this section.

121.16 (b) "Commissioner" means the commissioner of agriculture or the commissioner's
121.17 designee.

121.18 (c) "Domestic hogs" means members of the subspecies *Sus scrofa domesticus*.

121.19 (e) (d) "Restricted species" means Eurasian wild pigs and their hybrids (*Sus scrofa*
121.20 subspecies and *Sus scrofa* hybrids) pigs, boars, peccaries, and all other members of the
121.21 Suidae family and the Tayassuidae family, excluding domestic hogs (*S. scrofa domestica*).

121.22 ~~(d)~~ (c) "Release" means an intentional introduction or persistent accidental escape of a
121.23 restricted species or domestic hog from the control of the owner or responsible party. Release

119.1 section 115A.1451, including adjustments to service provider reimbursements as established
119.2 under Minnesota Statutes, section 115A.1455.

119.3 **Sec. 24. COVERED MATERIALS POLLUTION AND CLEANUP STUDY.**

119.4 (a) By January 1, 2032, the commissioner of the Pollution Control Agency, in consultation
119.5 with the commissioners of health and natural resources, must contract with a third party
119.6 that is not a producer or a producer responsibility organization to conduct a study to identify
119.7 the contribution of covered products to litter and water pollution in Minnesota. The report
119.8 must at a minimum:

119.9 (1) analyze historical and current environmental and human health impacts of littered
119.10 covered materials and their associated toxic substances in the environment;

119.11 (2) estimate the cost of cleanup and prevention; and

119.12 (3) provide recommendations for how to reduce and mitigate the impacts of litter in the
119.13 state.

119.14 (b) The contracted third party must consult with units of local government, the
119.15 commissioners of health and natural resources, and environmental justice organizations.

119.16 (c) The initial producer responsibility organization registered by the commissioner under
119.17 Minnesota Statutes, sections 115A.144 to 115A.1462, must cover the cost of conducting
119.18 the study through its annual registration fee and recommended actions identified in the study
119.19 must be considered as part of future stewardship plans, as required under Minnesota Statutes,
119.20 section 115A.1451.

121.24 does not mean an accidental escape of restricted species or domestic hogs due to a
121.25 transportation accident or an act of God.

121.26 Subd. 2. **Importation; possession; release of Restricted species permit required.** It
121.27 is unlawful for a person to import, possess, propagate, or transport, or release a restricted
121.28 species, unless the person has a permit as described in subdivision 3.

121.29 Subd. 2a. **Release of restricted species or domestic hogs prohibited.** (a) It is unlawful
121.30 for a person to release restricted species or domestic hogs.

122.1 (b) In addition to the penalties in subdivision 6, a person who violates paragraph (a)
122.2 must do the following at the person's expense and by the date and time specified by the
122.3 commissioner:

122.4 (1) register their premises with the Board of Animal Health;

122.5 (2) implement the confinement standards and record-keeping requirements developed
122.6 by the Board of Animal Health; and

122.7 (3) reimburse the commissioner for costs incurred to annually inspect the registered
122.8 premises and verify compliance with clause (2).

122.9 Subd. 3. **Permits.** The commissioner may issue permits for the transportation, possession,
122.10 purchase, or importation of restricted species only for scientific, research, or educational,
122.11 or commercial purposes. A permit issued under this subdivision may be revoked by the
122.12 commissioner if the conditions of the permit are not met by the permittee or for any unlawful
122.13 act or omission, including accidental escapes.

122.14 Subd. 4. **Notice of release of restricted species or domestic hogs.** In the event of a
122.15 release of a restricted species or domestic hog, the owner must notify within 24 hours a
122.16 conservation officer and the Board of Animal Health and is responsible for the recovery of
122.17 the species. The commissioner may capture or destroy the released animal at the owner's
122.18 expense. If the owner does not provide notification or fails to recover the animal within 72
122.19 hours of providing notification, the released animal is considered feral swine under section
122.20 97A.56, is no longer the personal property of the owner, and may be captured or destroyed
122.21 at the former owner's expense by a peace officer or by the commissioner of natural resources
122.22 under section 97A.045, subdivision 1, paragraph (b), or other authority.

122.23 Subd. 5. **Enforcement.** (a) This section may be enforced by a peace officer, an
122.24 enforcement officer under sections 97A.205 and 97A.211, and, except as provided in
122.25 paragraph (b), by the commissioner under sections 17.982 to 17.983.

122.26 (b) For the first violation of this section, the commissioner may impose an administrative
122.27 penalty of no more than \$1,000. For a second violation, the commissioner may impose an
122.28 administrative penalty of no more than \$1,500. For a third or succeeding violation, the
122.29 commissioner may impose an administrative penalty of no more than \$3,000 for each
122.30 violation.

122.31 Subd. 6. ~~Penalty~~ **Penalties.** (a) A person who violates subdivision 2, 2a, 4, or 7 is guilty
122.32 of a misdemeanor.

123.1 (b) A person who violates subdivision 2a, paragraph (a), is liable to the state for costs
123.2 associated with a release. The attorney general may enforce this paragraph on behalf of any
123.3 state agency affected.

123.4 Subd. 7. **Identification requirements.** A restricted species in the possession of a person
123.5 must be marked in a permanent fashion to identify ownership. The restricted species must
123.6 be marked as soon as practicable after birth or purchase.

123.7 Subd. 8. **Containment.** The commissioner, in consultation with the commissioner of
123.8 natural resources, shall develop criteria for approved containment measures for restricted
123.9 species.

123.10 Subd. 9. **Bond; security.** A person who possesses restricted species must provide proof
123.11 of insurance or file a security bond with the commissioner in an amount determined by the
123.12 commissioner to pay for the potential costs and damages that would be caused by the release
123.13 of a restricted species.

123.14 Subd. 10. **Fee.** The commissioner may impose a fee for permits in an amount sufficient
123.15 to cover the costs of issuing the permits and for facility inspections. The fee may not exceed
123.16 \$50. Fee receipts must be deposited in the general fund.

123.17 Sec. 2. Minnesota Statutes 2022, section 97A.105, is amended to read:

123.18 **97A.105 GAME AND FUR FARMS.**

123.19 Subdivision 1. **License requirements.** (a) A person may breed and propagate ~~fur-bearing~~
123.20 ~~animals~~, game birds, bear, or mute swans only on privately owned or leased land and after
123.21 obtaining a license. Any of the permitted animals on a game farm may be sold to other
123.22 licensed game farms. "Privately owned or leased land" includes waters that are shallow or
123.23 marshy, are not actually navigable, and are not of substantial beneficial public use. Before
123.24 an application for a license is considered, the applicant must enclose the area to sufficiently
123.25 confine the animals to be raised in a manner approved by the commissioner. A license may
123.26 be granted only if the commissioner finds the application is made in good faith with intention
123.27 to actually carry on the business described in the application and the commissioner determines
123.28 that the facilities are adequate for the business.

123.29 (b) A person may purchase live game birds or their eggs without a license if the birds
123.30 or eggs, or birds hatched from the eggs, are released into the wild, consumed, or processed
123.31 for consumption within one year after they were purchased or hatched. This paragraph does
123.32 not apply to the purchase of migratory waterfowl or their eggs.

124.1 (c) A person may not introduce mute swans into the wild without a permit issued by the
124.2 commissioner.

124.3 Subd. 2. **Transfer of license.** (a) A game ~~or fur~~ farm license is transferable with the
124.4 transfer of all or a portion of the title or leasehold of the land if:
124.5 (1) the land transferred complies with the license requirements;
124.6 (2) the land is used for the purposes of the license; and
124.7 (3) a verified written report of the existing and intended land use is made to the
124.8 commissioner, accompanied by a copy of deed, assignment, lease, or other instrument
124.9 transferring the corresponding title or leasehold in the enclosed land.
124.10 (b) A transfer of less than the whole interest in the license is not valid. Each bona fide
124.11 partner or associate in the ownership or operation of a game ~~or fur~~ farm must obtain a
124.12 separate license.
124.13 Subd. 3. **Ownership of wild animals.** All wild animals and their offspring, of the species
124.14 identified in the license, that are within the enclosure are the property of the game ~~and fur~~
124.15 farm licensee.
124.16 Subd. 4. **Sale of live animals.** (a) A sale of live animals from a licensed ~~fur or~~ game
124.17 farm is not valid unless the animals are delivered to the purchaser or they are identified and
124.18 kept separately.
124.19 (b) Live animals sold through auction or through a broker are considered to be sold by
124.20 the game farm licensee.
124.21 (c) The sale agreement or contract must be in writing. The licensee must notify a
124.22 purchaser of the death of an animal within 30 days and of the number of increase before
124.23 July 20 of each year.
124.24 Subd. 5. **Sale of pelts products.** The commissioner shall prescribe:
124.25 (1) the manner that ~~pelts and~~ products of wild animals raised on ~~fur or~~ game farms may
124.26 be sold or transported; and
124.27 (2) the tags or seals to be affixed to the ~~pelts and~~ products.
124.28 Subd. 6. **Fox and mink.** Fox and mink may not be bought or sold for breeding or
124.29 propagating unless they have been pen-bred for at least two generations.
124.30 Subd. 7. **Transporting live beaver.** Live beaver may not be transported without a permit
124.31 from the commissioner.
125.1 Subd. 8. **Penalty.** A licensee that does not comply with a provision of this section subjects
125.2 all wild animals on the game ~~or fur~~ farm to confiscation.

25.30 Sec. 11. Minnesota Statutes 2022, section 97A.105, subdivision 8, is amended to read:

25.31 Subd. 8. **Penalty.** A licensee that does not comply with a provision of this section subjects
25.32 all wild animals on the game or fur farm to confiscation. Additionally, a person who

125.3 Subd. 9. **Rules.** The commissioner may adopt rules for:

125.4 (1) ~~the issuance of~~ issuing game farm licenses;

125.5 (2) ~~the inspection of~~ inspecting game farm facilities;

125.6 (3) ~~the acquisition and disposal~~ acquiring and disposing of game farm animals; and

125.7 (4) record keeping and reporting by game farm licensees, including transactions handled

125.8 by auction or broker.

125.9 Sec. 3. **[97A.106] FUR FARMS.**

125.10 Subdivision 1. **License requirements.** A person may breed and propagate fur-bearing

125.11 animals only on privately owned or leased land and after obtaining a license. Any of the

125.12 permitted animals on a fur farm may be sold to other licensed fur farms. "Privately owned

125.13 or leased land" includes waters that are shallow or marshy, are not actually navigable, and

125.14 are not of substantial beneficial public use. Before an application for a license is considered,

125.15 the applicant must enclose the area to sufficiently confine the animals to be raised in a

125.16 manner approved by the commissioner. A license may be granted only if the commissioner

125.17 finds the application is made in good faith with intention to actually carry on the business

125.18 described in the application and the commissioner determines that the facilities are adequate

125.19 for the business.

125.20 Subd. 2. **Transfer of license.** (a) A fur farm license is transferable with the transfer of

125.21 all or a portion of the title or leasehold of the land if:

125.22 (1) the land transferred complies with the license requirements;

125.23 (2) the land is used for the purposes of the license; and

125.24 (3) a verified written report of the existing and intended land use is made to the

125.25 commissioner, accompanied by a copy of deed, assignment, lease, or other instrument

125.26 transferring the corresponding title or leasehold in the enclosed land.

125.27 (b) A transfer of less than the whole interest in the license is not valid. Each bona fide

125.28 partner or associate in the ownership or operation of a fur farm must obtain a separate

125.29 license.

125.30 Subd. 3. **License fee.** For each fur farm, the owner must, on or before January 1, pay to

125.31 the commissioner an annual fee of \$250.

126.1 Subd. 4. **Fur farm account.** The fur farm account is established in the game and fish

126.2 fund. Fees collected under this section and interest attributable to money in the account

26.1 transports a live beaver in violation of subdivision 7 is subject to a fine of \$500 and must

26.2 pay for any damages caused as a result of the unlawful transportation.

126.3 must be deposited in the account. Money in the account, including interest earned, is
126.4 appropriated to the commissioner for administration and enforcement of this section.

126.5 Subd. 5. **Ownership of wild animals.** All wild animals and their offspring, of the species
126.6 identified in the license, that are within the enclosure are the property of the fur farm licensee.

126.7 Subd. 6. **Containment and disease control.** The commissioner, in consultation with
126.8 the Board of Animal Health and the commissioners of agriculture and health, must develop:

126.9 (1) containment and disposal requirements for farmed fur-bearers; and
126.10 (2) farmed fur-bearer disease testing and reporting requirements.

