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State of Minnesota
HOUSE OF REPRESENTATIVES
First Division Engrossment

NINETY-FIRST SESSION

H. F. No. **2209**

03/07/2019 Authored by Hansen, Wagenius, Considine, Lee, Persell and others
The bill was read for the first time and referred to the Committee on Ways and Means

Division Action

04/04/2019 *Referred by Chair to the Environment and Natural Resources Finance Division*
Division action, to adopt as amended and return to the Committee on Ways and Means

1.1 A bill for an act
1.2 relating to state government; appropriating money for environment and natural
1.3 resources; modifying fees and surcharges; creating accounts and providing for
1.4 disposition of certain receipts; modifying bough buyer provisions; modifying
1.5 certain permit and reimbursement provisions; reestablishing citizen board of
1.6 Pollution Control Agency; providing for carpet stewardship; modifying game and
1.7 fish law; modifying forestry provisions; designating state bee; creating natural
1.8 resource programs; modifying solid waste provisions; providing for voluntary
1.9 certification of salt applicators; creating Minnesota Outdoor Recreation Office;
1.10 modifying certain consumer protection provisions; amending Minnesota Statutes
1.11 2018, sections 16A.151, subdivision 2; 16A.152, subdivision 2; 17.035, subdivision
1.12 1; 84.0895, by adding a subdivision; 84.788, subdivision 2; 84D.15; 85.012,
1.13 subdivision 49; 85.42; 85.47; 86B.415, subdivisions 1, 1a, 2, 3, 4, 5, 7; 88.642,
1.14 subdivisions 1, 3; 88.6435; 89.37, subdivision 3; 90.01, by adding a subdivision;
1.15 90.195; 97A.055, subdivision 4; 97A.065, subdivision 6; 97A.075, subdivision 1;
1.16 97A.126, subdivision 2; 97A.405, by adding a subdivision; 97A.475, subdivisions
1.17 3a, 4, 41; 97C.605, subdivisions 1, 2c, 3; 103G.301, subdivision 2; 115A.142;
1.18 115A.51; 115B.421; 116.02; 116.03, subdivisions 1, 2a; 116.155, subdivisions 1,
1.19 3, by adding a subdivision; 127A.353, subdivision 1; 325F.071; Laws 2016, chapter
1.20 189, article 3, section 6, as amended; Laws 2017, chapter 93, article 1, section 9;
1.21 proposing coding for new law in Minnesota Statutes, chapters 1; 84; 89; 97B;
1.22 103F; 115A; 115B; 116; 116U; repealing Minnesota Statutes 2018, section 97C.605,
1.23 subdivisions 2, 2a, 2b, 5; Laws 2015, First Special Session chapter 4, article 4,
1.24 section 149; Minnesota Rules, part 6256.0500, subparts 2, 2a, 2b, 4, 5, 6, 7, 8.

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.

3.1 and navigating the NPDES/SDS permitting
3.2 process;

3.3 (2) enhanced economic analysis in the
3.4 rulemaking process for water quality
3.5 standards, including more-specific analysis
3.6 and identification of cost-effective permitting;

3.7 (3) developing statewide economic analyses
3.8 and templates to reduce the amount of
3.9 information and time required for
3.10 municipalities to apply for variances from
3.11 water quality standards; and

3.12 (4) coordinating with the Public Facilities
3.13 Authority to identify and advocate for the
3.14 resources needed for municipalities to achieve
3.15 permit requirements.

3.16 (b) \$205,000 the first year and \$205,000 the
3.17 second year are from the environmental fund
3.18 for a monitoring program under Minnesota
3.19 Statutes, section 116.454.

3.20 (c) \$115,000 the first year and \$115,000 the
3.21 second year are for monitoring water quality
3.22 and operating assistance programs.

3.23 (d) \$347,000 the first year and \$347,000 the
3.24 second year are from the environmental fund
3.25 for monitoring ambient air for hazardous
3.26 pollutants.

3.27 (e) \$90,000 the first year and \$90,000 the
3.28 second year are from the environmental fund
3.29 for duties related to harmful chemicals in
3.30 products under Minnesota Statutes, sections
3.31 116.9401 to 116.9407. Of this amount,
3.32 \$57,000 each year is transferred to the
3.33 commissioner of health.

4.1 (f) \$109,000 the first year and \$109,000 the
4.2 second year are from the environmental fund
4.3 for registering wastewater laboratories.

4.4 (g) \$926,000 the first year and \$926,000 the
4.5 second year are from the environmental fund
4.6 to continue perfluorochemical biomonitoring
4.7 in eastern metropolitan communities, as
4.8 recommended by the Environmental Health
4.9 Tracking and Biomonitoring Advisory Panel,
4.10 and to address other environmental health
4.11 risks, including air quality. The communities
4.12 must include Hmong and other immigrant
4.13 farming communities. Of this amount, up to
4.14 \$689,000 the first year and \$689,000 the
4.15 second year are for transfer to the Department
4.16 of Health.

4.17 (h) \$51,000 the first year and \$51,000 the
4.18 second year are from the environmental fund
4.19 for the listing procedures for impaired waters
4.20 required under this act.

4.21 (i) \$141,000 the first year and \$141,000 the
4.22 second year are to implement and enforce
4.23 Minnesota Statutes, section 325F.071. Of this
4.24 amount, up to \$65,000 each year may be
4.25 transferred to the commissioner of health.

4.26 (j) \$250,000 the first year is for transfer to the
4.27 commissioner of health for enhanced blood
4.28 lead testing, lead poisoning prevention efforts,
4.29 and asthma education as recommended by the
4.30 Northern Metals Consent Decree Advisory
4.31 Committee. This is a onetime appropriation.

4.32 (k) The base for the general fund in fiscal year
4.33 2022 and later is \$345,000.

4.34 Subd. 3. **Industrial**

15,473,000

15,606,000

5.1	<u>Appropriations by Fund</u>		
5.2		<u>2020</u>	<u>2021</u>
5.3	<u>Environmental</u>	<u>14,472,000</u>	<u>14,605,000</u>
5.4	<u>Remediation</u>	<u>1,001,000</u>	<u>1,001,000</u>

5.5 (a) \$1,001,000 the first year and \$1,001,000
 5.6 the second year are from the remediation fund
 5.7 for the leaking underground storage tank
 5.8 program to investigate, clean up, and prevent
 5.9 future releases from underground petroleum
 5.10 storage tanks and for the petroleum
 5.11 remediation program for vapor assessment
 5.12 and remediation. These same annual amounts
 5.13 are transferred from the petroleum tank fund
 5.14 to the remediation fund.

5.15 (b) \$393,000 the first year and \$393,000 the
 5.16 second year are from the environmental fund
 5.17 to further evaluate the use and reduction of
 5.18 trichloroethylene around Minnesota and
 5.19 identify its potential health impacts on
 5.20 communities. Of this amount, up to \$121,000
 5.21 each year may be transferred to the
 5.22 commissioner of health. This is a onetime
 5.23 appropriation.

5.24	<u>Subd. 4. Municipal</u>	<u>8,232,000</u>	<u>7,859,000</u>
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5.25	<u>Appropriations by Fund</u>		
5.26		<u>2020</u>	<u>2021</u>
5.27	<u>General</u>	<u>164,000</u>	<u>164,000</u>
5.28	<u>Environmental</u>	<u>8,068,000</u>	<u>7,695,000</u>

5.29 (a) \$164,000 the first year and \$164,000 the
 5.30 second year are for:

5.31 (1) a municipal liaison to assist municipalities
 5.32 in implementing and participating in the
 5.33 rulemaking process for water quality standards

6.1 and navigating the NPDES/SDS permitting
6.2 process;

6.3 (2) enhanced economic analysis in the
6.4 rulemaking process for water quality
6.5 standards, including more-specific analysis
6.6 and identification of cost-effective permitting;

6.7 (3) developing statewide economic analyses
6.8 and templates to reduce the amount of
6.9 information and time required for
6.10 municipalities to apply for variances from
6.11 water quality standards; and

6.12 (4) coordinating with the Public Facilities
6.13 Authority to identify and advocate for the
6.14 resources needed for municipalities to achieve
6.15 permit requirements.

6.16 (b) \$50,000 the first year and \$50,000 the
6.17 second year are from the environmental fund
6.18 for transfer to the Office of Administrative
6.19 Hearings to establish sanitary districts.

6.20 (c) \$671,000 the first year and \$671,000 the
6.21 second year are from the environmental fund
6.22 for subsurface sewage treatment system
6.23 (SSTS) program administration and
6.24 community technical assistance and education,
6.25 including grants and technical assistance to
6.26 communities for water-quality protection. Of
6.27 this amount, \$129,000 each year is for
6.28 assistance to counties through grants for SSTS
6.29 program administration. A county receiving
6.30 a grant from this appropriation must submit
6.31 the results achieved with the grant to the
6.32 commissioner as part of its annual SSTS
6.33 report. Any unexpended balance in the first

7.1 year does not cancel but is available in the
 7.2 second year.

7.3 (d) \$784,000 the first year and \$784,000 the
 7.4 second year are from the environmental fund
 7.5 to address the need for continued increased
 7.6 activity in new technology review, technical
 7.7 assistance for local governments, and
 7.8 enforcement under Minnesota Statutes,
 7.9 sections 115.55 to 115.58, and to complete the
 7.10 requirements of Laws 2003, chapter 128,
 7.11 article 1, section 165.

7.12 (e) \$373,000 the first year is from the
 7.13 environmental fund to meet the increased
 7.14 demand for technical assistance and review
 7.15 of municipal water infrastructure projects that
 7.16 will be generated by increased grant funding
 7.17 through the Public Facilities Authority. This
 7.18 is a onetime appropriation and is available
 7.19 until June 30, 2021.

7.20 (f) Notwithstanding Minnesota Statutes,
 7.21 section 16A.28, the appropriations
 7.22 encumbered on or before June 30, 2021, as
 7.23 grants or contracts for subsurface sewage
 7.24 treatment systems, surface water and
 7.25 groundwater assessments, storm water, and
 7.26 water-quality protection in this subdivision
 7.27 are available until June 30, 2024.

