

1.1 A bill for an act
1.2 relating to state government; appropriating money for environment and natural
1.3 resources; modifying prior appropriations; providing for and modifying disposition
1.4 of certain receipts; modifying and establishing duties, authorities, and prohibitions
1.5 regarding environment and natural resources; modifying and creating environment
1.6 and natural resources programs; modifying and creating grant programs; modifying
1.7 remedies, penalties, and enforcement; modifying requirements for recreation
1.8 vehicles; modifying state trail, state forest, and state park provisions; modifying
1.9 forestry provisions; modifying game and fish provisions; modifying water law;
1.10 modifying environmental review and permitting requirements; authorizing sales,
1.11 conveyances, and leases of certain state lands; establishing a Packaging Waste and
1.12 Cost Reduction program; modifying and providing for fees; making technical
1.13 changes; requiring reports; authorizing rulemaking; amending Minnesota Statutes
1.14 2022, sections 84.788, subdivisions 5a, 6; 85.015, subdivision 1b; 93.222; 93.25,
1.15 subdivisions 1, 2; 94.343, subdivision 8a; 94.3495, by adding a subdivision;
1.16 97A.105, subdivision 8; 97A.475, subdivisions 2, 3; 97B.031, by adding a
1.17 subdivision; 97B.667, subdivision 3; 115.071, subdivisions 1, 4, by adding
1.18 subdivisions; 116.07, subdivision 9, by adding subdivisions; 116.11; 116.92, by
1.19 adding a subdivision; Minnesota Statutes 2023 Supplement, sections 115.03,
1.20 subdivision 1; 325E.3892, subdivision 2; Laws 2023, chapter 60, article 1, section
1.21 3, subdivision 3; article 3, section 35; article 8, section 6, subdivision 9; proposing
1.22 coding for new law in Minnesota Statutes, chapters 84; 86B; 93; 115A; 116; 282;
1.23 repealing Minnesota Statutes 2022, sections 85.012, subdivisions 27b, 58; 97B.318;
1.24 97B.802; 138.662, subdivision 33.

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

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.

2.5		<u>APPROPRIATIONS</u>	
2.6		<u>Available for the Year</u>	
2.7		<u>Ending June 30</u>	
2.8		<u>2024</u>	<u>2025</u>

2.9 **Sec. 2. POLLUTION CONTROL AGENCY**

2.10	<u>Subdivision 1. Total Appropriation</u>	<u>\$</u>	<u>-0-</u>	<u>\$</u>	<u>11,351,000</u>
------	--	------------------	-------------------	------------------	--------------------------

2.11	<u>Appropriations by Fund</u>				
2.12		<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.

2.18 **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.

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.

2.31 \$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.

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.

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.

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.

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.

5.1 **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.

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.

5.17 **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.

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.

5.33 **Sec. 3. DEPARTMENT OF NATURAL**
5.34 **RESOURCES**

6.1	<u>Subdivision 1. Total Appropriation</u>	<u>\$</u>	<u>768,000</u>	<u>\$</u>	<u>18,094,000</u>
6.2	<u>Appropriations by Fund</u>				
6.3		<u>2024</u>	<u>2025</u>		
6.4	<u>General</u>	<u>-0-</u>	<u>8,500,000</u>		
6.5	<u>Game and Fish</u>	<u>-0-</u>	<u>2,880,000</u>		
6.6	<u>Natural Resources</u>	<u>768,000</u>	<u>6,297,000</u>		
6.7	<u>Permanent School</u>	<u>-0-</u>	<u>417,000</u>		

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.

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.

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.

8.5 **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.

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.

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.

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.

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.

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

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.
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.

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,
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.

20.20 **ARTICLE 2**

20.21 **ENVIRONMENT AND NATURAL RESOURCES POLICY**

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.

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.

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.

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.

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.

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 103I.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
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;

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.

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

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.

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;

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;
- 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.
- 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.

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.

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:

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
 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
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;

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.

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.

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
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.

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
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:

36.9 (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;

36.11 (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;

36.14 (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:

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;

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

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:

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

37.18 (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.

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.

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;

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.

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~~ 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
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.

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.

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.