126.11 Subd. 7. **Sale of live animals.** (a) A sale of live animals from a licensed fur farm is not
126.12 valid unless the animals are delivered to the purchaser or they are identified and kept
126.13 separately.

126.14 (b) Live animals sold through auction or through a broker are considered to be sold by
126.15 the fur farm licensee.

126.16 (c) The sale agreement or contract must be in writing. The licensee must notify a
126.17 purchaser of the death of an animal within 30 days and of the number of increase before
126.18 July 20 of each year.

126.19 Subd. 8. **Sale of pelts and products.** The commissioner must prescribe:

126.20 (1) the manner that pelts and products of wild animals raised on fur farms may be sold
126.21 or transported; and

126.22 (2) the tags or seals to be affixed to the pelts and products.

126.23 Subd. 9. **Fox and mink.** Fox and mink may not be bought or sold for breeding or
126.24 propagating unless they have been pen-bred for at least two generations.

126.25 Subd. 10. **Transporting live beaver.** Live beaver may not be transported without a
126.26 permit from the commissioner.

126.27 Subd. 11. **Penalty.** A licensee that does not comply with a provision of this section
126.28 subjects all wild animals on the fur farm to confiscation.

126.29 Subd. 12. **Rules.** The commissioner may adopt rules for:

126.30 (1) issuing fur farm licenses;
126.31 (2) inspecting fur farm facilities;
127.1 (3) acquiring fur farm animals; and
127.2 (4) record keeping and reporting by fur farm licensees, including transactions handled
127.3 by auction or broker.

127.4 Sec. 4. Minnesota Statutes 2022, section 97A.56, subdivision 1, is amended to read:

127.5 Subdivision 1. **Definition.** For purposes of this section, (a) The definitions in this
127.6 subdivision apply to this section.

127.7 (b) "Domestic hogs" means members of the subspecies *Sus scrofa domesticus*.

127.8 (c) "Feral swine" means ~~a member~~ an animal of the genus and species *Sus scrofa* family
127.9 Suidae or Tayassuidae that lives in the wild or has lived in the wild during any part of the
127.10 animal's lifetime. Feral swine includes released domestic hogs, unless the owner satisfies
127.11 the notification requirements of section 17.457, subdivision 4, and recovers the released
127.12 domestic hogs within 72 hours of notification.

127.13 (d) "Release" has the meaning given under section 17.457, subdivision 1.

127.14 Sec. 5. Minnesota Statutes 2022, section 97A.56, subdivision 2, is amended to read:

127.15 Subd. 2. **Prohibited actions; penalty.** (a) Unless authorized by permit under section
127.16 17.457, subdivision 3, a person may not possess or release feral swine ~~or swine that were~~
127.17 feral during any part of the swine's lifetime or otherwise allow feral swine to run at large.

127.18 (b) A person may not hunt or trap feral swine, except as authorized by the commissioner
127.19 for feral swine control or eradication. It is not a violation of this section if a person shoots
127.20 a feral swine and reports the taking to the commissioner within 24 hours. All feral swine
127.21 taken in this manner must be surrendered to the commissioner.

127.22 (c) A person who violates this subdivision is guilty of a misdemeanor.

127.23 (d) A person who violates this subdivision is liable for the actual costs incurred by the
127.24 state for the possession or release of the feral swine.

127.25 (e) A person who violates this subdivision is liable for the damages caused by the
127.26 possession or release of the feral swine.

127.27 Sec. 6. Minnesota Statutes 2022, section 97A.56, is amended by adding a subdivision to
127.28 read:

127.29 Subd. 4. **Domestic hogs and feral swine response protocols.** The commissioner, in
127.30 cooperation with the commissioner of agriculture and the Board of Animal Health, must
128.1 develop protocols for responding to the release of domestic hogs and feral swine, including
128.2 reporting requirements, interagency communications, and other actions necessary to resolve
128.3 the release.

128.4 Sec. 7. **OUTREACH REQUIRED.**

128.5 The commissioners of agriculture and natural resources and the Board of Animal Health
128.6 must jointly develop, and jointly or separately promote and provide to the public, current
128.7 and consistent outreach materials concerning:

- 128.8 (1) swine containment methods;
- 128.9 (2) sources of technical and financial assistance for small or hobby farms;
- 128.10 (3) the importance of preventing the establishment of feral hog populations;
- 128.11 (4) penalties for the accidental or intentional release of swine;
- 128.12 (5) effective and lawful methods of feral hog control; and
- 128.13 (6) other topics as identified by the commissioners and the board.
- 128.14 Sec. 8. **REPEALER.**
- 128.15 Minnesota Statutes 2022, section 17.353, is repealed.
- 128.16 **ARTICLE 7**
- 128.17 **MISCELLANEOUS**
- 128.18 Section 1. Minnesota Statutes 2022, section 18B.01, is amended by adding a subdivision
- 128.19 to read:
- 128.20 Subd. 18a. **Pesticide-treated seed.** "Pesticide-treated seed" means seed that has a
- 128.21 pesticide directly applied to the seed before planting and is classified by the United States
- 128.22 Environmental Protection Agency as a treated article under Code of Federal Regulations,
- 128.23 title 40, section 152.25(a), and exempt from regulation under FIFRA.
- 128.24 Sec. 2. Minnesota Statutes 2022, section 18C.005, is amended by adding a subdivision to
- 128.25 read:
- 128.26 Subd. 20a. **Nitrogen inhibitor.** "Nitrogen inhibitor" means a compound that inhibits
- 128.27 the urease or nitrification of nitrogen fertilizer.
- 129.1 Sec. 3. Minnesota Statutes 2022, section 21.81, is amended by adding a subdivision to
- 129.2 read:
- 129.3 Subd. 35. **Systemic pesticide.** "Systemic pesticide" means a pesticide designed to be
- 129.4 absorbed by plants and translocated throughout plant tissue. Systemic pesticide includes:
- 129.5 (1) acetamiprid, dinotefuran, clothianidin, thiamethoxam, imidacloprid, nitenpyram,
- 129.6 thiacloprid, fipronil, flupyradifurone, sulfoxaflor, cyantraniliprole, or chlorantraniliprole;
- 129.7 and
- 129.8 (2) any other pesticide determined by the commissioner to be a systemic pesticide,
- 129.9 including any chemical belonging to the neonicotinoid or anthranilic diamide class.
- 129.10 Sec. 4. Minnesota Statutes 2023 Supplement, section 21.86, subdivision 2, is amended to
- 129.11 read:
- 129.12 Subd. 2. **Miscellaneous violations.** No person may:

- 129.13 (a) detach, alter, deface, or destroy any label required in sections 21.82 and 21.83, alter
129.14 or substitute seed in a manner that may defeat the purposes of sections 21.82 and 21.83, or
129.15 alter or falsify any seed tests, laboratory reports, records, or other documents to create a
129.16 misleading impression as to kind, variety, history, quality, or origin of the seed;
- 129.17 (b) hinder or obstruct in any way any authorized person in the performance of duties
129.18 under sections 21.80 to 21.92;
- 129.19 (c) fail to comply with a "stop sale" order or to move or otherwise handle or dispose of
129.20 any lot of seed held under a stop sale order or attached tags, except with express permission
129.21 of the enforcing officer for the purpose specified;
- 129.22 (d) use the word "type" in any labeling in connection with the name of any agricultural
129.23 seed variety;
- 129.24 (e) use the word "trace" as a substitute for any statement which is required;
- 129.25 (f) plant any agricultural seed which the person knows contains weed seeds or noxious
129.26 weed seeds in excess of the limits for that seed;
- 129.27 (g) advertise or sell seed containing patented, protected, or proprietary varieties used
129.28 without permission of the patent or certificate holder of the intellectual property associated
129.29 with the variety of seed; ~~or~~
- 129.30 (h) use or sell as food, feed, oil, or ethanol feedstock any seed treated with neonicotinoid
129.31 pesticide; or
- 130.1 (i) beginning January 1, 2026, advertise, sell, or offer for sale any vegetable seed, flower
130.2 seed, wildflower seed, grass seed, shrub seed, tree seed, or other seed that is not advertised,
130.3 sold, or offered for sale as agricultural seed, if the seed is treated with neonicotinoid pesticide.
- 130.4 Sec. 5. Minnesota Statutes 2023 Supplement, section 41A.30, subdivision 1, is amended
130.5 to read:
- 130.6 Subdivision 1. **Definitions.** (a) For purposes of this section, the following terms have
130.7 the meanings given.
- 130.8 (b) "Aircraft" has the meaning given in section 296A.01, subdivision 3.
- 130.9 (c) "Aviation gasoline" has the meaning given in section 296A.01, subdivision 7.
- 130.10 (d) "Commissioner" means the commissioner of agriculture.
- 130.11 (e) "Jet fuel" has the meaning given in section 296A.01, subdivision 8.
- 130.12 (f) "Qualified clean hydrogen" has the meaning given in United States Code, title 26,
130.13 section 45V(c)(2).
- 130.14 ~~(f)~~ (g) "Qualifying taxpayer" means a taxpayer, as defined in section 290.01, subdivision
130.15 6, that is engaged in the business of;

130.16 (1) producing sustainable aviation fuel; or

130.17 (2) blending sustainable aviation fuel with aviation gasoline or jet fuel.

130.18 ~~(g)~~ (h) "Sustainable aviation fuel" means liquid fuel that:

130.19 (1) is derived from biomass, as defined in section 41A.15, subdivision 2e;

130.20 (2) is not derived from palm fatty acid distillates; and

130.21 (3) achieves at least a 50 percent life cycle greenhouse gas emissions reduction in

130.22 comparison with petroleum-based aviation gasoline, aviation turbine fuel, and jet fuel as

130.23 determined by a test that shows:

130.24 (i) that the fuel production pathway achieves at least a 50 percent life cycle greenhouse

130.25 gas emissions reduction in comparison with petroleum-based aviation gasoline, aviation

130.26 turbine fuel, and jet fuel utilizing the most recent version of Argonne National Laboratory's

130.27 Greenhouse Gases, Regulated Emissions, and Energy Use in Technologies (GREET) model

130.28 that accounts for reduced emissions throughout the fuel production process; or

130.29 (ii) that the fuel production pathway achieves at least a 50 percent reduction of the

130.30 aggregate attributional core life cycle emissions and the positive induced land use change

131.1 values under the life cycle methodology for sustainable aviation fuels adopted by the

131.2 International Civil Aviation Organization with the agreement of the United States.

131.3 Sec. 6. Minnesota Statutes 2023 Supplement, section 116P.09, subdivision 6, is amended

131.4 to read:

131.5 Subd. 6. **Conflict of interest.** (a) A commission member, a technical advisory committee

131.6 member, a peer reviewer, or an employee of the commission may not participate in or vote

131.7 on a decision of the commission, advisory committee, or peer review relating to an

131.8 organization in which the member, peer reviewer, or employee has either a direct or indirect

131.9 personal financial interest. While serving on the commission or technical advisory committee

131.10 or as a peer reviewer or while an employee of the commission, a person must avoid any

131.11 potential conflict of interest.

131.12 (b) A commission member may not vote on a motion regarding the purchase of land

131.13 under section 116P.18 or the final recommendations of the commission required under

131.14 section 116P.05, subdivision 2, paragraph (a), if the motion relates to an organization in

131.15 which the member has a direct personal financial interest. If a commission member is

131.16 prohibited from voting under this paragraph, the number of affirmative votes required under

131.17 section 116P.05, subdivision 2, paragraph (a), or section 116P.18 is reduced by the number

131.18 of members ineligible to vote under this paragraph.

131.19 Sec. 7. Minnesota Statutes 2023 Supplement, section 116P.18, is amended to read:

131.20 **116P.18 LANDS IN PUBLIC DOMAIN.**

131.21 Money appropriated from the trust fund must not be used to purchase any land in fee
131.22 title or a permanent conservation easement if the land in question is fully or partially owned
131.23 by the state or a political subdivision of the state or was acquired fully or partially with state
131.24 money, unless:

131.25 (1) the purchase creates additional direct benefit to the protection, conservation,
131.26 preservation, and enhancement of the state's air, water, land, fish, wildlife, and other natural
131.27 resources; and

131.28 (2) the purchase is approved, prior to the acquisition, by an affirmative vote of at least
131.29 11 members of the commission, except as provided under section 116P.09, subdivision 6,
131.30 paragraph (b).