7.28 **Subd. 5. Operations** 7,526,000 8,337,000

	<u>Appropriations by Fund</u>	
	<u>2020</u>	<u>2021</u>
7.30		
7.31 <u>General</u>	<u>2,490,000</u>	<u>2,490,000</u>
7.32 <u>Environmental</u>	<u>4,208,000</u>	<u>5,019,000</u>
7.33 <u>Remediation</u>	<u>828,000</u>	<u>828,000</u>

8.1 (a) \$180,000 the first year and \$180,000 the
 8.2 second year are from the remediation fund for
 8.3 the leaking underground storage tank program
 8.4 to investigate, clean up, and prevent future
 8.5 releases from underground petroleum storage
 8.6 tanks and for the petroleum remediation
 8.7 program for vapor assessment and
 8.8 remediation. These same annual amounts are
 8.9 transferred from the petroleum tank fund to
 8.10 the remediation fund.

8.11 (b) \$2,490,000 the first year and \$2,490,000
 8.12 the second year are to support agency
 8.13 information technology services provided at
 8.14 the enterprise and agency level.

8.15 (c) \$800,000 the second year is from the
 8.16 environmental fund to develop and maintain
 8.17 systems to support permitting and regulatory
 8.18 business processes and agency data.

8.19 Subd. 6. Remediation 14,516,000 12,945,000

	<u>Appropriations by Fund</u>	
	<u>2020</u>	<u>2021</u>
8.21 <u>General</u>	<u>216,000</u>	<u>-0-</u>
8.22 <u>Environmental</u>	<u>832,000</u>	<u>1,099,000</u>
8.23 <u>Remediation</u>	<u>11,846,000</u>	<u>11,846,000</u>
8.24 <u>Closed Landfill</u>		
8.25 <u>Investment</u>	<u>1,622,000</u>	<u>-0-</u>

8.27 (a) All money for environmental response,
 8.28 compensation, and compliance in the
 8.29 remediation fund not otherwise appropriated
 8.30 is appropriated to the commissioners of the
 8.31 Pollution Control Agency and agriculture for
 8.32 purposes of Minnesota Statutes, section
 8.33 115B.20, subdivision 2, clauses (1), (2), (3),
 8.34 (6), and (7). At the beginning of each fiscal
 8.35 year, the two commissioners must jointly

9.1 submit to the commissioner of management
9.2 and budget an annual spending plan that
9.3 maximizes resource use and appropriately
9.4 allocates the money between the two
9.5 departments. This appropriation is available
9.6 until June 30, 2021.

9.7 (b) \$216,000 the first year from the general
9.8 fund is a onetime appropriation and \$217,000
9.9 the first year and \$484,000 the second year
9.10 are from the environmental fund to manage
9.11 contaminated sediment projects at multiple
9.12 sites identified in the St. Louis River remedial
9.13 action plan to restore water quality in the St.
9.14 Louis River Area of Concern. The base for
9.15 the environmental fund in fiscal year 2022 and
9.16 later is \$363,000.

9.17 (c) \$3,961,000 the first year and \$3,961,000
9.18 the second year are from the remediation fund
9.19 for the leaking underground storage tank
9.20 program to investigate, clean up, and prevent
9.21 future releases from underground petroleum
9.22 storage tanks and for the petroleum
9.23 remediation program for vapor assessment
9.24 and remediation. These same annual amounts
9.25 are transferred from the petroleum tank fund
9.26 to the remediation fund.

9.27 (d) \$257,000 the first year and \$257,000 the
9.28 second year are from the remediation fund for
9.29 transfer to the commissioner of health for
9.30 private water-supply monitoring and health
9.31 assessment costs in areas contaminated by
9.32 unpermitted mixed municipal solid waste
9.33 disposal facilities and drinking water
9.34 advisories and public information activities
9.35 for areas contaminated by hazardous releases.

10.1 (e) Notwithstanding Minnesota Statutes,
 10.2 section 115B.421, \$1,622,000 the first year is
 10.3 from the closed landfill investment fund for
 10.4 settling obligations with the federal
 10.5 government, remedial investigations,
 10.6 feasibility studies, engineering, and
 10.7 cleanup-related activities for purposes of
 10.8 environmental response actions at a priority
 10.9 qualified facility under Minnesota Statutes,
 10.10 sections 115B.406 and 115B.407. This is a
 10.11 onetime appropriation and is available until
 10.12 June 30, 2021.

10.13 **Subd. 7. Resource Management and Assistance** 34,549,000 34,701,000

10.14	<u>Appropriations by Fund</u>	
10.15	<u>2020</u>	<u>2021</u>
10.16	<u>950,000</u>	<u>700,000</u>
10.17	<u>State Government</u>	
10.18	<u>75,000</u>	<u>75,000</u>
10.19	<u>Special Revenue</u>	
	<u>33,524,000</u>	<u>33,926,000</u>
	<u>Environmental</u>	

10.20 (a) Up to \$150,000 the first year and \$150,000
 10.21 the second year may be transferred from the
 10.22 environmental fund to the small business
 10.23 environmental improvement loan account
 10.24 under Minnesota Statutes, section 116.993.

10.25 (b) \$1,000,000 the first year and \$1,000,000
 10.26 the second year are for competitive recycling
 10.27 grants under Minnesota Statutes, section
 10.28 115A.565. Of this amount, \$700,000 each year
 10.29 is from the general fund and \$300,000 is from
 10.30 the environmental fund. This appropriation is
 10.31 available until June 30, 2023. Any
 10.32 unencumbered grant balances in the first year
 10.33 do not cancel but are available for grants in
 10.34 the second year.

- 11.1 (c) \$694,000 the first year and \$694,000 the
11.2 second year are from the environmental fund
11.3 for emission-reduction activities and grants to
11.4 small businesses and other
11.5 nonpoint-emission-reduction efforts. Of this
11.6 amount, \$100,000 the first year and \$100,000
11.7 the second year are to continue work with
11.8 Clean Air Minnesota, and the commissioner
11.9 may enter into an agreement with
11.10 Environmental Initiative to support this effort.
11.11 Any unencumbered grant balances in the first
11.12 year do not cancel but are available for grants
11.13 in the second year.
- 11.14 (d) \$17,250,000 the first year and \$17,250,000
11.15 the second year are from the environmental
11.16 fund for SCORE block grants to counties. Any
11.17 unencumbered grant balances in the first year
11.18 do not cancel but are available for grants in
11.19 the second year.
- 11.20 (e) \$119,000 the first year and \$119,000 the
11.21 second year are from the environmental fund
11.22 for environmental assistance grants or loans
11.23 under Minnesota Statutes, section 115A.0716.
11.24 Any unencumbered grant and loan balances
11.25 in the first year do not cancel but are available
11.26 for grants and loans in the second year.
- 11.27 (f) \$112,000 the first year and \$112,000 the
11.28 second year are from the environmental fund
11.29 for subsurface sewage treatment system
11.30 (SSTS) program administration and
11.31 community technical assistance and education,
11.32 including grants and technical assistance to
11.33 communities for water-quality protection.
- 11.34 (g) \$169,000 the first year and \$169,000 the
11.35 second year are from the environmental fund

- 12.1 to address the need for continued increased
12.2 activity in new technology review, technical
12.3 assistance for local governments, and
12.4 enforcement under Minnesota Statutes,
12.5 sections 115.55 to 115.58, and to complete the
12.6 requirements of Laws 2003, chapter 128,
12.7 article 1, section 165.
- 12.8 (h) \$250,000 the first year is for public
12.9 engagement and outreach that supports
12.10 developing and implementing policies to
12.11 address climate change. This is a onetime
12.12 appropriation. Public meetings held as part of
12.13 efforts under this appropriation must be
12.14 distributed evenly among the following three
12.15 areas: Minneapolis and St. Paul; cities in the
12.16 seven-county metropolitan area, but not
12.17 including Minneapolis and St. Paul; and areas
12.18 outside the seven-county metropolitan area.
- 12.19 (i) \$400,000 the second year is from the
12.20 environmental fund for grants to develop and
12.21 expand recycling markets for Minnesota
12.22 businesses.
- 12.23 (j) \$30,000 the first year and \$30,000 the
12.24 second year are from the environmental fund
12.25 for reviewing financial qualifications of waste
12.26 tire facility permit applicants under Minnesota
12.27 Statutes, section 115A.903.
- 12.28 (k) \$244,000 the first year and \$222,000 the
12.29 second year are from the environmental fund
12.30 for the voluntary certification program for
12.31 commercial deicer applicators under
12.32 Minnesota Statutes, section 116.2025.
- 12.33 (l) All money deposited in the environmental
12.34 fund for the metropolitan solid waste landfill

13.1 fee in accordance with Minnesota Statutes,
 13.2 section 473.843, and not otherwise
 13.3 appropriated, is appropriated for the purposes
 13.4 of Minnesota Statutes, section 473.844.

13.5 (m) Notwithstanding Minnesota Statutes,
 13.6 section 16A.28, the appropriations
 13.7 encumbered on or before June 30, 2021, as
 13.8 contracts or grants for environmental
 13.9 assistance awarded under Minnesota Statutes,
 13.10 section 115A.0716; technical and research
 13.11 assistance under Minnesota Statutes, section
 13.12 115A.152; technical assistance under
 13.13 Minnesota Statutes, section 115A.52; and
 13.14 pollution prevention assistance under
 13.15 Minnesota Statutes, section 115D.04, are
 13.16 available until June 30, 2023.

13.17 **Subd. 8. Watershed** 9,485,000 9,335,000

13.18	<u>Appropriations by Fund</u>	
13.19	<u>2020</u>	<u>2021</u>
13.20 <u>General</u>	<u>2,109,000</u>	<u>1,959,000</u>
13.21 <u>Environmental</u>	<u>7,142,000</u>	<u>7,142,000</u>
13.22 <u>Remediation</u>	<u>234,000</u>	<u>234,000</u>

13.23 (a) \$1,959,000 the first year and \$1,959,000
 13.24 the second year are for grants to delegated
 13.25 counties to administer the county feedlot
 13.26 program under Minnesota Statutes, section
 13.27 116.0711, subdivisions 2 and 3. Money
 13.28 remaining after the first year is available for
 13.29 the second year.

13.30 (b) \$208,000 the first year and \$208,000 the
 13.31 second year are from the environmental fund
 13.32 for the costs of implementing general
 13.33 operating permits for feedlots over 1,000
 13.34 animal units.

14.1 (c) \$122,000 the first year and \$122,000 the
 14.2 second year are from the remediation fund for
 14.3 the leaking underground storage tank program
 14.4 to investigate, clean up, and prevent future
 14.5 releases from underground petroleum storage
 14.6 tanks and for the petroleum remediation
 14.7 program for vapor assessment and
 14.8 remediation. These same annual amounts are
 14.9 transferred from the petroleum tank fund to
 14.10 the remediation fund.