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

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.
- 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
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.

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.

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
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
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.

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.

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;
- 49.12 (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;
- 49.15 (14) one representative from the Natural Resources Research Institute in Duluth;
- 49.16 (15) one representative of a utility providing retail electric service to customers in
49.17 Minnesota; and
- 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.

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.

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.

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.

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 (c). 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 (c) 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
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.

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.

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.

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.

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
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.

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.

58.3 **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;

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.

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.

59.28 Sec. 48. **REPEALER.**

59.29 Minnesota Statutes 2022, sections 97B.318; and 97B.802, 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.

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
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.

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:

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:

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

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
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).

70.3 (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:

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).

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
 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.

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
 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.

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.

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
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.

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.

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."

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.

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;

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.;

80.17 (9) are packaging used to contain liquefied petroleum gas and are designed to be refilled;

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;

80.20 (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.

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:
- 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
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.

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

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.1442] 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.1443] 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:

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.

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
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;

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.

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;

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;

- 92.1 (ii) a list of registered service providers;
- 92.2 (iii) the most recent needs assessments;
- 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;
- 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;

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
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
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;

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;

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;
- 98.27 (9) an inventory of the current system including:
- 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;

99.1 (ii) an estimate of total annual collection and processing service costs based on registered
99.2 service provider costs; and

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;

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
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;

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;
- 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;

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:

103.24 (i) requirements that service providers must accept all covered materials on the lists
103.25 established by the commissioner under section 115A.1453; and

103.26 (ii) labor standards and safety practices, including but not limited to safety programs,
103.27 health benefits, and living wages;

103.28 (13) a description of how the producer responsibility organization will treat and protect
103.29 nonpublic data submitted by service providers;

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
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.

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.

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
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
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);

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.

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.

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
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:

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;

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.

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);

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;

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.

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
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
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,

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.

85.012 STATE PARKS.

Subd. 27b. Hill-Annex Mine State Park, Itasca County.

Subd. 58. Upper Sioux Agency State Park, Yellow Medicine County.

97B.318 ARMS USE AREAS AND RESTRICTIONS; REGULAR FIREARMS SEASON.

Subdivision 1. **Shotgun use area.** During the regular firearms season in the shotgun use area, only legal shotguns loaded with single-slug shotgun shells, legal muzzle-loading long guns, and legal handguns may be used for taking deer. Legal shotguns include those with rifled barrels. The shotgun use area is that portion of the state lying within the following described boundary: Beginning on the west boundary of the state at the northern boundary of Clay County; thence along the northern boundary of Clay County to State Trunk Highway (STH) 32; thence along STH 32 to STH 34; thence along STH 34 to Interstate Highway 94 (I-94); thence along I-94 to County State-Aid Highway (CSAH) 40, Douglas County; thence along CSAH 40 to CSAH 82, Douglas County; thence along CSAH 82 to CSAH 22, Douglas County; thence along CSAH 22 to CSAH 6, Douglas County; thence along CSAH 6 to CSAH 14, Douglas County; thence along CSAH 14 to STH 29; thence along STH 29 to CSAH 46, Otter Tail County; thence along CSAH 46, Otter Tail County, to CSAH 22, Todd County; thence along CSAH 22 to U.S. Highway 71; thence along U.S. Highway 71 to STH 27; thence along STH 27 to the Mississippi River; thence along the east bank of the Mississippi River to STH 23; thence along STH 23 to STH 95; thence along STH 95 to U.S. Highway 8; thence along U.S. Highway 8 to the eastern boundary of the state; thence along the east, south, and west boundaries of the state to the point of beginning.

Subd. 2. **All legal firearms use area.** The all legal firearms use area is that part of the state lying outside of the shotgun use area.

97B.802 SPECIAL CANADA-GOOSE SEASON; LICENSE REQUIRED.

Except as provided in this section, a person required to possess a small-game license may not take Canada geese during a special season without a valid special-season Canada-goose license in possession. Residents under age 18 or over age 65 and persons hunting on their own property are not required to possess the license.

138.662 HISTORIC SITES.

Subd. 33. **Upper Sioux Agency.** Upper Sioux Agency; Yellow Medicine County.