132.1 Sec. 8. **[473.355] COMMUNITY TREE-PLANTING GRANTS.**

132.2 Subdivision 1. **Definition.** For the purposes of this section, "shade tree" means a woody
132.3 perennial grown primarily for aesthetic or environmental purposes with minimal to residual
132.4 timber value.

132.5 Subd. 2. **Grants.** (a) The Metropolitan Council must establish a grant program to provide
132.6 grants to cities, counties, townships, and implementing agencies for the following purposes:

132.7 (1) removing and planting shade trees on public land to provide environmental benefits;

132.8 (2) replacing trees lost to forest pests, disease, or storms; or

132.9 (3) establishing a more diverse community forest better able to withstand disease and
132.10 forest pests.

132.11 (b) Any tree planted with money granted under this section must be a climate-adapted
132.12 species to Minnesota.

132.13 Subd. 3. **Priority.** (a) Priority for grants awarded under this section must be given to:

132.14 (1) projects removing and replacing ash trees that pose significant public safety concerns;
132.15 and

132.16 (2) projects located in whole or in part in:

132.17 (i) a census tract where, based on the most recent decennial census data published by
132.18 the United States Census Bureau:

132.19 (A) 40 percent or more of the population is nonwhite;

132.20 (B) 35 percent or more of the households have an income at or below 200 percent of the
132.21 federal poverty level; or

- 132.22 (C) 40 percent or more of the population over the age of five has limited English
132.23 proficiency; or
- 132.24 (ii) Indian Country as defined in United States Code, title 18, section 1151.
- 132.25 (b) The Metropolitan Council may not prioritize projects based on criteria other than
132.26 the criteria established under paragraph (a).

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- 1.9 Section 1. Minnesota Statutes 2022, section 85.015, subdivision 1b, is amended to read:
- 1.10 Subd. 1b. **Easements for ingress and egress.** (a) Notwithstanding section 16A.695,
1.11 except as provided in paragraph (b), when a trail is established under this section, a private
1.12 property owner who has a preexisting right of ingress and egress over the trail right-of-way
1.13 is granted, without charge, a permanent easement for ingress and egress purposes only. The
1.14 easement is limited to the preexisting crossing and reverts to the state upon abandonment.
1.15 Nothing in this subdivision is intended to diminish or alter any written or recorded easement
1.16 that existed before the state acquired the land for the trail.
- 1.17 (b) The commissioner of natural resources shall assess the applicant an application fee
1.18 of \$2,000 for reviewing the application and preparing the easement. The applicant shall pay
1.19 the application fee to the commissioner of natural resources. The commissioner shall not
1.20 issue the easement until the applicant has paid the application fee in full. The commissioner
1.21 shall not return the application fee, even if the application is withdrawn or denied.
- 1.22 (c) Money received under paragraph (b) must be credited to the land management account
1.23 in the natural resources fund and is appropriated to the commissioner of natural resources
1.24 to cover the reasonable costs incurred under this section.
- 2.1 (d) Notwithstanding paragraphs (a) to (c), the commissioner of natural resources may
2.2 elect to assume the application fee under paragraph (b) if the commissioner determines that
2.3 issuing the easement will benefit the state's land management interests.
- 2.4 Sec. 2. Minnesota Statutes 2022, section 94.343, subdivision 8a, is amended to read:
- 2.5 Subd. 8a. **Fees.** (a) When a private landowner or governmental unit, except the state,
2.6 presents to the commissioner an offer to exchange privately or publicly held land for class
2.7 A land, the private landowner or governmental unit shall pay to the commissioner ~~a~~
2.8 ~~determination of value fee and survey fee of not less than one-half of the cost of the~~
2.9 ~~determination of value and survey fees as determined by the commissioner. fees of not less~~
2.10 ~~than one-half of the costs incurred by the commissioner for valuation expenses; survey~~

66.19 **ARTICLE 4**

66.20 **STATE LANDS**

- 66.21 Section 1. Minnesota Statutes 2022, section 85.015, subdivision 1b, is amended to read:
- 66.22 Subd. 1b. **Easements for ingress and egress.** (a) Notwithstanding section 16A.695,
66.23 except as provided in paragraph (b), when a trail is established under this section, a private
66.24 property owner who has a preexisting right of ingress and egress over the trail right-of-way
66.25 is granted, without charge, a permanent easement for ingress and egress purposes only. The
66.26 easement is limited to the preexisting crossing and reverts to the state upon abandonment.
66.27 Nothing in this subdivision is intended to diminish or alter any written or recorded easement
66.28 that existed before the state acquired the land for the trail.
- 66.29 (b) The commissioner of natural resources shall assess the applicant an application fee
66.30 of \$2,000 for reviewing the application and preparing the easement. The applicant shall pay
66.31 the application fee to the commissioner of natural resources. The commissioner shall not
66.32 issue the easement until the applicant has paid the application fee in full. The commissioner
66.33 shall not return the application fee, even if the application is withdrawn or denied.
- 67.1 (c) Money received under paragraph (b) must be credited to the land management account
67.2 in the natural resources fund and is appropriated to the commissioner of natural resources
67.3 to cover the reasonable costs incurred under this section.
- 67.4 (d) Notwithstanding paragraphs (a) to (c), the commissioner of natural resources may
67.5 elect to assume the application fee under paragraph (b) if the commissioner determines that
67.6 issuing the easement will benefit the state's land management interests.
- 67.7 Sec. 2. Minnesota Statutes 2022, section 94.343, subdivision 8a, is amended to read:
- 67.8 Subd. 8a. **Fees.** (a) When a private landowner or governmental unit, except the state,
67.9 presents to the commissioner an offer to exchange privately or publicly held land for class
67.10 A land, the private landowner or governmental unit shall pay to the commissioner ~~a~~
67.11 ~~determination of value fee and survey fee of not less than one-half of the cost of the~~
67.12 ~~determination of value and survey fees as determined by the commissioner. fees of not less~~
67.13 ~~than one-half of the costs incurred by the commissioner for valuation expenses; survey~~

2.11 expenses; legal and professional fees; costs of title work, advertising, and public hearings;
2.12 transactional staff costs; and closing costs.

2.13 (b) Except as provided in paragraph (c), any payment made under paragraph (a) shall
2.14 be credited to the account from which the expenses are paid and is appropriated for
2.15 expenditure in the same manner as other money in the account.

2.16 (c) The fees shall be refunded if the land exchange offer is withdrawn by a private
2.17 landowner or governmental unit before the money is obligated to be spent.

2.18 Sec. 3. Minnesota Statutes 2022, section 94.3495, is amended by adding a subdivision to
2.19 read:

2.20 Subd. 9. **Fees.** (a) When a governmental unit presents to the commissioner an offer to
2.21 exchange publicly held land under this section, the governmental unit must pay to the
2.22 commissioner fees of not less than one-half of the costs incurred by the commissioner for
2.23 valuation expenses; survey expenses; legal and professional fees; costs of title work,
2.24 advertising, and public hearings; transactional staff costs; and closing costs.

2.25 (b) Except as provided in paragraph (c), any payment made under paragraph (a) must
2.26 be credited to the account from which the expenses are paid and is appropriated to the
2.27 commissioner for expenditure in the same manner as other money in the account.

2.28 (c) The fees must be refunded if the land exchange offer is withdrawn by the
2.29 governmental unit before the money is obligated to be spent.

3.1 Sec. 4. **ADDITIONS TO STATE PARKS.**

3.2 Subdivision 1. **[85.012] [Subd. 2.] Banning State Park, Pine County.** The following
3.3 area is added to Banning State Park: the Northwest Quarter of the Northwest Quarter of
3.4 Section 22, Township 42 North, Range 20 West, Pine County, Minnesota.

3.5 Subd. 2. **[85.012] [Subd. 15.] Father Hennepin State Park, Mille Lacs County.** The
3.6 following areas are added to Father Hennepin State Park, all in Mille Lacs County,
3.7 Minnesota:

67.14 expenses; legal and professional fees; costs of title work, advertising, and public hearings;
67.15 transactional staff costs; and closing costs.

67.16 (b) Except as provided in paragraph (c), any payment made under paragraph (a) shall
67.17 be credited to the account from which the expenses are paid and is appropriated for
67.18 expenditure in the same manner as other money in the account.

67.19 (c) The fees shall be refunded if the land exchange offer is withdrawn by a private
67.20 landowner or governmental unit before the money is obligated to be spent.

67.21 Sec. 3. Minnesota Statutes 2022, section 94.3495, is amended by adding a subdivision to
67.22 read:

67.23 Subd. 9. **Fees.** (a) When a governmental unit presents to the commissioner an offer to
67.24 exchange publicly held land under this section, the governmental unit must pay to the
67.25 commissioner fees of not less than one-half of the costs incurred by the commissioner for
67.26 valuation expenses; survey expenses; legal and professional fees; costs of title work,
67.27 advertising, and public hearings; transactional staff costs; and closing costs.

67.28 (b) Except as provided in paragraph (c), any payment made under paragraph (a) must
67.29 be credited to the account from which the expenses are paid and is appropriated to the
67.30 commissioner for expenditure in the same manner as other money in the account.

67.31 (c) The fees must be refunded if the land exchange offer is withdrawn by the
67.32 governmental unit before the money is obligated to be spent.

45.4 Sec. 28. **[282.0197] SALE OF LAND LOCATED WITHIN BOUNDARY OF INDIAN**
45.5 **RESERVATIONS.**

45.6 Except as provided in section 282.012, if a parcel of land subject to sale under sections
45.7 282.01 to 282.13 includes land within the boundary of an Indian reservation, the county
45.8 auditor must first offer the land to the affected band of Indians for sale at the appraised
45.9 value. The cost of any survey or appraisal must be added to and made a part of the appraised
45.10 value. To determine whether the band wants to buy the land, the county auditor must give
45.11 written notice to the band. If the band wants to buy the land, the band must submit a written
45.12 offer to the county auditor within two weeks after receiving the notice. If the offer is for at
45.13 least the appraised value, the county auditor must accept the offer.

68.1 Sec. 4. **ADDITIONS TO STATE PARKS.**

68.2 Subdivision 1. **[85.012] [Subd. 2.] Banning State Park, Pine County.** The following
68.3 area is added to Banning State Park: the Northwest Quarter of the Northwest Quarter of
68.4 Section 22, Township 42 North, Range 20 West, Pine County, Minnesota.

68.5 Subd. 2. **[85.012] [Subd. 15.] Father Hennepin State Park, Mille Lacs County.** The
68.6 following areas are added to Father Hennepin State Park, all in Mille Lacs County,
68.7 Minnesota:

3.8 (1) the Southwest Quarter of the Southwest Quarter of Section 3, Township 42, Range
3.9 25;

3.10 (2) the Southwest Quarter of the Southeast Quarter of Section 4, Township 42, Range
3.11 25; and

3.12 (3) the Southeast Quarter of the Southeast Quarter of Section 4, Township 42, Range
3.13 25.

3.14 Subd. 3. **[85.012] [Subd. 36.] Lake Louise State Park, Mower County.** Those parts
3.15 of Section 20, Township 101 North, Range 14 West, Mower County, Minnesota, described
3.16 as follows are added to Lake Louise State Park:

3.17 (1) the West Half of the South Half of the Southwest Quarter of the Northeast Quarter;

3.18 (2) the West 3/4ths of the North Half of the Southwest Quarter of the Northeast Quarter
3.19 EXCEPT that portion that lies north and east of the county road; and

3.20 (3) the Northwest Quarter of the Northwest Quarter of the Southeast Quarter EXCEPT
3.21 the south 334.98 feet of the west 411.24 feet thereof.

3.22 Sec. 5. **STATE PARK ABOLISHMENT.**

3.23 Subdivision 1. **[85.012] [Subd. 27b.] Hill-Annex Mine State Park, Itasca**
3.24 **County.** Hill-Annex Mine State Park is abolished.

3.25 Subd. 2. **[85.012] [Subd. 58.] Upper Sioux Agency State Park, Yellow Medicine**
3.26 **County.** Upper Sioux Agency State Park is abolished and its lands transferred according
3.27 to Laws 2023, chapter 60, article 4, section 97.

4.1 Sec. 6. **PRIVATE SALE OF TAX-FORFEITED LAND; AITKIN COUNTY.**

4.2 (a) Notwithstanding the public sale provisions of Minnesota Statutes, chapter 282, or
4.3 other law to the contrary, Aitkin County may sell by private sale the tax-forfeited lands
4.4 described in paragraph (c).