14.11 (d) \$150,000 the first year is for a grant to the
 14.12 Minnesota Association of County Feedlot
 14.13 Officers to develop, in coordination with the
 14.14 Pollution Control Agency and the University
 14.15 of Minnesota Extension program, an online
 14.16 training curriculum related to animal feedlot
 14.17 requirements under Minnesota Rules, chapter
 14.18 7020. The curriculum must be developed to:

14.19 (1) provide base-level knowledge to new and
 14.20 existing county feedlot pollution control
 14.21 officers on feedlot registration, permitting,
 14.22 compliance, enforcement, and program
 14.23 administration;

14.24 (2) provide assistance to new and existing
 14.25 county feedlot pollution control officers for
 14.26 working efficiently and effectively with
 14.27 producers; and

14.28 (3) reduce the incidence of manure or nutrients
 14.29 entering surface water or groundwater.

14.30 **Subd. 9. Environmental Quality Board** 1,624,000 1,274,000

14.31	<u>Appropriations by Fund</u>		
14.32		<u>2020</u>	<u>2021</u>
14.33	<u>General</u>	<u>1,431,000</u>	<u>1,081,000</u>
14.34	<u>Environmental</u>	<u>193,000</u>	<u>193,000</u>

- 15.1 \$350,000 the first year is for a grant to the
15.2 Board of Regents of the University of
15.3 Minnesota, Water Resources Center, for a
15.4 comprehensive study of the economic benefits
15.5 of managed aquifer recharge and to make
15.6 recommendations to enhance and replenish
15.7 Minnesota's groundwater resources. This is a
15.8 onetime appropriation. The study must include
15.9 but is not limited to:
- 15.10 (1) examining the potential benefits of
15.11 enhancing groundwater recharge in
15.12 water-stressed areas;
- 15.13 (2) assessing the relationship to changing
15.14 seasonality and intensity of precipitation on
15.15 groundwater recharge rates;
- 15.16 (3) reviewing the approaches to manage
15.17 recharge in geologically appropriate areas;
- 15.18 (4) identifying policy options, costs, and
15.19 barriers to recharging groundwater; and
- 15.20 (5) assessing the economic returns of options
15.21 for groundwater recharge.
- 15.22 In conducting the study, the Water Resources
15.23 Center must convene a stakeholder group and
15.24 provide for public participation. By January
15.25 15, 2021, the Water Resources Center must
15.26 present its findings and recommendations in
15.27 a report submitted to the chairs of the
15.28 legislative committees and divisions with
15.29 jurisdiction over environment and natural
15.30 resources policy.
- 15.31 **Subd. 10. Transfers**
- 15.32 (a) The commissioner must transfer up to
15.33 \$44,000,000 from the environmental fund to

16.1 the remediation fund for purposes of the
16.2 remediation fund under Minnesota Statutes,
16.3 section 116.155, subdivision 2.
16.4 (b) \$1,800,000 the first year is transferred
16.5 from the remediation fund to the dry cleaner
16.6 environmental response and reimbursement
16.7 account for purposes of Minnesota Statutes,
16.8 section 115B.49. By January 15, 2020, the
16.9 commissioner of the Pollution Control Agency
16.10 must submit a report to the chairs and ranking
16.11 minority members of the legislative
16.12 committees and divisions with jurisdiction
16.13 over environment and natural resources
16.14 finance that includes an assessment of the
16.15 possibility of recovering environmental
16.16 response costs from insurance held by dry
16.17 cleaning facilities.

16.18 **Subd. 11. Cancellations**

16.19 (a) The unencumbered amount of the
16.20 environmental fund appropriation in Laws
16.21 2016, chapter 189, article 3, section 2,
16.22 subdivision 2, for technical assistance and
16.23 review of municipal wastewater infrastructure
16.24 projects, estimated to be \$373,000, is canceled
16.25 on June 30, 2019.

16.26 (b) The unencumbered amount of the closed
16.27 landfill investment fund appropriation in Laws
16.28 2017, chapter 93, article 1, section 2,
16.29 subdivision 6, for settling obligations, remedial
16.30 investigations, feasibility studies, engineering,
16.31 and cleanup-related activities for purposes of
16.32 environmental response actions at a priority
16.33 qualified facility, estimated to be \$1,622,000,
16.34 is canceled on June 30, 2019.

17.1 EFFECTIVE DATE. Subdivision 11 is effective the day following final enactment.

17.2 Sec. 3. NATURAL RESOURCES

17.3 Subdivision 1. Total Appropriation \$ 318,083,000 \$ 318,624,000

17.4 Appropriations by Fund

	<u>2020</u>	<u>2021</u>
17.5		
17.6	<u>94,866,000</u>	<u>95,220,000</u>
17.7	<u>112,214,000</u>	<u>110,031,000</u>
17.8	<u>110,382,000</u>	<u>112,746,000</u>
17.9	<u>106,000</u>	<u>109,000</u>
17.10	<u>515,000</u>	<u>518,000</u>

17.11 The amounts that may be spent for each
17.12 purpose are specified in the following
17.13 subdivisions.

17.14 Subd. 2. Land and Mineral Resources
17.15 Management

6,324,000 6,406,000

17.16 Appropriations by Fund

	<u>2020</u>	<u>2021</u>
17.17		
17.18	<u>1,825,000</u>	<u>1,846,000</u>
17.19	<u>3,940,000</u>	<u>3,998,000</u>
17.20	<u>344,000</u>	<u>344,000</u>
17.21	<u>215,000</u>	<u>218,000</u>

17.22 (a) \$319,000 the first year and \$319,000 the
17.23 second year are for environmental research
17.24 relating to mine permitting, of which \$200,000
17.25 each year is from the minerals management
17.26 account and \$119,000 each year is from the
17.27 general fund.

17.28 (b) \$3,032,000 the first year and \$3,083,000
17.29 the second year are from the minerals
17.30 management account in the natural resources
17.31 fund for use as provided under Minnesota
17.32 Statutes, section 93.2236, paragraph (c), for
17.33 mineral resource management, projects to
17.34 enhance future mineral income, and projects

18.1 to promote new mineral-resource
 18.2 opportunities.
 18.3 (c) \$215,000 the first year and \$218,000 the
 18.4 second year are from the state forest suspense
 18.5 account in the permanent school fund to secure
 18.6 maximum long-term economic return from
 18.7 the school trust lands consistent with fiduciary
 18.8 responsibilities and sound natural resources
 18.9 conservation and management principles.

18.10 **Subd. 3. Ecological and Water Resources** 39,543,000 40,032,000

	<u>Appropriations by Fund</u>	
	<u>2020</u>	<u>2021</u>
18.11		
18.12		
18.13	<u>18,718,000</u>	<u>18,922,000</u>
18.14	<u>15,414,000</u>	<u>15,586,000</u>
18.15	<u>5,411,000</u>	<u>5,524,000</u>

18.16 (a) \$5,493,000 the first year and \$5,542,000
 18.17 the second year are from the invasive species
 18.18 account in the natural resources fund and
 18.19 \$3,206,000 the first year and \$3,206,000 the
 18.20 second year are from the general fund for
 18.21 management, public awareness, assessment
 18.22 and monitoring research, and water access
 18.23 inspection to prevent the spread of invasive
 18.24 species; management of invasive plants in
 18.25 public waters; and management of terrestrial
 18.26 invasive species on state-administered lands.

18.27 (b) \$500,000 the first year and \$500,000 the
 18.28 second year are from the invasive species
 18.29 account in the natural resources fund for grants
 18.30 to lake associations to manage aquatic invasive
 18.31 plant species.

18.32 (c) \$1,000,000 the first year and \$1,000,000
 18.33 the second year are from the invasive species
 18.34 research account in the natural resources fund

- 19.1 for grants for the Minnesota Aquatic Invasive
19.2 Species Research Center.
- 19.3 (d) \$5,476,000 the first year and \$5,556,000
19.4 the second year are from the water
19.5 management account in the natural resources
19.6 fund for only the purposes specified in
19.7 Minnesota Statutes, section 103G.27,
19.8 subdivision 2.
- 19.9 (e) \$124,000 the first year and \$124,000 the
19.10 second year are for a grant to the Mississippi
19.11 Headwaters Board for up to 50 percent of the
19.12 cost of implementing the comprehensive plan
19.13 for the upper Mississippi within areas under
19.14 the board's jurisdiction.
- 19.15 (f) \$10,000 the first year and \$10,000 the
19.16 second year are for payment to the Leech Lake
19.17 Band of Chippewa Indians to implement the
19.18 band's portion of the comprehensive plan for
19.19 the upper Mississippi River.
- 19.20 (g) \$264,000 the first year and \$264,000 the
19.21 second year are for grants for up to 50 percent
19.22 of the cost of implementing the Red River
19.23 mediation agreement.
- 19.24 (h) \$2,259,000 the first year and \$2,298,000
19.25 the second year are from the heritage
19.26 enhancement account in the game and fish
19.27 fund for only the purposes specified in
19.28 Minnesota Statutes, section 297A.94,
19.29 paragraph (h), clause (1).
- 19.30 (i) \$971,000 the first year and \$985,000 the
19.31 second year are from the nongame wildlife
19.32 management account in the natural resources
19.33 fund for nongame wildlife management.
19.34 Notwithstanding Minnesota Statutes, section

- 20.1 290.431, \$100,000 the first year and \$100,000
20.2 the second year may be used for nongame
20.3 wildlife information, education, and
20.4 promotion.
- 20.5 (j) Notwithstanding Minnesota Statutes,
20.6 section 84.943, \$13,000 the first year and
20.7 \$13,000 the second year from the critical
20.8 habitat private sector matching account may
20.9 be used to publicize the critical habitat license
20.10 plate match program.
- 20.11 (k) \$6,000,000 the first year and \$6,000,000
20.12 the second year are for the following activities:
- 20.13 (1) financial reimbursement and technical
20.14 support to soil and water conservation districts
20.15 or other local units of government for
20.16 groundwater-level monitoring;
- 20.17 (2) surface water monitoring and analysis,
20.18 including installing monitoring gauges;
- 20.19 (3) groundwater analysis to assist with
20.20 water-appropriation permitting decisions;
- 20.21 (4) permit application review incorporating
20.22 surface water and groundwater technical
20.23 analysis;
- 20.24 (5) precipitation data and analysis to improve
20.25 irrigation use;
- 20.26 (6) information technology, including
20.27 electronic permitting and integrated data
20.28 systems; and
- 20.29 (7) compliance and monitoring.
- 20.30 (l) \$410,000 the first year and \$410,000 the
20.31 second year are from the heritage enhancement
20.32 account in the game and fish fund for grants
20.33 to the Minnesota Aquatic Invasive Species

21.1 Research Center at the University of
 21.2 Minnesota to prioritize, support, and develop
 21.3 research-based solutions that can reduce the
 21.4 effects of aquatic invasive species in
 21.5 Minnesota by preventing spread, controlling
 21.6 populations, and managing ecosystems and to
 21.7 advance knowledge to inspire actions by
 21.8 others.

21.9 (m) \$50,000 the first year is for grants to local
 21.10 units of government for removing storm debris
 21.11 from Roberds Lake. This is a onetime
 21.12 appropriation.

21.13 **Subd. 4. Forest Management** 51,968,000 52,603,000

21.14	<u>Appropriations by Fund</u>	
21.15	<u>2020</u>	<u>2021</u>
21.16	<u>General</u>	<u>34,451,000</u> <u>34,800,000</u>
21.17	<u>Natural Resources</u>	<u>16,119,000</u> <u>16,386,000</u>
21.18	<u>Game and Fish</u>	<u>1,398,000</u> <u>1,417,000</u>

21.19 (a) \$7,521,000 the first year and \$7,521,000
 21.20 the second year are for prevention,
 21.21 presuppression, and suppression costs of
 21.22 emergency firefighting and other costs
 21.23 incurred under Minnesota Statutes, section
 21.24 88.12. The amount necessary to pay for
 21.25 presuppression and suppression costs during
 21.26 the biennium is appropriated from the general
 21.27 fund. By January 15 of each year, the
 21.28 commissioner of natural resources must submit
 21.29 a report to the chairs and ranking minority
 21.30 members of the house and senate committees
 21.31 and divisions having jurisdiction over
 21.32 environment and natural resources finance that
 21.33 identifies all firefighting costs incurred and
 21.34 reimbursements received in the prior fiscal
 21.35 year. These appropriations may not be

- 22.1 transferred. Any reimbursement of firefighting
22.2 expenditures made to the commissioner from
22.3 any source other than federal mobilizations
22.4 must be deposited into the general fund.
- 22.5 (b) \$15,119,000 the first year and \$15,386,000
22.6 the second year are from the forest
22.7 management investment account in the natural
22.8 resources fund for only the purposes specified
22.9 in Minnesota Statutes, section 89.039,
22.10 subdivision 2.
- 22.11 (c) \$1,398,000 the first year and \$1,417,000
22.12 the second year are from the heritage
22.13 enhancement account in the game and fish
22.14 fund to advance ecological classification
22.15 systems (ECS) scientific management tools
22.16 for forest and invasive species management.
- 22.17 (d) \$836,000 the first year and \$847,000 the
22.18 second year are for the Forest Resources
22.19 Council to implement the Sustainable Forest
22.20 Resources Act.
- 22.21 (e) \$1,131,000 the first year and \$1,131,000
22.22 the second year are for the Next Generation
22.23 Core Forestry data system.
- 22.24 (f) \$500,000 the first year and \$500,000 the
22.25 second year are from the forest management
22.26 investment account in the natural resources
22.27 fund for forest road maintenance on state
22.28 forest roads.
- 22.29 (g) \$500,000 the first year and \$500,000 the
22.30 second year are for forest road maintenance
22.31 on county forest roads.
- 22.32 (h) \$500,000 the first year and \$500,000 the
22.33 second year are for grants to local units of
22.34 government to develop community ash

23.1 management plans; to identify and convert ash
 23.2 stands to more diverse, climate-adapted
 23.3 species; and to replace removed ash trees.

23.4 (i) \$500,000 the first year and \$500,000 the
 23.5 second year are from the forest management
 23.6 investment account in the natural resources
 23.7 fund to identify and convert ash forests on
 23.8 state lands to climate-adapted species.

23.9 (j) \$1,000,000 the first year and \$1,000,000
 23.10 the second year are for grants to remove and
 23.11 dispose of ash trees within counties
 23.12 quarantined for emerald ash borer. The base
 23.13 for this appropriation in fiscal year 2022 and
 23.14 later is \$655,000.

23.15 (k) Grants awarded under paragraphs (h) and
 23.16 (j) may cover up to 75 percent of eligible costs
 23.17 and may not exceed \$500,000. Matching
 23.18 grants provided through these appropriations
 23.19 are available to cities, counties, regional
 23.20 authorities, joint powers boards, towns, and
 23.21 parks and recreation boards in cities of the
 23.22 first class. The commissioner, in consultation
 23.23 with the commissioner of agriculture, must
 23.24 establish appropriate criteria for determining
 23.25 funding priorities between submitted requests
 23.26 and to determine activities and expenses that
 23.27 qualify to meet local match requirements.

23.28 Money appropriated for grants under
 23.29 paragraphs (h) and (j) may be used to pay
 23.30 reasonable costs incurred by the commissioner
 23.31 of natural resources to administer paragraphs
 23.32 (h) and (j).

23.33 **Subd. 5. Parks and Trails Management** 92,085,000 89,486,000

23.34 Appropriations by Fund

23.35 2020 2021

24.1	<u>General</u>	<u>27,143,000</u>	<u>27,480,000</u>
24.2	<u>Natural Resources</u>	<u>62,650,000</u>	<u>59,706,000</u>
24.3	<u>Game and Fish</u>	<u>2,292,000</u>	<u>2,300,000</u>

24.4 (a) \$1,075,000 the first year and \$1,075,000
 24.5 the second year are from the water recreation
 24.6 account in the natural resources fund for
 24.7 enhancing public water-access facilities.

24.8 (b) \$6,344,000 the first year and \$6,435,000
 24.9 the second year are from the natural resources
 24.10 fund for state trail, park, and recreation area
 24.11 operations. This appropriation is from revenue
 24.12 deposited in the natural resources fund under
 24.13 Minnesota Statutes, section 297A.94,
 24.14 paragraph (h), clause (2).

24.15 (c) \$18,552,000 the first year and \$18,828,000
 24.16 the second year are from the state parks
 24.17 account in the natural resources fund to
 24.18 operate and maintain state parks and state
 24.19 recreation areas.

24.20 (d) \$890,000 the first year and \$890,000 the
 24.21 second year are from the natural resources
 24.22 fund for park and trail grants to local units of
 24.23 government on land to be maintained for at
 24.24 least 20 years for parks or trails. This
 24.25 appropriation is from revenue deposited in the
 24.26 natural resources fund under Minnesota
 24.27 Statutes, section 297A.94, paragraph (h),
 24.28 clause (4). Any unencumbered balance does
 24.29 not cancel at the end of the first year and is
 24.30 available for the second year.

24.31 (e) \$9,624,000 the first year and \$9,624,000
 24.32 the second year are from the snowmobile trails
 24.33 and enforcement account in the natural
 24.34 resources fund for the snowmobile
 24.35 grants-in-aid program. Any unencumbered

- 25.1 balance does not cancel at the end of the first
25.2 year and is available for the second year.
- 25.3 (f) \$2,135,000 the first year and \$2,135,000
25.4 the second year are from the natural resources
25.5 fund for the off-highway vehicle grants-in-aid
25.6 program. Of this amount, \$1,660,000 each
25.7 year is from the all-terrain vehicle account;
25.8 \$150,000 each year is from the off-highway
25.9 motorcycle account; and \$325,000 each year
25.10 is from the off-road vehicle account. Any
25.11 unencumbered balance does not cancel at the
25.12 end of the first year and is available for the
25.13 second year.
- 25.14 (g) \$116,000 the first year and \$117,000 the
25.15 second year are from the cross-country-ski
25.16 account in the natural resources fund for
25.17 grooming and maintaining cross-country-ski
25.18 trails in state parks, trails, and recreation areas.
- 25.19 (h) \$266,000 the first year and \$269,000 the
25.20 second year are from the state land and water
25.21 conservation account in the natural resources
25.22 fund for priorities established by the
25.23 commissioner for eligible state projects and
25.24 administrative and planning activities
25.25 consistent with Minnesota Statutes, section
25.26 84.0264, and the federal Land and Water
25.27 Conservation Fund Act. Any unencumbered
25.28 balance does not cancel at the end of the first
25.29 year and is available for the second year.
- 25.30 (i) \$250,000 the first year and \$250,000 the
25.31 second year are for matching grants for local
25.32 parks and outdoor recreation areas under
25.33 Minnesota Statutes, section 85.019,
25.34 subdivision 2.

- 26.1 (j) \$250,000 the first year and \$250,000 the
26.2 second year are for matching grants for local
26.3 trail connections under Minnesota Statutes,
26.4 section 85.019, subdivision 4c.
- 26.5 (k) \$600,000 the first year is from the
26.6 all-terrain vehicle account in the natural
26.7 resources fund for grants to St. Louis County.
26.8 Of this amount, \$100,000 is for a grant to St.
26.9 Louis County for an environmental assessment
26.10 worksheet for the overall construction of the
26.11 Voyageur Country ATV Trail system and
26.12 connections, and \$500,000 is for a grant to St.
26.13 Louis County to design, plan, permit, acquire
26.14 right-of-way for, and construct Voyageur
26.15 Country ATV Trail from Buyck to Holmes
26.16 Logging Road and to Shuster Road toward
26.17 Cook. This is a onetime appropriation.
- 26.18 (l) \$2,400,000 the first year is from the
26.19 all-terrain vehicle account in the natural
26.20 resources fund. Of this amount, \$1,300,000 is
26.21 for a grant to Lake County to match other
26.22 funding sources to develop the Prospector
26.23 Loop Trail system and \$1,100,000 is for
26.24 acquisition, design, environmental review,
26.25 permitting, and construction for all-terrain
26.26 vehicle use on the Taconite State Trail
26.27 between Ely and Purvis Forest Management
26.28 Road.
- 26.29 (m) \$950,000 the first year and \$950,000 the
26.30 second year are from the all-terrain vehicle
26.31 account in the natural resources fund for grants
26.32 to St. Louis County for the Quad Cities ATV
26.33 Club trail construction program for planning,
26.34 design, environmental permitting, right-of-way
26.35 acquisition, and construction of up to 24 miles

27.1 of trail connecting the cities of Mountain Iron,
27.2 Virginia, Eveleth, and Gilbert to the
27.3 Laurentian Divide, County Road 303, the
27.4 Taconite State Trail, and Biwabik and from
27.5 Pfeiffer Lake Forest Road to County Road
27.6 361. This is a onetime appropriation.