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

4.7 (c) The lands to be sold are located in Aitkin County and are described as:

68.8 (1) the Southwest Quarter of the Southwest Quarter of Section 3, Township 42, Range
68.9 25;

68.10 (2) the Southwest Quarter of the Southeast Quarter of Section 4, Township 42, Range
68.11 25; and

68.12 (3) the Southeast Quarter of the Southeast Quarter of Section 4, Township 42, Range
68.13 25.

68.14 Subd. 3. **[85.012] [Subd. 36.] Lake Louise State Park, Mower County.** Those parts
68.15 of Section 20, Township 101 North, Range 14 West, Mower County, Minnesota, described
68.16 as follows are added to Lake Louise State Park:

68.17 (1) the West Half of the South Half of the Southwest Quarter of the Northeast Quarter;

68.18 (2) the West 3/4ths of the North Half of the Southwest Quarter of the Northeast Quarter
68.19 EXCEPT that portion that lies north and east of the county road; and

68.20 (3) the Northwest Quarter of the Northwest Quarter of the Southeast Quarter EXCEPT
68.21 the south 334.98 feet of the west 411.24 feet thereof.

68.22 Sec. 5. **STATE PARK ABOLISHMENT.**

68.23 Subdivision 1. **[85.012] [Subd. 27b.] Hill-Annex Mine State Park, Itasca**
68.24 **County.** Hill-Annex Mine State Park is abolished as a state park. The Hill-Annex site must
68.25 be closed to public use while mining and mineral extraction leases are in place. When mining
68.26 activity is complete and leases are not in place, the commissioner of natural resources must
68.27 develop an advisory task force that includes representatives of the Western Mesabi Mine
68.28 Planning Board, the Iron Range Resources and Rehabilitation Board, and the Office of
68.29 School Trust Lands to develop options for the future of the Hill-Annex property for
68.30 submission to the commissioner. This group must explore the types of use, management,
68.31 and development that will be suitable for the site's conditions after mining and that would
68.32 provide a benefit to the local and regional community.

69.1 Subd. 2. **[85.012] [Subd. 58.] Upper Sioux Agency State Park, Yellow Medicine**
69.2 **County.** Upper Sioux Agency State Park is abolished and its lands transferred according
69.3 to Laws 2023, chapter 60, article 4, section 97.

69.4 Sec. 6. **PRIVATE SALE OF TAX-FORFEITED LAND; AITKIN COUNTY.**

69.5 (a) Notwithstanding the public sale provisions of Minnesota Statutes, chapter 282, or
69.6 other law to the contrary, Aitkin County may sell by private sale the tax-forfeited lands
69.7 described in paragraph (c).

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

69.10 (c) The lands to be sold are located in Aitkin County and are described as:

4.8 (1) Quadna Mountain Vacation Club First Addition, Outlot A, Section 26, Township 52
4.9 North, Range 26 West, Aitkin County, Minnesota (parcel identification number
4.10 57-1-088400);

4.11 (2) Quadna Mountain Vacation Club First Addition, Outlot B, Section 26, Township 52
4.12 North, Range 26 West, Aitkin County, Minnesota (parcel identification number
4.13 57-1-088500); and

4.14 (3) Lot 3 of "Knox's Irregular Lots in the Village of Aitkin," except the portion thereof
4.15 described as follows: all that part of Lot 3 which lies East of a line beginning at a point on
4.16 the north line of said Lot 3 a distance of 79 feet East of the northwest corner of said lot and
4.17 running southeasterly to a point on the south line of said Lot 3 a distance of 56 feet East of
4.18 the southwest corner of said lot; and except the portion thereof described as follows:
4.19 beginning at a point on the north line of Lot 4 of said plat a distance easterly 60.75 feet from
4.20 the northwest corner of said Lot 4; thence running southeasterly to a point on the south line
4.21 of said Lot 4 which is 56 feet easterly of the southwest corner of said Lot 4; thence continuing
4.22 easterly along said south line a distance of 56 feet to the southeast corner of said Lot 4;
4.23 thence northwesterly to a point on the north line of said Lot 3 which is 16 feet easterly of
4.24 the northwest corner of said Lot 3; thence westerly along the north line of said Lots 3 and
4.25 4 to place of beginning. Section 25, Township 47 North, Range 27 West, Aitkin County,
4.26 Minnesota (0.28 acres)(parcel number 56-1-118100).

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

4.29 Sec. 7. **PRIVATE SALE OF TAX-FORFEITED LAND BORDERING PUBLIC**
4.30 **WATERS; AITKIN COUNTY.**

4.31 (a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1, and
4.32 the public sale provisions of Minnesota Statutes, chapter 282, Aitkin County may sell by
5.1 private sale the tax-forfeited land bordering public waters described in paragraph (c) under
5.2 the remaining provisions of Minnesota Statutes, chapter 282.

5.3 (b) The conveyance must be in a form approved by the attorney general. The attorney
5.4 general may make changes to the land description to correct errors and ensure accuracy.

5.5 (c) The land to be sold is located in Aitkin County and is described as: that part of
5.6 Government Lot 1, Section 19, Township 46, Range 25, Aitkin County, Minnesota, described
5.7 as follows: commencing at the southwest corner of said Government Lot 1; thence North
5.8 85 degrees 14 minutes 46 seconds East, assumed bearing, 1,000.00 feet along the south line
5.9 of said Government Lot 1 to the point of beginning of the tract to be described; thence
5.10 continuing North 85 degrees 14 minutes 46 seconds East 50.79 feet to an iron monument;
5.11 thence North 19 degrees 46 minutes 21 seconds West 459.76 feet, more or less, to the shore
5.12 of Rabbit Lake; thence southwesterly along said shore to its intersection with a line bearing
5.13 North 20 degrees 00 minutes 16 seconds West from the point of beginning; thence South

70.12 (1) Quadna Mountain Vacation Club First Addition, Outlot A, Section 26, Township 52
70.13 North, Range 26 West, Aitkin County, Minnesota (parcel identification number
70.14 57-1-088400); and

70.15 (2) Quadna Mountain Vacation Club First Addition, Outlot B, Section 26, Township 52
70.16 North, Range 26 West, Aitkin County, Minnesota (parcel identification number 57-1-088500).

69.11 (1) Lot 3 of "Knox's Irregular Lots in the Village of Aitkin," except the portion thereof
69.12 described as follows: all that part of Lot 3 which lies East of a line beginning at a point on
69.13 the north line of said Lot 3 a distance of 79 feet East of the northwest corner of said lot and
69.14 running southeasterly to a point on the south line of said Lot 3 a distance of 56 feet East of
69.15 the southwest corner of said lot; and except the portion thereof described as follows:
69.16 beginning at a point on the north line of Lot 4 of said plat a distance easterly 60.75 feet from
69.17 the northwest corner of said Lot 4; thence running southeasterly to a point on the south line
69.18 of said Lot 4 which is 56 feet easterly of the southwest corner of said Lot 4; thence continuing
69.19 easterly along said south line a distance of 56 feet to the southeast corner of said Lot 4;
69.20 thence northwesterly to a point on the north line of said Lot 3 which is 16 feet easterly of
69.21 the northwest corner of said Lot 3; thence westerly along the north line of said Lots 3 and
69.22 4 to place of beginning. Section 25, Township 47 North, Range 27 West, Aitkin County,
69.23 Minnesota (0.28 acres)(parcel number 56-1-118100); and

70.3 (d) The county has determined that the county's land management interests would best
70.4 be served if the lands were returned to private ownership to resolve encroachment issues.

70.5 Sec. 7. **PRIVATE SALE OF TAX-FORFEITED LAND; AITKIN COUNTY.**

70.6 (a) Notwithstanding the public sale provisions of Minnesota Statutes, chapter 282, or
70.7 other law to the contrary, Aitkin County may sell by private sale the tax-forfeited lands
70.8 described in paragraph (c).

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

70.11 (c) The lands to be sold are located in Aitkin County and are described as:

69.24 (2) that part of Government Lot 1, Section 19, Township 46, Range 25, Aitkin County,
69.25 Minnesota, described as follows: commencing at the southwest corner of said Government
69.26 Lot 1; thence North 85 degrees 14 minutes 46 seconds East, assumed bearing, 1,000.00 feet
69.27 along the south line of said Government Lot 1 to the point of beginning of the tract to be
69.28 described; thence continuing North 85 degrees 14 minutes 46 seconds East 50.79 feet to an
69.29 iron monument; thence North 19 degrees 46 minutes 21 seconds West 459.76 feet, more or
69.30 less, to the shore of Rabbit Lake; thence southwesterly along said shore to its intersection
69.31 with a line bearing North 20 degrees 00 minutes 16 seconds West from the point of beginning;
69.32 thence South 20 degrees 00 minutes 16 seconds East 433 feet, more or less, to the point of

5.14 20 degrees 00 minutes 16 seconds East 433 feet, more or less, to the point of beginning.
5.15 Together with and subject to the 33.00-foot-wide easement described in the deed to Kendle
5.16 recorded as Document Number 193583 on file in the office of the county recorder in and
5.17 for said county. Also subject to any other easements, reservations, or restrictions of record
5.18 (0.52 acres)(parcel number 09-0-031708).

5.19 (d) The county has determined that the county's land management interests would best
5.20 be served if the ~~land was~~ returned to private ownership.

5.21 Sec. 8. PUBLIC SALE OF SURPLUS LAND BORDERING PUBLIC WATER;
5.22 CHISAGO COUNTY.

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

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

5.28 (c) The land that may be sold is located in Chisago County and is described as:

5.29 All that part of Government Lot 1, Section 23, and all that part of Government Lot 1,
5.30 Section 24, Township 33 North, Range 21 West of the 4th Principal Meridian bounded by
5.31 the following described lines: commencing at the northeast corner of said Section 23; thence
5.32 South 00 degrees 00 minutes West, 1,831.3 feet on and along the east line of said Section
5.33 23 to the point of beginning; thence South 38 degrees 27 minutes East, 70.0 feet; thence
6.1 South 11 degrees 58 minutes West, 330.0 feet; thence South 76 degrees 59 minutes West,
6.2 286.9 feet; thence South 45 degrees 33 minutes West, 167.4 feet; thence North 73 degrees
6.3 20 minutes West, 231.8 feet; thence North 59 degrees 33 minutes West, 420.7 feet; thence
6.4 North 30 degrees 17 minutes East, 327.6 feet; thence North 64 degrees 19 minutes East,
6.5 360.4 feet; thence South 87 degrees 03 minutes East, 197.8 feet; thence South 65 degrees
6.6 09 minutes East, 354.3 feet and to the point of beginning. Including all riparian rights to
6.7 the contained 11.5 acres, more or less, and subject to all existing road easements. Together
6.8 with that particular channel easement as described in Document #119723, on file and of
6.9 record in the Office of the Recorder, Chisago County, Minnesota, with said easement being
6.10 stated in said document as a perpetual easement to construct and maintain a channel over
6.11 and across the area described in Document #119723 as a strip of land 75 feet wide in
6.12 Government Lot 1 of Section 24, Township 33 North, Range 21 West of the 4th Principal
6.13 Meridian, bounded by the water's edge of Green Lake and the following described lines:
6.14 commencing at the northwest corner of said Section 24; thence South 00 degrees 00 minutes
6.15 West, 1,831.3 feet on and along the west line of said section; thence South 38 degrees 27
6.16 minutes East, 70.0 feet; thence South 11 degrees 58 minutes West, 58.9 feet to a point on
6.17 the centerline of said strip of land and the point of beginning; thence South 11 degrees 58
6.18 minutes West, 40.4 feet; thence North 80 degrees 00 minutes East, 290 feet, more or less,
6.19 to the water's edge of said Green Lake and there terminating. And also from the point of
6.20 beginning; thence North 11 degrees 58 minutes East, 40.4 feet; thence North 80 degrees 00

69.33 beginning. Together with and subject to the 33.00-foot-wide easement described in the deed
69.34 to Kendle recorded as Document Number 193583 on file in the office of the county recorder
70.1 in and for said county. Also subject to any other easements, reservations, or restrictions of
70.2 record (0.52 acres)(parcel number 09-0-031708).

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

70.19 Sec. 8. PUBLIC SALE OF SURPLUS LAND BORDERING PUBLIC WATER;
70.20 CHISAGO COUNTY.

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

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

70.26 (c) The land that may be sold is located in Chisago County and is described as:

70.27 All that part of Government Lot 1, Section 23, and all that part of Government Lot 1,
70.28 Section 24, Township 33 North, Range 21 West of the 4th Principal Meridian bounded by
70.29 the following described lines: commencing at the northeast corner of said Section 23; thence
70.30 South 00 degrees 00 minutes West, 1,831.3 feet on and along the east line of said Section
70.31 23 to the point of beginning; thence South 38 degrees 27 minutes East, 70.0 feet; thence
71.1 South 11 degrees 58 minutes West, 330.0 feet; thence South 76 degrees 59 minutes West,
71.2 286.9 feet; thence South 45 degrees 33 minutes West, 167.4 feet; thence North 73 degrees
71.3 20 minutes West, 231.8 feet; thence North 59 degrees 33 minutes West, 420.7 feet; thence
71.4 North 30 degrees 17 minutes East, 327.6 feet; thence North 64 degrees 19 minutes East,
71.5 360.4 feet; thence South 87 degrees 03 minutes East, 197.8 feet; thence South 65 degrees
71.6 09 minutes East, 354.3 feet and to the point of beginning. Including all riparian rights to
71.7 the contained 11.5 acres, more or less, and subject to all existing road easements. Together
71.8 with that particular channel easement as described in Document #119723, on file and of
71.9 record in the Office of the Recorder, Chisago County, Minnesota, with said easement being
71.10 stated in said document as a perpetual easement to construct and maintain a channel over
71.11 and across the area described in Document #119723 as a strip of land 75 feet wide in
71.12 Government Lot 1 of Section 24, Township 33 North, Range 21 West of the 4th Principal
71.13 Meridian, bounded by the water's edge of Green Lake and the following described lines:
71.14 commencing at the northwest corner of said Section 24; thence South 00 degrees 00 minutes
71.15 West, 1,831.3 feet on and along the west line of said section; thence South 38 degrees 27
71.16 minutes East, 70.0 feet; thence South 11 degrees 58 minutes West, 58.9 feet to a point on
71.17 the centerline of said strip of land and the point of beginning; thence South 11 degrees 58
71.18 minutes West, 40.4 feet; thence North 80 degrees 00 minutes East, 290 feet, more or less,
71.19 to the water's edge of said Green Lake and there terminating. And also from the point of
71.20 beginning; thence North 11 degrees 58 minutes East, 40.4 feet; thence North 80 degrees 00

6.21 minutes East, 220 feet, more or less, to the water's edge of said Green Lake and there
6.22 terminating.

6.23 ALSO

6.24 Together with that particular access easement as described in Document #119723, on
6.25 file and of record in the Office of the Recorder, Chisago County, Minnesota, with said
6.26 easement being stated in said document as a perpetual road easement to construct and
6.27 maintain a 33-foot-wide road for ingress and egress over and across the following described
6.28 lands: that part of Government Lot 1 of Section 23, Township 33 North, Range 21 West of
6.29 the 4th Principal Meridian, bounded by the following described lines: commencing at the
6.30 northeast corner of said Section 23; thence South 00 degrees 00 minutes West, 1,831.3 feet
6.31 on and along the east line of said section; thence South 38 degrees 27 minutes East, 70.0
6.32 feet; thence South 11 degrees 58 minutes West, 330.0 feet; thence South 76 degrees 59
6.33 minutes West, 223.6 feet to a point on the southerly boundary of the above described lands
6.34 being conveyed in fee and the point of beginning; thence South 76 degrees 59 minutes West,
6.35 63.3 feet on and along said southerly boundary; thence South 45 degrees 33 minutes West,
7.1 167.4 feet on and along said southerly boundary; thence North 72 degrees 57 minutes West,
7.2 666.8 feet to a point on the southeasterly right-of-way line of U.S. Highway No. 8; thence
7.3 South 38 degrees 09 minutes West, 35.4 feet on and along said right-of-way line; thence
7.4 South 72 degrees 57 minutes East, 679.7 feet; thence South 73 degrees 20 minutes East,
7.5 251.3 feet; thence North 45 degrees 33 minutes West, 240.9 feet to the point of beginning.

7.6 (d) The land borders Green Lake and is not contiguous to other state lands. The
7.7 Department of Natural Resources has determined that the land is not needed for natural
7.8 resource purposes and that the state's land management interests would best be served if
7.9 the land was returned to private ownership.

7.10 Sec. 9. **PRIVATE SALE OF TAX-FORFEITED LAND BORDERING PUBLIC**
7.11 **WATER; CROW WING COUNTY.**

7.12 (a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1, and
7.13 the public sale provisions of Minnesota Statutes, chapter 282, Crow Wing County may sell
7.14 by private sale the tax-forfeited land bordering public water that is described in paragraph
7.15 (c) under the remaining provisions of Minnesota Statutes, chapter 282.

7.16 (b) The conveyance must be in a form approved by the attorney general. The attorney
7.17 general may make changes to the land description to correct errors and ensure accuracy.

7.18 (c) The land to be sold is located in Crow Wing County and is described as: the South
7.19 150.00 feet of the East 770.00 feet EXCEPT that part of the public waters of Gilbert Lake
7.20 in the Southeast Quarter of the Southeast Quarter of Section 28, Township 134 North, Range
7.21 28 West, Crow Wing County, Minnesota (part of parcel identification number 99280619).

7.22 (d) The county has determined that the county's land management interests would best
7.23 be served if the land was returned to private ownership.

71.21 minutes East, 220 feet, more or less, to the water's edge of said Green Lake and there
71.22 terminating.

71.23 ALSO

71.24 Together with that particular access easement as described in Document #119723, on
71.25 file and of record in the Office of the Recorder, Chisago County, Minnesota, with said
71.26 easement being stated in said document as a perpetual road easement to construct and
71.27 maintain a 33-foot-wide road for ingress and egress over and across the following described
71.28 lands: that part of Government Lot 1 of Section 23, Township 33 North, Range 21 West of
71.29 the 4th Principal Meridian, bounded by the following described lines: commencing at the
71.30 northeast corner of said Section 23; thence South 00 degrees 00 minutes West, 1,831.3 feet
71.31 on and along the east line of said section; thence South 38 degrees 27 minutes East, 70.0
71.32 feet; thence South 11 degrees 58 minutes West, 330.0 feet; thence South 76 degrees 59
71.33 minutes West, 223.6 feet to a point on the southerly boundary of the above described lands
71.34 being conveyed in fee and the point of beginning; thence South 76 degrees 59 minutes West,
71.35 63.3 feet on and along said southerly boundary; thence South 45 degrees 33 minutes West,
72.1 167.4 feet on and along said southerly boundary; thence North 72 degrees 57 minutes West,
72.2 666.8 feet to a point on the southeasterly right-of-way line of U.S. Highway No. 8; thence
72.3 South 38 degrees 09 minutes West, 35.4 feet on and along said right-of-way line; thence
72.4 South 72 degrees 57 minutes East, 679.7 feet; thence South 73 degrees 20 minutes East,
72.5 251.3 feet; thence North 45 degrees 33 minutes West, 240.9 feet to the point of beginning.

72.6 (d) The land borders Green Lake and is not contiguous to other state lands. The
72.7 Department of Natural Resources has determined that the land is not needed for natural
72.8 resource purposes and that the state's land management interests would best be served if
72.9 the land was returned to private ownership.

7.24 Sec. 10. CONVEYANCE OF SURPLUS LAND BORDERING PUBLIC WATER;
7.25 HUBBARD COUNTY.

7.26 (a) Notwithstanding Minnesota Statutes, sections 92.45, 94.09, and 94.10, the
7.27 commissioner of natural resources may convey the surplus land bordering public water that
7.28 is described in paragraph (c) to a local unit of government for no consideration, subject to
7.29 the state's reservation of a trail easement.

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

7.32 (c) The land that may be conveyed is located in Hubbard County and is described as:

8.1 A strip of land 150 feet in width extending over and across the Southwest Quarter of
8.2 the Southwest Quarter of Section 24, Township 140 North, Range 35 West of the Fifth
8.3 Principal Meridian, Hubbard County, Minnesota, said strip of land lying being 75 feet in
8.4 width on each side of the centerline of the main track (now removed) of the former St. Paul,
8.5 Minneapolis and Manitoba Railway Company (now BNI), as originally located and
8.6 established over and across said Southwest Quarter of the Southwest Quarter of Section 24
8.7 and lying between the north line of the Fish Hook River and the north line of said Southwest
8.8 Quarter of the Southwest Quarter of Section 24, LESS and EXCEPT the following described
8.9 tract: that part of the South Half of the Southwest Quarter, Section 24, Township 140 North,
8.10 Range 35 West, Hubbard County, Minnesota, described as follows: commencing at a found
8.11 iron monument which designates the northwesterly corner of Lot 1, Block 4, AUDITOR'S
8.12 PLAT No. 2, plat of which is on file and of record in the Office of the County Recorder,
8.13 Hubbard County; thence on a bearing based on the Hubbard County Coordinate System
8.14 (NAD83, 1996 Adjustment) of South 32 degrees 45 minutes 05 seconds East, along the
8.15 southwesterly line of said Lot 1, a distance of 177.13 feet to the southwesterly corner of
8.16 said Lot 1; thence South 48 degrees 30 minutes 52 seconds West, a distance of 71.23 feet
8.17 to an iron monument on the southwesterly line of Mill Road; thence North 32 degrees 32
8.18 minutes 42 seconds West, along the southwesterly line of Mill Road, a distance of 85.20
8.19 feet to an iron monument; thence North 22 degrees 10 minutes 58 seconds West along said
8.20 southwesterly line of Mill Road, a distance of 85.84 feet to an iron monument; thence North
8.21 81 degrees 01 minutes 23 seconds West, a distance of 127.05 feet to the intersection with
8.22 the easterly right-of-way line of the Heartland State Trail (former Burlington Northern
8.23 Railroad) and an iron monument and the point of beginning of the land to be herein described;
8.24 thence continue North 81 degrees 01 minutes 23 seconds West, a distance 37.00 feet; thence
8.25 South 09 degrees 06 minutes 28 seconds West, a distance of 44.69 feet; thence South 13
8.26 degrees 37 minutes 49 seconds East, a distance of 95.72 feet to an iron monument and the
8.27 intersection with said easterly right-of-way line; thence North 09 degrees 06 minutes 28
8.28 seconds East, along said easterly right-of-way line, a distance of 133.06 feet, more or less,
8.29 to the point of beginning. Said strip of land containing 2.52 acres, more or less.

8.30 (d) The land borders the Fish Hook River. The Department of Natural Resources has
8.31 determined that the land is not needed for natural resource purposes and that the state's land

72.10 Sec. 9. CONVEYANCE OF SURPLUS LAND BORDERING PUBLIC WATER;
72.11 HUBBARD COUNTY.

72.12 (a) Notwithstanding Minnesota Statutes, sections 92.45, 94.09, and 94.10, the
72.13 commissioner of natural resources may convey the surplus land bordering public water that
72.14 is described in paragraph (c) to a local unit of government for no consideration, subject to
72.15 the state's reservation of a trail easement.