27.7 (n) \$250,000 the first year and \$250,000 the
27.8 second year are for grants for
27.9 natural-resource-based education and
27.10 recreation programs under Minnesota Statutes,
27.11 section 84.976. This is a onetime
27.12 appropriation.

27.13 (o) \$50,000 the first year is from the state
27.14 parks account in the natural resources fund for
27.15 signs and other activities necessary to rename
27.16 St. Croix State Park to Walter F. Mondale
27.17 State Park.

27.18 (p) \$260,000 the first year is from the state
27.19 parks account in the natural resources fund for
27.20 the operation of Hill-Annex Mine State Park
27.21 in fiscal years 2020 to 2023. In fiscal years
27.22 2020 to 2023, the commissioner must operate
27.23 the park to at least the level of service and
27.24 hours of operation as in fiscal year 2019,
27.25 including care and maintenance of park
27.26 facilities consistent with the purposes for
27.27 which the park was originally established. This
27.28 is a onetime appropriation, is in addition to
27.29 funds budgeted by or otherwise available to
27.30 the commissioner for this park, and is
27.31 available until June 30, 2023.

27.32 (q) \$150,000 the first year is from the
27.33 all-terrain vehicle account in the natural
27.34 resources fund for a grant to Crow Wing
27.35 County to plan and design a multipurpose

28.1 bridge on the Mississippi River Northwoods
 28.2 Trail across Sand Creek located five miles
 28.3 northeast of Brainerd along the Mississippi
 28.4 River.

28.5 (r) \$75,000 the first year is from the
 28.6 off-highway motorcycle account in the natural
 28.7 resources fund to complete a master plan for
 28.8 off-highway motorcycle trail planning and
 28.9 development.

28.10 **Subd. 6. Fish and Wildlife Management** 78,236,000 79,070,000

28.11	<u>Appropriations by Fund</u>	
28.12	<u>2020</u>	<u>2021</u>
28.13 <u>General</u>	<u>2,060,000</u>	<u>1,460,000</u>
28.14 <u>Natural Resources</u>	<u>1,954,000</u>	<u>1,982,000</u>
28.15 <u>Game and Fish</u>	<u>74,222,000</u>	<u>75,628,000</u>

28.16 (a) \$8,539,000 the first year and \$8,658,000
 28.17 the second year are from the heritage
 28.18 enhancement account in the game and fish
 28.19 fund only for activities specified under
 28.20 Minnesota Statutes, section 297A.94,
 28.21 paragraph (h), clause (1). Notwithstanding
 28.22 Minnesota Statutes, section 297A.94, five
 28.23 percent of this appropriation may be used for
 28.24 expanding hunter and angler recruitment and
 28.25 retention.

28.26 (b) \$2,060,000 the first year and \$1,460,000
 28.27 the second year are for planning for and
 28.28 emergency response to disease outbreaks in
 28.29 wildlife. Of this amount, \$50,000 the first year
 28.30 is to establish a chronic wasting disease
 28.31 adopt-a-dumpster program; \$50,000 the first
 28.32 year is to develop guidelines for handling,
 28.33 transporting, processing, and disposing of deer
 28.34 carcasses as required in this act; and \$500,000
 28.35 the first year is for a grant to the Board of

29.1 Regents of the University of Minnesota for
29.2 the Chronic Wasting Disease Response,
29.3 Research, and Policy Program. The
29.4 commissioner and board must each submit
29.5 quarterly reports on the activities funded under
29.6 this paragraph to the chairs and ranking
29.7 minority members of the legislative
29.8 committees and divisions with jurisdiction
29.9 over environment and natural resources and
29.10 agriculture. Base funding for this activity is
29.11 \$1,100,000 in fiscal year 2022 and thereafter.

29.12 (c) \$8,546,000 the first year and \$8,546,000
29.13 the second year are from the deer management
29.14 account for the purposes identified in
29.15 Minnesota Statutes, section 97A.075,
29.16 subdivision 1.

29.17 (d) \$250,000 the first year and \$250,000 the
29.18 second year are from the game and fish fund
29.19 for the walk-in access program under
29.20 Minnesota Statutes, section 97A.126.

29.21 (e) Notwithstanding Minnesota Statutes,
29.22 section 297A.94, \$100,000 the first year and
29.23 \$100,000 the second year are from the heritage
29.24 enhancement account in the game and fish
29.25 fund for shooting sports facility grants under
29.26 Minnesota Statutes, section 87A.10, including
29.27 grants for archery facilities. Grants must be
29.28 matched with a nonstate match, which may
29.29 include in-kind contributions. This is a
29.30 onetime appropriation.

29.31 (f) Notwithstanding Minnesota Statutes,
29.32 section 297A.94, \$10,000 the first year is from
29.33 the heritage enhancement account in the game
29.34 and fish fund for implementing nontoxic shot

30.1 requirements under Minnesota Statutes,
30.2 section 97B.673.

30.3 Subd. 7. Enforcement 46,210,000 47,810,000

30.4 Appropriations by Fund

30.5	<u>2020</u>	<u>2021</u>
30.6 <u>General</u>	<u>7,632,000</u>	<u>8,175,000</u>
30.7 <u>Natural Resources</u>	<u>11,757,000</u>	<u>11,993,000</u>
30.8 <u>Game and Fish</u>	<u>26,715,000</u>	<u>27,533,000</u>
30.9 <u>Remediation</u>	<u>106,000</u>	<u>109,000</u>

30.10 (a) \$1,718,000 the first year and \$1,718,000
30.11 the second year are from the general fund for
30.12 enforcement efforts to prevent the spread of
30.13 aquatic invasive species.

30.14 (b) \$1,580,000 the first year and \$1,580,000
30.15 the second year are from the heritage
30.16 enhancement account in the game and fish
30.17 fund for only the purposes specified under
30.18 Minnesota Statutes, section 297A.94,
30.19 paragraph (h), clause (1).

30.20 (c) \$1,182,000 the first year and \$1,182,000
30.21 the second year are from the water recreation
30.22 account in the natural resources fund for grants
30.23 to counties for boat and water safety. Any
30.24 unencumbered balance does not cancel at the
30.25 end of the first year and is available for the
30.26 second year.

30.27 (d) \$315,000 the first year and \$315,000 the
30.28 second year are from the snowmobile trails
30.29 and enforcement account in the natural
30.30 resources fund for grants to local law
30.31 enforcement agencies for snowmobile
30.32 enforcement activities. Any unencumbered
30.33 balance does not cancel at the end of the first
30.34 year and is available for the second year.

31.1 (e) \$250,000 the first year and \$250,000 the
31.2 second year are from the all-terrain vehicle
31.3 account in the natural resources fund for grants
31.4 to qualifying organizations to assist in safety
31.5 and environmental education and monitoring
31.6 trails on public lands under Minnesota
31.7 Statutes, section 84.9011. Grants issued under
31.8 this paragraph must be issued through a formal
31.9 agreement with the organization. By
31.10 December 15 each year, an organization
31.11 receiving a grant under this paragraph must
31.12 report to the commissioner with details on
31.13 expenditures and outcomes from the grant. Of
31.14 this appropriation, \$25,000 each year is for
31.15 administering these grants. Any unencumbered
31.16 balance does not cancel at the end of the first
31.17 year and is available for the second year.

31.18 (f) \$510,000 the first year and \$510,000 the
31.19 second year are from the natural resources
31.20 fund for grants to county law enforcement
31.21 agencies for off-highway vehicle enforcement
31.22 and public education activities based on
31.23 off-highway vehicle use in the county. Of this
31.24 amount, \$498,000 each year is from the
31.25 all-terrain vehicle account, \$11,000 each year
31.26 is from the off-highway motorcycle account,
31.27 and \$1,000 each year is from the off-road
31.28 vehicle account. The county enforcement
31.29 agencies may use money received under this
31.30 appropriation to make grants to other local
31.31 enforcement agencies within the county that
31.32 have a high concentration of off-highway
31.33 vehicle use. Of this appropriation, \$25,000
31.34 each year is for administering these grants.
31.35 Any unencumbered balance does not cancel

32.1 at the end of the first year and is available for
32.2 the second year.

32.3 (g) \$176,000 the first year and \$176,000 the
32.4 second year are from the game and fish fund
32.5 for an ice safety program.

32.6 (h) \$60,000 the first year and \$4,000 the
32.7 second year are from the game and fish fund
32.8 to provide outreach and education, in
32.9 coordination with interested organizations, to
32.10 communities concerned about cultural artifacts
32.11 regarding the new requirements established
32.12 under Minnesota Statutes, section 84.0896.

32.13 (i) The base for fiscal year 2022 and thereafter
32.14 is \$7,553,000 from the general fund,
32.15 \$27,955,000 from the game and fish fund,
32.16 \$12,080,000 from the natural resources fund,
32.17 and \$111,000 from the remediation fund.

32.18 These base level adjustments include pension
32.19 costs as provided in Laws 2018, chapter 211,
32.20 article 21, section 1, paragraph (a).

32.21 **Subd. 8. Operations Support** 2,850,000 2,350,000

32.22 (a) \$2,000,000 the first year and \$1,500,000
32.23 the second year are available for legal costs.
32.24 Of this amount, up to \$500,000 the first year
32.25 and \$375,000 the second year may be
32.26 transferred to the Minnesota Pollution Control
32.27 Agency. This is a onetime appropriation and
32.28 is available until June 30, 2023.

32.29 (b) \$850,000 the first year and \$850,000 the
32.30 second year are available for protecting the
32.31 department's business systems and associated
32.32 infrastructure.

33.1 **Subd. 9. Pass Through Funds** 867,000 867,000

33.2 Appropriations by Fund

33.3 2020 2021

33.4 General 187,000 187,000

33.5 Natural Resources 380,000 380,000

33.6 Permanent School 300,000 300,000

33.7 (a) \$380,000 the first year and \$380,000 the
 33.8 second year are from the natural resources
 33.9 fund for grants to be divided equally between
 33.10 the city of St. Paul for the Como Park Zoo and
 33.11 Conservatory and the city of Duluth for the
 33.12 Lake Superior Zoo. This appropriation is from
 33.13 revenue deposited to the natural resources fund
 33.14 under Minnesota Statutes, section 297A.94,
 33.15 paragraph (h), clause (5).