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

72.18 (c) The land that may be conveyed is located in Hubbard County and is described as:

72.19 A strip of land 150 feet in width extending over and across the Southwest Quarter of
72.20 the Southwest Quarter of Section 24, Township 140 North, Range 35 West of the Fifth
72.21 Principal Meridian, Hubbard County, Minnesota, said strip of land lying being 75 feet in
72.22 width on each side of the centerline of the main track (now removed) of the former St. Paul,
72.23 Minneapolis and Manitoba Railway Company (now BNI), as originally located and
72.24 established over and across said Southwest Quarter of the Southwest Quarter of Section 24
72.25 and lying between the north line of the Fish Hook River and the north line of said Southwest
72.26 Quarter of the Southwest Quarter of Section 24, LESS and EXCEPT the following described
72.27 tract: that part of the South Half of the Southwest Quarter, Section 24, Township 140 North,
72.28 Range 35 West, Hubbard County, Minnesota, described as follows: commencing at a found
72.29 iron monument which designates the northwesterly corner of Lot 1, Block 4, AUDITOR'S
72.30 PLAT No. 2, plat of which is on file and of record in the Office of the County Recorder,
72.31 Hubbard County; thence on a bearing based on the Hubbard County Coordinate System
72.32 (NAD83, 1996 Adjustment) of South 32 degrees 45 minutes 05 seconds East, along the
72.33 southwesterly line of said Lot 1, a distance of 177.13 feet to the southwesterly corner of
72.34 said Lot 1; thence South 48 degrees 30 minutes 52 seconds West, a distance of 71.23 feet
73.1 to an iron monument on the southwesterly line of Mill Road; thence North 32 degrees 32
73.2 minutes 42 seconds West, along the southwesterly line of Mill Road, a distance of 85.20
73.3 feet to an iron monument; thence North 22 degrees 10 minutes 58 seconds West along said
73.4 southwesterly line of Mill Road, a distance of 85.84 feet to an iron monument; thence North
73.5 81 degrees 01 minutes 23 seconds West, a distance of 127.05 feet to the intersection with
73.6 the easterly right-of-way line of the Heartland State Trail (former Burlington Northern
73.7 Railroad) and an iron monument and the point of beginning of the land to be herein described;
73.8 thence continue North 81 degrees 01 minutes 23 seconds West, a distance 37.00 feet; thence
73.9 South 09 degrees 06 minutes 28 seconds West, a distance of 44.69 feet; thence South 13
73.10 degrees 37 minutes 49 seconds East, a distance of 95.72 feet to an iron monument and the
73.11 intersection with said easterly right-of-way line; thence North 09 degrees 06 minutes 28
73.12 seconds East, along said easterly right-of-way line, a distance of 133.06 feet, more or less,
73.13 to the point of beginning. Said strip of land containing 2.52 acres, more or less.

73.14 (d) The land borders the Fish Hook River. The Department of Natural Resources has
73.15 determined that the land is not needed for natural resource purposes and that the state's land

8.32 management interests would best be served if the land was conveyed to a local unit of
8.33 government.

9.1 Sec. 11. **PRIVATE SALE OF SURPLUS LAND BORDERING PUBLIC WATER;**
9.2 **HUBBARD COUNTY.**

9.3 (a) Notwithstanding Minnesota Statutes, sections 92.45, 94.09, and 94.10, the
9.4 commissioner of natural resources may sell by private sale the surplus land bordering public
9.5 water that is described in paragraph (c).

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

9.8 (c) The land that may be sold is located in Hubbard County and is described as:

9.9 (1) a strip of land 50 feet in width extending over and across the Southwest Quarter of
9.10 the Southwest Quarter of Section 24, Township 140 North, Range 35 West of the Fifth
9.11 Principal Meridian, Hubbard County, Minnesota, said strip of land lying South of the south
9.12 line of the Fish Hook River, on the westerly side of the centerline of the main track (now
9.13 removed) of the former Wadena and Park Rapids Railway Company (now BNI), as originally
9.14 located and established over and across said Southwest Quarter of the Southwest Quarter
9.15 of Section 24; said strip of land containing 0.14 acres, more or less; and

9.16 (2) a strip of land 50 feet in width extending over and across the Southwest Quarter of
9.17 the Southwest Quarter of Section 24, Township 140 North, Range 35 West of the Fifth
9.18 Principal Meridian, Hubbard County, Minnesota, said strip of land lying South of the south
9.19 line of the Fish Hook River, on the easterly side of the centerline of the main track (now
9.20 removed) of the former Wadena and Park Rapids Railway Company (now BNI), as originally
9.21 located and established over and across said Southwest Quarter of the Southwest Quarter
9.22 of Section 24, said strip of land containing 0.16 acres, more or less.

9.23 (d) The land borders the Fish Hook River. The Department of Natural Resources has
9.24 determined that the land is not needed for natural resource purposes and that the state's land
9.25 management interests would best be served if the land was returned to private ownership.

73.16 management interests would best be served if the land was conveyed to a local unit of
73.17 government.

73.18 Sec. 10. **PRIVATE SALE OF SURPLUS LAND BORDERING PUBLIC WATER;**
73.19 **HUBBARD COUNTY.**

73.20 (a) Notwithstanding Minnesota Statutes, sections 92.45, 94.09, and 94.10, the
73.21 commissioner of natural resources may sell by private sale the surplus land bordering public
73.22 water that is described in paragraph (c).

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

73.25 (c) The land that may be sold is located in Hubbard County and is described as:

73.26 (1) a strip of land 50 feet in width extending over and across the Southwest Quarter of
73.27 the Southwest Quarter of Section 24, Township 140 North, Range 35 West of the Fifth
73.28 Principal Meridian, Hubbard County, Minnesota, said strip of land lying South of the south
73.29 line of the Fish Hook River, on the westerly side of the centerline of the main track (now
73.30 removed) of the former Wadena and Park Rapids Railway Company (now BNI), as originally
73.31 located and established over and across said Southwest Quarter of the Southwest Quarter
73.32 of Section 24; said strip of land containing 0.14 acres, more or less; and

74.1 (2) a strip of land 50 feet in width extending over and across the Southwest Quarter of
74.2 the Southwest Quarter of Section 24, Township 140 North, Range 35 West of the Fifth
74.3 Principal Meridian, Hubbard County, Minnesota, said strip of land lying South of the south
74.4 line of the Fish Hook River, on the easterly side of the centerline of the main track (now
74.5 removed) of the former Wadena and Park Rapids Railway Company (now BNI), as originally
74.6 located and established over and across said Southwest Quarter of the Southwest Quarter
74.7 of Section 24, said strip of land containing 0.16 acres, more or less.

74.8 (d) The land borders the Fish Hook River. The Department of Natural Resources has
74.9 determined that the land is not needed for natural resource purposes and that the state's land
74.10 management interests would best be served if the land was returned to private ownership.

56.20 Sec. 42. **CONDEMNATION OF CERTAIN LAND IN MILLE LACS COUNTY.**

56.21 (a) Funds appropriated in this act to the commissioner of natural resources to condemn
56.22 land in Mille Lacs County must be used to initiate condemnation proceedings of the lands
56.23 described in paragraph (d). The commissioner may use this appropriation for project costs,
56.24 including but not limited to valuation expenses, legal fees, closing costs, transactional staff
56.25 costs, and the condemnation award. This is a onetime appropriation and is available until
56.26 spent.

56.27 (b) Notwithstanding Minnesota Statutes, sections 92.45, 94.09 to 94.16, or any other
56.28 provision of law to the contrary, once the lands are condemned under paragraph (a), the

9.26 Sec. 12. **CONVEYANCE OF SURPLUS LAND BORDERING PUBLIC WATER;**
9.27 **REDWOOD COUNTY.**

9.28 (a) Notwithstanding Minnesota Statutes, sections 92.45, 94.09, and 94.10, the
9.29 commissioner of natural resources may convey the surplus land bordering public water that
9.30 is described in paragraph (c) to a federally recognized Indian Tribe for no consideration.

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

10.1 (c) The land that may be sold is located in Redwood County and is described as:

10.2 (1) Government Lot 2 of Section 4, Township 112 North, Range 34 West; and

10.3 (2) Government Lot 6 of Section 9, Township 112 North, Range 34 West, excepting
10.4 therefrom: commencing at the southwest corner of United States Government Lot 6 in said
10.5 Section 9, running thence North on a division line, between Lots 6 and 7, 1,482.5 feet;
10.6 thence East and parallel with the south line of said Lot 6 about 872 feet to the Minnesota
10.7 River; thence down the Minnesota River to a point due North of the southeast corner of said
10.8 Lot 6; thence South 500 feet to the southeast corner of said Lot 6; thence West along the
10.9 south line of said Lot 6 to the place of beginning, said exception containing 40 acres, more
10.10 or less, and being a part of said Lot 6.

10.11 (d) The land borders the Minnesota River and is not contiguous to other state lands. The
10.12 Department of Natural Resources has determined that the land is not needed for natural
10.13 resource purposes and that the state's land management interests would best be served if
10.14 the land was returned to Tribal ownership.

56.29 commissioner of natural resources may convey the surplus land bordering public waters
56.30 that is described in paragraph (d) to a federally recognized Indian Tribe for no consideration.

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

57.1 (d) The land that may be conveyed is located in Mille Lacs County and is described as:
57.2 Government Lot 2, Section 16, Township 42 North, Range 26 West, including all riparian
57.3 rights.

57.4 (e) The land borders Mille Lacs Lake and is not contiguous to other state lands. The
57.5 Department of Natural Resources has determined that the land is not needed for natural
57.6 resource purposes and that the state's land management interests would best be served if
57.7 the land was returned to Tribal ownership.

74.11 Sec. 11. **CONVEYANCE OF SURPLUS LAND BORDERING PUBLIC WATER;**
74.12 **REDWOOD COUNTY.**

74.13 (a) Notwithstanding Minnesota Statutes, sections 92.45, 94.09, and 94.10, the
74.14 commissioner of natural resources may convey the surplus land bordering public water that
74.15 is described in paragraph (c) to a federally recognized Indian Tribe for no consideration.

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

74.18 (c) The land that may be sold is located in Redwood County and is described as:

74.19 (1) Government Lot 2 of Section 4, Township 112 North, Range 34 West; and

74.20 (2) Government Lot 6 of Section 9, Township 112 North, Range 34 West, excepting
74.21 therefrom: commencing at the southwest corner of United States Government Lot 6 in said
74.22 Section 9, running thence North on a division line, between Lots 6 and 7, 1,482.5 feet;
74.23 thence East and parallel with the south line of said Lot 6 about 872 feet to the Minnesota
74.24 River; thence down the Minnesota River to a point due North of the southeast corner of said
74.25 Lot 6; thence South 500 feet to the southeast corner of said Lot 6; thence West along the
74.26 south line of said Lot 6 to the place of beginning, said exception containing 40 acres, more
74.27 or less, and being a part of said Lot 6.

74.28 (d) The land borders the Minnesota River and is not contiguous to other state lands. The
74.29 Department of Natural Resources has determined that the land is not needed for natural
74.30 resource purposes and that the state's land management interests would best be served if
74.31 the land was returned to Tribal ownership.

10.15 **Sec. 13. PRIVATE SALE OF SURPLUS LAND; ROSEAU COUNTY.**

10.16 (a) Notwithstanding Minnesota Statutes, sections 94.09 and 94.10, the commissioner of
10.17 natural resources may sell by private sale the surplus land that is described in paragraph (c)
10.18 to a watershed district.

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

10.21 (c) The land that may be sold is located in Roseau County and is described as: All that
10.22 part of the Northeast Quarter of the Southeast Quarter of Section 23, Township 163 North,
10.23 Range 41 West of the Fifth Principal Meridian, Roseau County, Minnesota, described as
10.24 follows: Beginning at the northwest corner of the Northeast Quarter of the Southeast Quarter
10.25 of said Section 23; thence on a bearing based on the Roseau County Coordinate System
10.26 (NAD83, 1996 Adjustment) of South 89 degrees 49 minutes 33 seconds East, along the
10.27 north line of said Northeast Quarter of the Southeast Quarter, a distance of 1,319.93 feet to
10.28 the northeast corner of said Northeast Quarter of the Southeast Quarter, said northeast corner
10.29 also being a point on the northwesterly right-of-way line of the exterior ditch of the northwest
10.30 embankment of the Roseau Lake rehabilitation project; thence South 52 degrees 53 minutes
10.31 46 seconds West, along said northwesterly right-of-way line, a distance of 1,651.76 feet,
10.32 more or less, to the west line of said Northeast Quarter of the Southeast Quarter; thence
11.1 North 00 degrees 08 minutes 50 seconds West, along said west line, a distance of 1,000.46
11.2 feet to the point of beginning. Said parcel contains 15.1 acres, more or less.

11.3 (d) The Department of Natural Resources has determined that the land is not needed for
11.4 natural resource purposes and that the state's land management interests would best be
11.5 served if the land were conveyed to a watershed district.

11.6 **Sec. 14. PRIVATE SALE OF TAX-FORFEITED LANDS; ST. LOUIS COUNTY.**

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

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

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

11.13 (1) the East 4.97 feet of Lot 1, Block 19, Gilbert, Township 58, Range 17, Section 23
11.14 (parcel number 060-0010-04190);

11.15 (2) beginning at a point 170 feet West of the northeast corner of said forty; thence West
11.16 a distance of 170 feet to a point; thence South a distance of 256.5 feet to a point; thence
11.17 continuing a parallel line East a distance of 170 feet to a point; thence continuing a parallel
11.18 line North a distance of 256.5 feet to the point of beginning and being in the Northwest

75.1 **Sec. 12. PRIVATE SALE OF SURPLUS LAND; ROSEAU COUNTY.**

75.2 (a) Notwithstanding Minnesota Statutes, sections 94.09 and 94.10, the commissioner of
75.3 natural resources may sell by private sale the surplus land that is described in paragraph (c)
75.4 to a watershed district.

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

75.7 (c) The land that may be sold is located in Roseau County and is described as: All that
75.8 part of the Northeast Quarter of the Southeast Quarter of Section 23, Township 163 North,
75.9 Range 41 West of the Fifth Principal Meridian, Roseau County, Minnesota, described as
75.10 follows: Beginning at the northwest corner of the Northeast Quarter of the Southeast Quarter
75.11 of said Section 23; thence on a bearing based on the Roseau County Coordinate System
75.12 (NAD83, 1996 Adjustment) of South 89 degrees 49 minutes 33 seconds East, along the
75.13 north line of said Northeast Quarter of the Southeast Quarter, a distance of 1,319.93 feet to
75.14 the northeast corner of said Northeast Quarter of the Southeast Quarter, said northeast corner
75.15 also being a point on the northwesterly right-of-way line of the exterior ditch of the northwest
75.16 embankment of the Roseau Lake rehabilitation project; thence South 52 degrees 53 minutes
75.17 46 seconds West, along said northwesterly right-of-way line, a distance of 1,651.76 feet,
75.18 more or less, to the west line of said Northeast Quarter of the Southeast Quarter; thence
75.19 North 00 degrees 08 minutes 50 seconds West, along said west line, a distance of 1,000.46
75.20 feet to the point of beginning. Said parcel contains 15.1 acres, more or less.

75.21 (d) The Department of Natural Resources has determined that the land is not needed for
75.22 natural resource purposes and that the state's land management interests would best be
75.23 served if the land were conveyed to a watershed district.

75.24 **Sec. 13. PRIVATE SALE OF TAX-FORFEITED LANDS; ST. LOUIS COUNTY.**

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

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

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

75.31 (1) the East 4.97 feet of Lot 1, Block 19, Gilbert, Township 58, Range 17, Section 23
75.32 (parcel number 060-0010-04190);

76.1 (2) beginning at a point 170 feet West of the northeast corner of said forty; thence West
76.2 a distance of 170 feet to a point; thence South a distance of 256.5 feet to a point; thence
76.3 continuing a parallel line East a distance of 170 feet to a point; thence continuing a parallel
76.4 line North a distance of 256.5 feet to the point of beginning and being in the Northwest

11.19 Quarter of the Northeast Quarter, containing approximately 1 acre of land, Township 57,
11.20 Range 21, Section 21 (part of parcel number 141-0050-03594);

11.21 (3) the North Half and the Northwest Quarter of the Southwest Quarter and the West
11.22 Half of the Southeast Quarter, Township 52, Range 13, Section 23 (part of parcel number
11.23 485-0010-03610);

11.24 (4) all of Section 5, except the South Half of the Northeast Quarter and except the
11.25 Northeast Quarter of the Southwest Quarter and except the railway right-of-way, .94 acres,
11.26 Township 53, Range 15, Section 5 (part of parcel number 660-0010-00660); and

11.27 (5) that part lying within the East Half of Lot 1 lying South of St. Louis County Road
11.28 23 described as follows: commencing at the northwest corner of Section 19, Township 65,
11.29 Range 21; thence East along the section line 661.2 feet; thence at right angles South 285
11.30 feet to the point of beginning; thence South 315 feet; thence at right angle East 250 feet;
11.31 thence at right angle North 315 feet; thence West to the point of beginning, except that part
11.32 of the Northwest Quarter of the Northwest Quarter described as follows: commencing at
12.1 the northwest corner; thence North 89 degrees 38 minutes 14 seconds East along the north
12.2 line 661.2 feet; thence South 0 degrees 21 minutes 46 seconds East 456.90 feet; thence
12.3 North 89 degrees 38 minutes 14 seconds East 19.82 feet to the easterly right-of-way of
12.4 Westley Drive and the point of beginning; thence South 3 degrees 59 minutes 44 seconds
12.5 West along said easterly right-of-way 76.03 feet; thence North 89 degrees 38 minutes 14
12.6 seconds East 207.13 feet; thence North 0 degrees 21 minutes 46 seconds West 162.42 feet;
12.7 thence North 57 degrees 40 minutes 44 seconds West 210.75 feet to the intersection of said
12.8 easterly right-of-way; thence South 19 degrees 7 minutes 59 seconds West along said easterly
12.9 right-of-way 33.23 feet; thence South 3 degrees 59 minutes 44 seconds West along said
12.10 easterly right-of-way 30.28 feet; thence North 89 degrees 38 minutes 14 seconds East 33.58
12.11 feet; thence South 31 degrees 11 minutes 36 seconds East 112.47 feet; thence South 67
12.12 degrees 3 minutes 53 seconds West 110.25 feet to said easterly right-of-way and the point
12.13 of beginning, Township 65, Range 21, Section 19 (parcel number 760-0040-00533).

12.14 (d) The county has determined that the county's land management interests would best
12.15 be served if the land was returned to private ownership.

12.16 Sec. 15. **PRIVATE SALE OF TAX-FORFEITED LANDS BORDERING PUBLIC**
12.17 **WATERS; ST. LOUIS COUNTY.**

12.18 (a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1, and
12.19 the public sale provisions of Minnesota Statutes, chapter 282, St. Louis County may sell by
12.20 private sale the tax-forfeited lands bordering public waters that are described in paragraph
12.21 (c).

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

76.5 Quarter of the Northeast Quarter, containing approximately 1 acre of land, Township 57,
76.6 Range 21, Section 21 (part of parcel number 141-0050-03594);

76.7 (3) the North Half and the Northwest Quarter of the Southwest Quarter and the West
76.8 Half of the Southeast Quarter, Township 52, Range 13, Section 23 (part of parcel number
76.9 485-0010-03610);

76.10 (4) all of Section 5, except the South Half of the Northeast Quarter and except the
76.11 Northeast Quarter of the Southwest Quarter and except the railway right-of-way, .94 acres,
76.12 Township 53, Range 15, Section 5 (part of parcel number 660-0010-00660); and

76.13 (5) that part lying within the East Half of Lot 1 lying South of St. Louis County Road
76.14 23 described as follows: commencing at the northwest corner of Section 19, Township 65,
76.15 Range 21; thence East along the section line 661.2 feet; thence at right angles South 285
76.16 feet to the point of beginning; thence South 315 feet; thence at right angle East 250 feet;
76.17 thence at right angle North 315 feet; thence West to the point of beginning, except that part
76.18 of the Northwest Quarter of the Northwest Quarter described as follows: commencing at
76.19 the northwest corner; thence North 89 degrees 38 minutes 14 seconds East along the north
76.20 line 661.2 feet; thence South 0 degrees 21 minutes 46 seconds East 456.90 feet; thence
76.21 North 89 degrees 38 minutes 14 seconds East 19.82 feet to the easterly right-of-way of
76.22 Westley Drive and the point of beginning; thence South 3 degrees 59 minutes 44 seconds
76.23 West along said easterly right-of-way 76.03 feet; thence North 89 degrees 38 minutes 14
76.24 seconds East 207.13 feet; thence North 0 degrees 21 minutes 46 seconds West 162.42 feet;
76.25 thence North 57 degrees 40 minutes 44 seconds West 210.75 feet to the intersection of said
76.26 easterly right-of-way; thence South 19 degrees 7 minutes 59 seconds West along said easterly
76.27 right-of-way 33.23 feet; thence South 3 degrees 59 minutes 44 seconds West along said
76.28 easterly right-of-way 30.28 feet; thence North 89 degrees 38 minutes 14 seconds East 33.58
76.29 feet; thence South 31 degrees 11 minutes 36 seconds East 112.47 feet; thence South 67
76.30 degrees 3 minutes 53 seconds West 110.25 feet to said easterly right-of-way and the point
76.31 of beginning, Township 65, Range 21, Section 19 (parcel number 760-0040-00533).

76.32 (d) The county has determined that the county's land management interests would best
76.33 be served if the land was returned to private ownership.

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

77.1 Sec. 14. **PRIVATE SALE OF TAX-FORFEITED LANDS BORDERING PUBLIC**
77.2 **WATERS; ST. LOUIS COUNTY.**

77.3 (a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1, and
77.4 the public sale provisions of Minnesota Statutes, chapter 282, St. Louis County may sell by
77.5 private sale the tax-forfeited lands bordering public waters that are described in paragraph
77.6 (c).

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

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

12.25 (1) Lot 101, Echo Point, Town of Breitung, Township 62, Range 15, Section 19 (parcel

12.26 number 270-0070-01010);

12.27 (2) the Northeast Quarter, except the Southwest Quarter, and the Southeast Quarter,

12.28 except the Northwest Quarter, Township 54, Range 16, Section 22 (part of parcel number

12.29 305-0010-03530); and

12.30 (3) Government Lots 6 and 7, except that part of Government Lot 6 lying North of the

12.31 quarter line of Section 32, Township 69, Range 19 (part of parcel number 732-0010-04150).

12.32 (d) The county has determined that the county's land management interests would best

12.33 be served if the land was returned to private ownership.

13.1 Sec. 16. **REPEALER.**

13.2 Minnesota Statutes 2022, sections 85.012, subdivisions 27b and 58; and 138.662,

13.3 subdivision 33, are repealed.

13.4 Sec. 17. **EFFECTIVE DATE.**

13.5 This act is effective the day following final enactment.

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

77.10 (1) Lot 101, Echo Point, Town of Breitung, Township 62, Range 15, Section 19 (parcel

77.11 number 270-0070-01010);

77.12 (2) the Northeast Quarter, except the Southwest Quarter, and the Southeast Quarter,

77.13 except the Northwest Quarter, Township 54, Range 16, Section 22 (part of parcel number

77.14 305-0010-03530); and

77.15 (3) Government Lots 6 and 7, except that part of Government Lot 6 lying North of the

77.16 quarter line of Section 32, Township 69, Range 19 (parcel number 732-0010-04150).

77.17 (d) The county has determined that the county's land management interests would best

77.18 be served if the land was returned to private ownership.

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

77.20 Sec. 15. **REPEALER.**

77.21 Minnesota Statutes 2022, sections 85.012, subdivisions 27b and 58; and 138.662,

77.22 subdivision 33, are repealed.

60.1 **ARTICLE 3**

60.2 **ENVIRONMENTAL REVIEW AND PERMITTING**

60.3 Section 1. **[84.0265] ENVIRONMENTAL REVIEW AND PERMITTING;**

60.4 **COORDINATED PROJECT PLANS.**

60.5 Subdivision 1. **Definitions.** In this section, the following terms have the meanings given:

60.6 (1) "commissioner" means the commissioner of natural resources;

60.7 (2) "coordinated project plan" or "plan" means a plan to ensure that any required

60.8 environmental review and associated required state agency actions are completed efficiently

60.9 by coordinating and establishing deadlines for all necessary state agency actions;

60.10 (3) "eligible project" means a project that requires the commissioner to prepare an

60.11 environmental assessment worksheet or an environmental impact statement under chapter

60.12 116D and associated permits, unless the project is sponsored by the Department of Natural

60.13 Resources; and

60.14 (4) "state agency" means the department or any other office, board, commission, authority,

60.15 department, or other agency of the executive branch of state government.

60.16 Subd. 2. **State policy.** It is the goal of the state to maximize the coordination,
60.17 effectiveness, transparency, and accountability of environmental review, associated
60.18 environmental permitting, and other regulatory actions for facilities in Minnesota.

60.19 Subd. 3. **Early communication; identifying issues.** To the extent practicable, the
60.20 commissioner must establish and provide an expeditious process for a person that requests
60.21 to confer with the department and other state agencies about an eligible project. The
60.22 department must provide information about any identified challenging issues regarding the
60.23 potential environmental impacts related to an eligible project, including any issues that
60.24 could substantially delay a state agency from completing agency decisions; and issues that
60.25 must be addressed before an environmental assessment worksheet, environmental impact
60.26 statement, final scoping decision, permit action, or other required action by a state agency
60.27 can be started.

60.28 Subd. 4. **Plan preparation; participating agencies.** (a) A person who submits an
60.29 application for an eligible project to the commissioner may request that the commissioner
60.30 prepare a coordinated project plan to complete any required environmental review and
60.31 associated agency actions for the eligible project.