33.16 (b) \$187,000 the first year and \$187,000 the
 33.17 second year are for the Office of School Trust
 33.18 Lands.

33.19 (c) \$300,000 the first year and \$300,000 the
 33.20 second year are from the forestry suspense
 33.21 account in the permanent school fund for the
 33.22 Office of School Trust Lands.

33.23 **Subd. 11. Cancellation**

33.24 The unencumbered amount of the general fund
 33.25 appropriation in Laws 2016, chapter 189,
 33.26 article 3, section 3, subdivision 8, for legal
 33.27 costs, estimated to be \$500,000, is canceled
 33.28 on June 30, 2019.

33.29 **EFFECTIVE DATE.** Subdivision 11 is effective the day following final enactment.

33.30 **Sec. 4. BOARD OF WATER AND SOIL**
 33.31 **RESOURCES**

\$ 19,963,000 \$ 18,931,000

33.32 (a) \$3,423,000 the first year and \$3,423,000
 33.33 the second year are for natural resources block
 33.34 grants to local governments to implement the

34.1 Wetland Conservation Act and shoreland
34.2 management under Minnesota Statutes,
34.3 chapter 103F, and local water management
34.4 under Minnesota Statutes, chapter 103B. The
34.5 board may reduce the amount of the natural
34.6 resources block grant to a county by an
34.7 amount equal to any reduction in the county's
34.8 general services allocation to a soil and water
34.9 conservation district from the county's
34.10 previous year allocation when the board
34.11 determines that the reduction was
34.12 disproportionate.

34.13 (b) \$3,116,000 the first year and \$3,116,000
34.14 the second year are for grants to soil and water
34.15 conservation districts for the purposes of
34.16 Minnesota Statutes, sections 103C.321 and
34.17 103C.331, and for general purposes, nonpoint
34.18 engineering, and implementation and
34.19 stewardship of the reinvest in Minnesota
34.20 reserve program. Expenditures may be made
34.21 from these appropriations for supplies and
34.22 services benefiting soil and water conservation
34.23 districts. Any district receiving a payment
34.24 under this paragraph must maintain a web page
34.25 that publishes, at a minimum, its annual report,
34.26 annual audit, annual budget, and meeting
34.27 notices.

34.28 (c) \$761,000 the first year and \$761,000 the
34.29 second year are to implement, enforce, and
34.30 provide oversight for the Wetland
34.31 Conservation Act, including administering the
34.32 wetland banking program and in-lieu fee
34.33 mechanism.

- 35.1 (d) \$1,560,000 the first year and \$1,560,000
35.2 the second year are for the following
35.3 cost-share programs:
- 35.4 (1) \$260,000 each year is for the feedlot water
35.5 quality cost-sharing program for feedlots under
35.6 500 animal units and nutrient and manure
35.7 management projects in watersheds where
35.8 there are impaired waters;
- 35.9 (2) \$1,200,000 each year is for cost-sharing
35.10 programs of soil and water conservation
35.11 districts for perennially vegetated riparian
35.12 buffers, erosion control, water retention and
35.13 treatment, and other high-priority conservation
35.14 practices; and
- 35.15 (3) \$100,000 each year is for county
35.16 cooperative weed management programs and
35.17 to restore native plants in selected invasive
35.18 species management sites.
- 35.19 (e) \$166,000 the first year and \$166,000 the
35.20 second year are to provide technical assistance
35.21 to local drainage management officials and
35.22 for the costs of the Drainage Work Group. The
35.23 board must coordinate with the Drainage Work
35.24 Group according to Minnesota Statutes,
35.25 section 103B.101, subdivision 13.
- 35.26 (f) \$100,000 the first year and \$100,000 the
35.27 second year are for a grant to the Red River
35.28 Basin Commission for water quality and
35.29 floodplain management, including
35.30 administration of programs. This appropriation
35.31 must be matched by nonstate funds.
- 35.32 (g) \$140,000 the first year and \$140,000 the
35.33 second year are for grants to Area II

- 36.1 Minnesota River Basin Projects for floodplain
36.2 management.
- 36.3 (h) \$125,000 the first year and \$125,000 the
36.4 second year are for conservation easement
36.5 stewardship.
- 36.6 (i) \$269,000 the first year and \$259,000 the
36.7 second year are for critical information
36.8 technology upgrades, development, and
36.9 security improvements.
- 36.10 (j) \$240,000 the first year and \$240,000 the
36.11 second year are for a grant to the Lower
36.12 Minnesota River Watershed District to defray
36.13 the annual cost of operating and maintaining
36.14 sites for dredge spoil to sustain the state,
36.15 national, and international commercial and
36.16 recreational navigation on the lower Minnesota
36.17 River.
- 36.18 (k) \$3,500,000 the first year and \$3,500,000
36.19 the second year are for payments to soil and
36.20 water conservation districts for the purposes
36.21 of Minnesota Statutes, sections 103C.321 and
36.22 103C.331. This is a onetime appropriation.
- 36.23 (l) \$150,000 the first year is for:
- 36.24 (1) identifying and listing ineligible materials
36.25 under Minnesota Statutes, section 103F.49;
- 36.26 (2) assessing the viability of replacing plastic
36.27 materials used in conservation and
36.28 bioengineering projects with similarly
36.29 designed organic materials; and
- 36.30 (3) by November 1, 2020, preparing and
36.31 submitting a report to the chairs and ranking
36.32 minority members of the committees and

37.1 divisions with jurisdiction over environment
37.2 and natural resources with:
37.3 (i) criteria to be used by the board for
37.4 identifying and listing materials under
37.5 Minnesota Statutes, section 103F.49;
37.6 (ii) recommendations for implementing
37.7 Minnesota Statutes, section 103F.49, including
37.8 a process for reviewing and updating the list;
37.9 and
37.10 (iii) results of the assessment under clause (2)
37.11 and any related recommendations.
37.12 The board must consult with the United States
37.13 Department of Agriculture and the
37.14 commissioners of natural resources,
37.15 transportation, and the Pollution Control
37.16 Agency and may contract with the University
37.17 of Minnesota as necessary for the purposes of
37.18 this appropriation. This is a onetime
37.19 appropriation and is available until June 30,
37.20 2022.
37.21 (m) \$400,000 the first year is to provide
37.22 onetime state incentive payments to enrollees
37.23 in the federal Conservation Reserve Program
37.24 (CRP) and its derivative programs available
37.25 in Minnesota. The board may establish
37.26 payment rates based on land valuation and on
37.27 environmental benefit criteria, including but
37.28 not limited to reducing nutrients in surface
37.29 water or groundwater, protecting drinking
37.30 water, enhancing soil health, and enhancing
37.31 pollinator and wildlife habitat. The board may
37.32 use state funds to implement the program and
37.33 to provide technical assistance to landowners
37.34 or their agents to fulfill enrollment and

38.1 contract provisions. This is a onetime
38.2 appropriation and is available until June 30,
38.3 2023.

38.4 (n) \$387,000 the first year and \$250,000 the
38.5 second year are to provide grants or payments
38.6 to plant residential lawns with native
38.7 vegetation and pollinator-friendly forbs and
38.8 legumes. The board must establish criteria for
38.9 grants or payments awarded under this section.
38.10 Grants or payments awarded under this section
38.11 may be made for up to 75 percent of the costs
38.12 of the project, except that in areas identified
38.13 by the United States Fish and Wildlife Service
38.14 as areas where there is a high potential for
38.15 rusty patched bumble bees to be present,
38.16 grants may be awarded for up to 90 percent
38.17 of the costs of the project. This is a onetime
38.18 appropriation.

38.19 (o) \$150,000 the first year is to prepare a
38.20 statewide action plan for soil health in
38.21 cooperation with the University of Minnesota
38.22 Water Resources Center and in consultation
38.23 with the commissioners of agriculture, natural
38.24 resources, and the Pollution Control Agency.
38.25 The plan must include recommendations for
38.26 protecting and improving the state's soil health
38.27 for agricultural and water quality purposes,
38.28 including recommendations for research and
38.29 outreach. By February 15, 2020, the plan must
38.30 be submitted to the chairs and ranking
38.31 minority members of the house of
38.32 representatives and senate committees and
38.33 divisions with jurisdiction over agriculture
38.34 and environment and natural resources policy.
38.35 This is a onetime appropriation.

40.1 (a) \$2,540,000 the first year and \$2,540,000
 40.2 the second year are for metropolitan-area
 40.3 regional parks operation and maintenance
 40.4 according to Minnesota Statutes, section
 40.5 473.351.

40.6 (b) \$6,600,000 the first year and \$6,600,000
 40.7 the second year are from the natural resources
 40.8 fund for metropolitan-area regional parks and
 40.9 trails maintenance and operations. This
 40.10 appropriation is from revenue deposited in the
 40.11 natural resources fund under Minnesota
 40.12 Statutes, section 297A.94, paragraph (h),
 40.13 clause (3).

40.14 **Sec. 6. CONSERVATION CORPS**
 40.15 **MINNESOTA** \$ **945,000** \$ **945,000**

40.16	<u>Appropriations by Fund</u>	
40.17	<u>2020</u>	<u>2021</u>
40.18	<u>455,000</u>	<u>455,000</u>
40.19	<u>490,000</u>	<u>490,000</u>

40.20 Conservation Corps Minnesota may receive
 40.21 money appropriated from the natural resources
 40.22 fund under this section only as provided in an
 40.23 agreement with the commissioner of natural
 40.24 resources.

40.25 **Sec. 7. ZOOLOGICAL BOARD** \$ **10,394,000** \$ **9,999,000**

40.26	<u>Appropriations by Fund</u>	
40.27	<u>2020</u>	<u>2021</u>
40.28	<u>10,204,000</u>	<u>9,809,000</u>
40.29	<u>190,000</u>	<u>190,000</u>

40.30 (a) \$190,000 the first year and \$190,000 the
 40.31 second year are from the natural resources
 40.32 fund from revenue deposited under Minnesota
 40.33 Statutes, section 297A.94, paragraph (h),
 40.34 clause (5).