60.32 (b) Within 60 days of receiving a request under paragraph (a), the commissioner must
60.33 prepare a coordinated project plan in consultation with the requestor and other state agencies
61.1 identified under paragraph (c). If an eligible project requires or otherwise includes the
61.2 preparation of an environmental impact statement, the commissioner is required to prepare
61.3 a coordinated project plan that first covers the period through a final scoping decision.
61.4 Within 60 days of completion of the final scoping decision, the commissioner must update
61.5 the coordinated project plan to include the remainder of the environmental review process
61.6 as well as applicable state permits and other state regulatory decisions. The coordinated
61.7 project plan is subject to modification in accordance with subdivision 7.

61.8 (c) Any state agency that must make permitting or other regulatory decisions over the
61.9 eligible project must participate in developing a coordinated project plan.

61.10 (d) If an eligible project requires environmental review and the Department of Natural
61.11 Resources is the responsible governmental unit, then the Department of Natural Resources
61.12 is the lead agency responsible for preparation of a coordinated project plan under this section.
61.13 If an eligible project requires environmental review and the Pollution Control Agency is
61.14 the responsible governmental unit, then the Pollution Control Agency is the lead agency
61.15 responsible for preparation of a coordinated project under section 116.035.

61.16 Subd. 5. **Plan contents; synchronization; updates.** (a) A coordinated project plan must
61.17 include:

61.18 (1) a list of all state agencies known to have environmental review, permitting, or other
61.19 regulatory authority over the eligible project and an explanation of each agency's specific
61.20 role and responsibilities for actions under the coordinated project plan;

61.21 (2) a schedule for any formal public meetings; and

- 61.22 (3) a comprehensive schedule of deadlines by which all environmental reviews, permits,
61.23 and other state agency actions must be completed. The deadlines established under this
61.24 clause must include intermediate and final completion deadlines for actions by each state
61.25 agency and must be consistent with subdivision 6, subject to modification in accordance
61.26 with subdivision 7.
- 61.27 (b) The commissioner must update a coordinated project plan quarterly.
- 61.28 Subd. 6. **Required deadlines.** (a) Deadlines established in a coordinated project plan
61.29 must comply with this subdivision, unless an alternative time period is agreed upon by the
61.30 commissioner and proposer.
- 61.31 (b) When an environmental assessment worksheet is prepared for an eligible project for
61.32 which an environmental impact statement is not mandatory under Minnesota Rules, chapter
61.33 4410, the decision on the need for an environmental impact statement must be made as
62.1 expeditiously as possible but no later than 18 months after the environmental assessment
62.2 worksheet is deemed complete by the commissioner.
- 62.3 (c) When an environmental impact statement is prepared for an eligible project, the
62.4 decision on the adequacy of the final environmental impact statement must be made as
62.5 expeditiously as possible but no later than four years after the data submitted for the
62.6 environmental assessment worksheet is deemed complete.
- 62.7 (d) If the commissioner includes plan deadlines that are inconsistent with paragraphs
62.8 (b) and (c), then within 30 days of finalizing the plan, the commissioner must report to the
62.9 chairs and ranking minority members of the legislative committees and divisions with
62.10 jurisdiction over natural resources policy to explain how deadlines were established and
62.11 why the deadlines under paragraphs (b) and (c) are not attainable.
- 62.12 Subd. 7. **Deadline compliance; modification.** (a) A state agency that participates in the
62.13 commissioner's development coordinated project plan must comply with deadlines established
62.14 in the plan. If a participating state agency fails to meet a deadline established in the
62.15 coordinated project plan or anticipates failing to meet a deadline, the state agency must
62.16 immediately notify the commissioner to explain the reason for the failure or anticipated
62.17 failure and to propose a date for a modified deadline.
- 62.18 (b) The commissioner may modify a deadline established in the coordinated project plan
62.19 if the project proposer fails to meet a deadline established in the coordinated project plan
62.20 or provides inadequate information to meet that deadline, or if:
- 62.21 (1) the commissioner provides the person that requested the plan with a written
62.22 justification for the modification; and
- 62.23 (2) the commissioner and the state agency, after consultation with the person that
62.24 requested the plan, mutually agree on a different deadline.

62.25 (c) If the combined modifications to one or more deadlines established in a coordinated
62.26 project plan extend the initially anticipated final decision date for an eligible project
62.27 application by more than 20 percent, the commissioner must report to the chairs and ranking
62.28 minority members of the legislative committees and divisions with jurisdiction over natural
62.29 resources policy within 30 days to explain the reason the modifications are necessary. The
62.30 commissioner must also notify the chairs and ranking minority members within 30 days of
62.31 any subsequent extensions to the final decision date. The notification must include the reason
62.32 for the extension and the history of any prior extensions. For purposes of calculating the
62.33 percentage of time that modifications have extended the anticipated final decision date,
63.1 modifications made necessary by reasons wholly outside the control of state agencies must
63.2 not be considered.

63.3 Subd. 8. **Annual report.** As part of the annual permitting efficiency report required
63.4 under section 84.027, the commissioner must report on progress toward required actions
63.5 described in this section.

63.6 Subd. 9. **Relation to other law.** Nothing in this section is to be construed to require an
63.7 act that conflicts with applicable state or federal law. Nothing in this section affects the
63.8 specific statutory obligations of a state agency to comply with criteria or standards of
63.9 environmental quality.

63.10 Sec. 2. **[116.035] ENVIRONMENTAL REVIEW AND PERMITTING;**
63.11 **COORDINATED PROJECT PLANS.**

63.12 Subdivision 1. **Definitions.** In this section, the following terms have the meanings given:

63.13 (1) "commissioner" means the commissioner of the Pollution Control Agency;

63.14 (2) "coordinated project plan" or "plan" means a plan to ensure that any required
63.15 environmental review and associated required state agency actions are completed efficiently
63.16 by coordinating and establishing deadlines for all necessary state agency actions;

63.17 (3) "eligible project" means a project that requires the commissioner to prepare an
63.18 environmental assessment worksheet or an environmental impact statement under chapter
63.19 116D and associated permits; and

63.20 (4) "state agency" means the agency or any other office, board, commission, authority,
63.21 department, or other agency of the executive branch of state government.

63.22 Subd. 2. **State policy.** It is the goal of the state to maximize the coordination,
63.23 effectiveness, transparency, and accountability of environmental review, associated
63.24 environmental permitting, and other regulatory actions for facilities in Minnesota.

63.25 Subd. 3. **Early communication; identifying issues.** To the extent practicable, the
63.26 commissioner must establish and provide an expeditious process for a person that requests
63.27 to confer with the agency and other state agencies about an eligible project. The agency
63.28 must provide information about any identified challenging issues regarding the potential
63.29 environmental impacts related to an eligible project, including any issues that could

- 63.30 substantially delay a state agency from completing agency decisions and issues that must
63.31 be addressed before an environmental assessment worksheet, environmental impact statement,
64.1 final scoping decision, permit action, or other required action by a state agency can be
64.2 started.
- 64.3 Subd. 4. **Plan preparation; participating agencies.** (a) A person who submits an
64.4 application for an eligible project to the commissioner may request that the commissioner
64.5 prepare a coordinated project plan to complete any required environmental review and
64.6 associated agency actions for the eligible project.
- 64.7 (b) Within 60 days of receiving a request under paragraph (a), the commissioner must
64.8 prepare a coordinated project plan in consultation with the requestor and other state agencies
64.9 identified under paragraph (c). If an eligible project requires or otherwise includes the
64.10 preparation of an environmental impact statement, the commissioner is required to prepare
64.11 a coordinated project plan that first covers the period through a final scoping decision.
64.12 Within 60 days of completion of the final scoping decision, the commissioner must update
64.13 the coordinated project plan to include the remainder of the environmental review process
64.14 as well as applicable state permits and other state regulatory decisions. The coordinated
64.15 project plan is subject to modification in accordance with subdivision 7.
- 64.16 (c) Any state agency that must make permitting or other regulatory decisions over the
64.17 eligible project must participate in developing a coordinated project plan.
- 64.18 (d) If an eligible project requires environmental review and the Department of Natural
64.19 Resources is the responsible governmental unit, then the Department of Natural Resources
64.20 is the lead agency responsible for preparation of a coordinated project plan under section
64.21 84.0265. If an eligible project requires environmental review and the Pollution Control
64.22 Agency is the responsible governmental unit, then the Pollution Control Agency is the lead
64.23 agency responsible for preparation of a coordinated project under this section.
- 64.24 Subd. 5. **Plan contents; synchronization; updates.** (a) A coordinated project plan must
64.25 include:
- 64.26 (1) a list of all state agencies known to have environmental review, permitting, or other
64.27 regulatory authority over the eligible project and an explanation of each agency's specific
64.28 role and responsibilities for actions under the coordinated project plan;
- 64.29 (2) a schedule for any formal public meetings; and
- 64.30 (3) a comprehensive schedule of deadlines by which all environmental reviews, permits,
64.31 and other state agency actions must be completed. The deadlines established under this
64.32 clause must include intermediate and final completion deadlines for actions by each state
65.1 agency and must be consistent with subdivision 6, subject to modification in accordance
65.2 with subdivision 7.
- 65.3 (b) The commissioner must update a coordinated project plan quarterly.

65.4 Subd. 6. **Required deadlines.** (a) Deadlines established in a coordinated project plan
65.5 must comply with this subdivision unless an alternative time period is agreed upon by the
65.6 commissioner and proposer.

65.7 (b) When an environmental assessment worksheet is prepared for an eligible project for
65.8 which an environmental impact statement is not mandatory under Minnesota Rules, chapter
65.9 4410, the decision on the need for an environmental impact statement must be made as
65.10 expeditiously as possible but no later than 18 months after the environmental assessment
65.11 worksheet is deemed complete by the commissioner.

65.12 (c) When an environmental impact statement is prepared for an eligible project, the
65.13 decision on the adequacy of the final environmental impact statement must be made as
65.14 expeditiously as possible but no later than four years after the submitted data for the
65.15 environmental assessment worksheet is deemed complete.

65.16 (d) If the commissioner includes plan deadlines that are inconsistent with paragraphs
65.17 (b) and (c), then within 30 days of finalizing the plan, the commissioner must report to the
65.18 chairs and ranking minority members of the legislative committees and divisions with
65.19 jurisdiction over natural resources policy to explain how deadlines were established and
65.20 why the deadlines under paragraphs (b) and (c) are not attainable.

65.21 Subd. 7. **Deadline compliance; modification.** (a) A state agency that participates in the
65.22 commissioner's development coordinated project plan must comply with deadlines established
65.23 in the plan. If a participating state agency fails to meet a deadline established in the
65.24 coordinated project plan or anticipates failing to meet a deadline, the state agency must
65.25 immediately notify the commissioner to explain the reason for the failure or anticipated
65.26 failure and to propose a date for a modified deadline.

65.27 (b) The commissioner may modify a deadline established in the coordinated project plan
65.28 if the project proposer fails to meet a deadline established in the coordinated project plan
65.29 or provides inadequate information to meet that deadline, or if:

65.30 (1) the commissioner provides the person that requested the plan with a written
65.31 justification for the modification; and

65.32 (2) the commissioner and the state agency, after consultation with the person that
65.33 requested the plan, mutually agree on a different deadline.

66.1 (c) If the combined modifications to one or more deadlines established in a coordinated
66.2 project plan extend the initially anticipated final decision date for an eligible project
66.3 application by more than 20 percent, the commissioner must report to the chairs and ranking
66.4 minority members of the legislative committees and divisions with jurisdiction over natural
66.5 resources policy within 30 days to explain the reason the modifications are necessary. The
66.6 commissioner must also notify the chairs and ranking minority members within 30 days of
66.7 any subsequent extensions to the final decision date. The notification must include the reason
66.8 for the extension and the history of any prior extensions. For purposes of calculating the
66.9 percentage of time that modifications have extended the anticipated final decision date,

66.10 modifications made necessary by reasons wholly outside the control of state agencies must
66.11 not be considered.

66.12 Subd. 8. **Annual report.** As part of the annual permitting efficiency report required
66.13 under section 116.03, the commissioner must report on progress toward required actions
66.14 described in this section.

66.15 Subd. 9. **Relation to other law.** Nothing in this section is to be construed to require an
66.16 act that conflicts with applicable state or federal law. Nothing in this section affects the
66.17 specific statutory obligations of a state agency to comply with criteria or standards of
66.18 environmental quality.