41.1 (b) \$499,000 the first year is to upgrade critical
41.2 communication and security technology
41.3 infrastructure. This is a onetime appropriation.

41.4 (c) \$40,000 the first year is for the prairie
41.5 butterfly conservation program. This is a
41.6 onetime appropriation.

41.7 Sec. 8. SCIENCE MUSEUM \$ 1,079,000 \$ 1,079,000

41.8 Sec. 9. EXPLORE MINNESOTA TOURISM \$ 14,394,000 \$ 14,594,000

41.9 \$500,000 the first year and \$500,000 the
41.10 second year must be matched from nonstate
41.11 sources to develop maximum private sector
41.12 involvement in tourism. Each \$1 of state
41.13 incentive must be matched with \$6 of private
41.14 sector money. "Matched" means revenue to
41.15 the state or documented cash expenditures
41.16 directly expended to support Explore
41.17 Minnesota Tourism programs. Up to one-half
41.18 of the private sector contribution may be
41.19 in-kind or soft match. The incentive in fiscal
41.20 year 2020 is based on fiscal year 2019 private
41.21 sector contributions. The incentive in fiscal
41.22 year 2021 is based on fiscal year 2020 private
41.23 sector contributions. This incentive is ongoing.

41.24 Money for marketing grants is available either
41.25 year of the biennium. Unexpended grant
41.26 money from the first year is available in the
41.27 second year.

41.28 \$100,000 each year is for a grant to the
41.29 Northern Lights International Music Festival.

41.30 \$50,000 the first year and \$250,000 the second
41.31 year are for the Minnesota Outdoor Recreation
41.32 Office under Minnesota Statutes, section
41.33 116U.60.

41.34 Sec. 10. CONTINGENT APPROPRIATIONS

- 42.1 Subdivision 1. **Motor Fuels Tax**
- 42.2 (a) The following appropriations are available
- 42.3 only if new revenue is raised from increases
- 42.4 in the motor fuels tax rates under Minnesota
- 42.5 Statutes, sections 296A.07 and 296A.08,
- 42.6 enacted during the 2019 session:
- 42.7 (1) \$300,000 the first year and \$300,000 the
- 42.8 second year are appropriated to the
- 42.9 commissioner of natural resources from the
- 42.10 water recreation account in the natural
- 42.11 resources fund for grants to counties for boat
- 42.12 and water safety. Any unencumbered balance
- 42.13 does not cancel at the end of the first year and
- 42.14 is available for the second year;
- 42.15 (2) \$3,350,000 the first year and \$3,350,000
- 42.16 the second year are appropriated to the
- 42.17 commissioner of natural resources from the
- 42.18 water recreation account in the natural
- 42.19 resources fund for activities of the Division
- 42.20 of Parks and Trails under Minnesota Statutes,
- 42.21 section 86B.706, subdivision 3; and
- 42.22 (3) \$500,000 the first year and \$500,000 the
- 42.23 second year are appropriated to the
- 42.24 commissioner of natural resources from the
- 42.25 all-terrain vehicle account in the natural
- 42.26 resources fund for all-terrain vehicle trail
- 42.27 management.
- 42.28 (b) In the appropriations specified under
- 42.29 paragraph (a), the amounts appropriated are
- 42.30 reduced proportionally, as necessary, if the
- 42.31 legislation enacted in the 2019 legislative
- 42.32 session does not provide sufficient revenue to
- 42.33 the accounts.

43.1 Subd. 2. **Solid Waste Tax**

43.2 (a) The following appropriations are available
43.3 only if new revenue is available in the
43.4 environmental fund from increases in solid
43.5 waste management tax rates under Minnesota
43.6 Statutes, chapter 297H, enacted during the
43.7 2019 session:

43.8 (1) \$400,000 the first year and \$400,000 the
43.9 second year are appropriated from the
43.10 environmental fund to the commissioner of
43.11 the Pollution Control Agency for competitive
43.12 recycling grants under Minnesota Statutes,
43.13 section 115A.565. This appropriation is
43.14 available until June 30, 2023. Any
43.15 unencumbered grant balances in the first year
43.16 do not cancel but are available for grants in
43.17 the second year;

43.18 (2) \$750,000 the first year and \$750,000 the
43.19 second year are appropriated from the
43.20 environmental fund to the commissioner of
43.21 the Pollution Control Agency for reducing and
43.22 diverting food waste, redirecting edible food
43.23 for consumption, and removing barriers to
43.24 collecting and recovering organic waste. Of
43.25 this amount, \$500,000 each year is for grants
43.26 to increase food rescue and waste prevention.
43.27 This appropriation is available until June 30,
43.28 2023. Any unencumbered grant balances in
43.29 the first year do not cancel but are available
43.30 for grants in the second year;

43.31 (3) \$3,000,000 the first year and \$3,000,000
43.32 the second year are appropriated from the
43.33 environmental fund to the commissioner of
43.34 the Pollution Control Agency for grants to
43.35 counties to collect, transport, and process

45.1 Sec. 12. Laws 2017, chapter 93, article 1, section 9, is amended to read:

45.2 Sec. 9. **ADMINISTRATION** \$ 800,000 \$ 300,000

45.3 (a) \$300,000 the first year and \$300,000 the
45.4 second year are from the state forest suspense
45.5 account in the permanent school fund for the
45.6 school trust lands director. This appropriation
45.7 is to be used for securing long-term economic
45.8 return from the school trust lands consistent
45.9 with fiduciary responsibilities and sound
45.10 natural resources conservation and
45.11 management principles.

45.12 (b) \$500,000 the first year is from the state
45.13 forest suspense account in the permanent
45.14 school fund for the school trust lands director
45.15 to initiate the ~~private sale of surplus school~~
45.16 ~~trust lands identified according to Minnesota~~
45.17 ~~Statutes, section 92.82, paragraph (d)~~
45.18 Boundary Waters Canoe Area Wilderness
45.19 private forest land alternative with the United
45.20 States Department of Agriculture Forest
45.21 Service and a nonprofit partner. The school
45.22 trust lands director may use these funds for
45.23 project costs, including but not limited to
45.24 environmental assessments, valuation
45.25 expenses, legal fees, closing costs, and
45.26 transactional staff costs. This is a onetime
45.27 appropriation and is available until June 30,
45.28 2019 2021.

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

46.1 **ARTICLE 2**

46.2 **ENVIRONMENT AND NATURAL RESOURCES**

46.3 Section 1. **[1.1465] STATE BEE.**

46.4 Subdivision 1. **Rusty patched bumble bee.** The rusty patched bumble bee, *Bombus*
46.5 *affinis*, is the official bee of the state of Minnesota.

46.6 Subd. 2. **Photograph.** A photograph of the rusty patched bumble bee must be preserved
46.7 in the Office of the Secretary of State.

46.8 Sec. 2. Minnesota Statutes 2018, section 16A.151, subdivision 2, is amended to read:

46.9 Subd. 2. **Exceptions.** (a) If a state official litigates or settles a matter on behalf of specific
46.10 injured persons or entities, this section does not prohibit distribution of money to the specific
46.11 injured persons or entities on whose behalf the litigation or settlement efforts were initiated.
46.12 If money recovered on behalf of injured persons or entities cannot reasonably be distributed
46.13 to those persons or entities because they cannot readily be located or identified or because
46.14 the cost of distributing the money would outweigh the benefit to the persons or entities, the
46.15 money must be paid into the general fund.

46.16 (b) Money recovered on behalf of a fund in the state treasury other than the general fund
46.17 may be deposited in that fund.

46.18 (c) This section does not prohibit a state official from distributing money to a person or
46.19 entity other than the state in litigation or potential litigation in which the state is a defendant
46.20 or potential defendant.

46.21 (d) State agencies may accept funds as directed by a federal court for any restitution or
46.22 monetary penalty under United States Code, title 18, section 3663(a)(3) or United States
46.23 Code, title 18, section 3663A(a)(3). Funds received must be deposited in a special revenue
46.24 account and are appropriated to the commissioner of the agency for the purpose as directed
46.25 by the federal court.

46.26 (e) Tobacco settlement revenues as defined in section 16A.98, subdivision 1, paragraph
46.27 (t), may be deposited as provided in section 16A.98, subdivision 12.

46.28 (f) If the Minnesota Pollution Control Agency recovers \$250,000 or more in litigation
46.29 or in settlement of a matter that could have resulted in litigation for a civil penalty from
46.30 violations of a permit issued by the Minnesota Pollution Control Agency, then 40 percent
46.31 of the money recovered must be distributed to the community health board where the
46.32 permitted facility is located. The commissioner of the Minnesota Pollution Control Agency

47.1 must notify the commissioner of health and the community health board within 30 days of
47.2 a final court order in the litigation or the effective date of the settlement agreement that the
47.3 litigation has concluded or a settlement has been reached. The commissioner must collect
47.4 and distribute the money to the commissioner of health. The commissioner of health must
47.5 distribute the money to the community health board. The community health board must
47.6 meet directly with the population potentially affected by the pollution that was the subject
47.7 of the litigation or settlement to understand the population's concerns and incorporate those
47.8 concerns into a project that benefits that population. The project must be implemented by
47.9 the community health board and funded as directed in this paragraph. This paragraph does
47.10 not apply to money recovered in litigation or settlement of a matter that could have resulted
47.11 in litigation with subdivisions of the state. This paragraph is for the distribution of money
47.12 only and does not create a right of intervention in the litigation or settlement of the
47.13 enforcement action for any person or entity.

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

47.15 Sec. 3. Minnesota Statutes 2018, section 16A.152, subdivision 2, is amended to read:

47.16 Subd. 2. **Additional revenues; priority.** (a) If on the basis of a forecast of general fund
47.17 revenues and expenditures, the commissioner of management and budget determines that
47.18 there will be a positive unrestricted budgetary general fund balance at the close of the
47.19 biennium, the commissioner of management and budget must allocate money to the following
47.20 accounts and purposes in priority order:

47.21 (1) the cash flow account established in subdivision 1 until that account reaches
47.22 \$350,000,000;

47.23 (2) the budget reserve account established in subdivision 1a until that account reaches
47.24 \$1,596,522,000;

47.25 (3) the amount necessary to increase the aid payment schedule for school district aids
47.26 and credits payments in section 127A.45 to not more than 90 percent rounded to the nearest
47.27 tenth of a percent without exceeding the amount available and with any remaining funds
47.28 deposited in the budget reserve;

47.29 (4) the amount necessary to restore all or a portion of the net aid reductions under section
47.30 127A.441 and to reduce the property tax revenue recognition shift under section 123B.75,
47.31 subdivision 5, by the same amount; and

48.1 (5) ~~the clean water fund established in section 114D.50 until \$22,000,000 has been~~
48.2 ~~transferred into the fund~~ metropolitan landfill contingency action trust account established
48.3 in section 473.845 until \$13,905,000 has been transferred into the account.

48.4 (b) The amounts necessary to meet the requirements of this section are appropriated
48.5 from the general fund within two weeks after the forecast is released or, in the case of
48.6 transfers under paragraph (a), clauses (3) and (4), as necessary to meet the appropriations
48.7 schedules otherwise established in statute.

48.8 (c) The commissioner of management and budget ~~shall~~ must certify the total dollar
48.9 amount of the reductions under paragraph (a), clauses (3) and (4), to the commissioner of
48.10 education. The commissioner of education ~~shall~~ must increase the aid payment percentage
48.11 and reduce the property tax shift percentage by these amounts and apply those reductions
48.12 to the current fiscal year and thereafter.

48.13 (d) Paragraph (a), clause (5), expires after the entire amount of the transfer has been
48.14 made.

48.15 Sec. 4. Minnesota Statutes 2018, section 17.035, subdivision 1, is amended to read:

48.16 Subdivision 1. **Reimbursement.** A meat processor holding a license under chapter 28A
48.17 may apply to the commissioner of agriculture for full reimbursement of ~~\$70 towards~~ the
48.18 processor's reasonable and documented cost of processing donated deer, as determined by
48.19 the commissioner within the limits of available funding. The meat processor shall deliver
48.20 the deer, processed into cuts or ground meat, to a charitable organization that is registered
48.21 under chapter 309 and with the commissioner of agriculture and that operates a food
48.22 assistance program. To request reimbursement, the processor shall submit an application,
48.23 on a form prescribed by the commissioner of agriculture, the tag number under which the
48.24 deer was taken, and a receipt for the deer from the charitable organization.

48.25 Sec. 5. Minnesota Statutes 2018, section 84.0895, is amended by adding a subdivision to
48.26 read:

48.27 Subd. 10. **Rusty patched bumble bee.** The rusty patched bumble bee, *Bombus affinis*,
48.28 is designated as an endangered species under this section, is the state bee under section
48.29 1.1465, has been listed as an endangered species under the federal Endangered Species Act,
48.30 and is a species that is of most concern to the state in order to prevent extinction. The
48.31 Environmental Quality Board must coordinate efforts to protect the rusty patched bumble
48.32 bee in the state.

49.1 Sec. 6. **[84.0896] TRADE IN PROHIBITED ANIMAL PARTS PROHIBITED.**

49.2 **Subdivision 1. Definitions.** (a) The definitions in this subdivision apply to this section.

49.3 (b) "Antique" means an item that:

49.4 (1) contains no more than 200 grams of prohibited animal part as a fixed component of
49.5 an item that is not made wholly or partially from a prohibited animal part; and

49.6 (2) is documented to be at least 100 years old.

49.7 (c) "Prohibited animal part" means any of the following:

49.8 (1) a tooth or tusk from any species of elephant, hippopotamus, mammoth, mastodon,
49.9 walrus, whale, or narwhal, or any piece thereof, whether raw or worked;

49.10 (2) a product containing any of the materials described in clause (1);

49.11 (3) a horn; piece of horn; or derivative of a horn, such as a powder, of any species of
49.12 rhinoceros; and

49.13 (4) a product containing any of the materials described in clause (3).

49.14 (d) "Sell" or "sale" means an exchange for consideration and includes barter and
49.15 possession with intent to sell. The term does not include a transfer of ownership by gift,
49.16 donation, or bequest.

49.17 **Subd. 2. Prohibition.** A person shall not purchase or sell any item that the person knows
49.18 or should know is a prohibited animal part.

49.19 **Subd. 3. Exceptions.** (a) Subdivision 2 does not prohibit the sale or purchase of a
49.20 prohibited animal part if the sale or purchase is:

49.21 (1) undertaken as part of law enforcement activities;

49.22 (2) expressly authorized by federal law;

49.23 (3) of an antique;

49.24 (4) of a musical instrument containing a lawfully acquired fixed component made of no
49.25 more than 200 grams of prohibited animal part; or

49.26 (5) of a prohibited animal part by a bona fide educational or scientific institution that is
49.27 a nonprofit corporation, as defined in section 501(c)(3) of the Internal Revenue Code.

49.28 (b) Subdivision 2 does not prohibit possession of a cultural artifact containing a prohibited
49.29 animal part.

50.1 Subd. 4. **Disposition of seized prohibited animal parts.** Notwithstanding any other
50.2 provision of law, a prohibited animal part seized under this section must, upon a conviction,
50.3 be forfeited to the state and either destroyed or given to a nonprofit corporation, as defined
50.4 in section 501(c)(3) of the Internal Revenue Code, for an educational or scientific purpose.

50.5 **EFFECTIVE DATE.** This section is effective January 1, 2020, and applies to crimes
50.6 committed on or after that date.

50.7 Sec. 7. Minnesota Statutes 2018, section 84.788, subdivision 2, is amended to read:

50.8 Subd. 2. **Exemptions.** Registration is not required for off-highway motorcycles:

50.9 (1) owned and used by the United States, an Indian tribal government, the state, another
50.10 state, or a political subdivision;

50.11 (2) registered in another state or country that have not been within this state for more
50.12 than 30 consecutive days;

50.13 (3) registered under chapter 168, when operated on forest roads to gain access to a state
50.14 forest campground;

50.15 ~~(4) used exclusively in organized track racing events;~~

50.16 ~~(5)~~ (4) operated on state or grant-in-aid trails by a nonresident possessing a nonresident
50.17 off-highway motorcycle state trail pass;

50.18 ~~(6)~~ (5) operated by a person participating in an event for which the commissioner has
50.19 issued a special use permit; or

50.20 ~~(7)~~ (6) operated on boundary trails and registered in another state or country providing
50.21 equal reciprocal registration or licensing exemptions for registrants of this state.

50.22 Sec. 8. **[84.976] NO CHILD LEFT INSIDE GRANT PROGRAM.**

50.23 Subdivision 1. **Establishment.** The commissioner of natural resources must establish
50.24 and administer a program to provide grants for outdoor environmental, ecological, and other
50.25 natural-resource-based education and recreation programs serving youth.

50.26 Subd. 2. **Eligibility.** The commissioner may award grants under this section to public
50.27 entities or private nonprofit organizations.

50.28 Subd. 3. **Priorities.** In awarding grants under this section, the commissioner must give
50.29 priority to programs that:

51.1 (1) provide students with opportunities to directly experience and understand nature and
51.2 the natural world;

51.3 (2) use a research-based, effective environmental, ecological, agricultural, or other
51.4 natural-resource-based educational curriculum;

51.5 (3) maximize the number of participants that can be served;

51.6 (4) serve children with limited opportunities to participate in natural-resource-based
51.7 outdoor activities;

51.8 (5) use public park and other natural resource venues and personnel as a resource; and

51.9 (6) commit matching funds or in-kind resources.

51.10 Sec. 9. Minnesota Statutes 2018, section 84D.15, is amended to read:

51.11 **84D.15 INVASIVE SPECIES ACCOUNT ACCOUNTS.**

51.12 Subdivision 1. **Creation.** The invasive species account ~~is~~ and the invasive species
51.13 research account are created in the state treasury in the natural resources fund.

51.14 Subd. 2. **Receipts.** (a) Money received from ~~surcharges on watercraft licenses under~~
51.15 ~~section 86B.415, subdivision 7,~~ civil penalties under section 84D.13; and service provider
51.16 permits under section 84D.108, ~~shall~~ must be deposited in the invasive species account.

51.17 Each year, the commissioner of management and budget ~~shall~~ must transfer from the game
51.18 and fish fund to the invasive species account; the annual surcharge collected on nonresident
51.19 fishing licenses under section 97A.475, subdivision 7, paragraph (b). Each fiscal year, the
51.20 commissioner of management and budget ~~shall~~ must transfer \$750,000 from the water
51.21 recreation account under section 86B.706 to the invasive species account.

51.22 (b) Money received from surcharges on watercraft licenses under section 86B.415,
51.23 subdivision 7, must be deposited as follows:

51.24 (1) \$16 from each surcharge must be deposited in the invasive species account; and

51.25 (2) \$4 from each surcharge must be deposited in the invasive species research account.

51.26 Subd. 3. **Use of money in invasive species account.** Money credited to the invasive
51.27 species account in subdivision 2 ~~shall~~ must be used for management of invasive species
51.28 and implementation of this chapter as it pertains to invasive species, including control,
51.29 public awareness, law enforcement, assessment and monitoring, management planning,
51.30 habitat improvements, and research. Of the money credited to the account, at least \$2 from

52.1 each surcharge on watercraft licenses under section 86B.415, subdivision 7, must be used
52.2 for grants to lake associations to manage aquatic invasive plant species.

52.3 Subd. 4. Use of money in invasive species research account. Money credited to the
52.4 invasive species research account in subdivision 2, paragraph (b), must be used for grants
52.5 to the Board of Regents of the University of Minnesota for the Minnesota Aquatic Invasive
52.6 Species Research Center to research aquatic invasive species.

52.7 Sec. 10. Minnesota Statutes 2018, section 85.012, subdivision 49, is amended to read:

52.8 Subd. 49. ~~St. Croix~~ Walter F. Mondale State Park, Pine County.

52.9 Sec. 11. Minnesota Statutes 2018, section 85.42, is amended to read:

52.10 **85.42 USER FEE; VALIDITY.**

52.11 (a) The fee for an annual cross-country-ski pass is ~~\$19~~ \$24 for an individual age 16 and
52.12 over. The fee for a three-year pass is ~~\$54~~ \$69 for an individual age 16 and over. This fee
52.13 ~~shall~~ must be collected at the time the pass is purchased. Three-year passes are valid for
52.14 three years beginning the previous July 1. Annual passes are valid for one year beginning
52.15 the previous July 1.

52.16 (b) The cost for a daily cross-country skier pass is ~~\$5~~ \$9 for an individual age 16 and
52.17 over. This fee ~~shall~~ must be collected at the time the pass is purchased. The daily pass is
52.18 valid only for the date designated on the pass form.

52.19 (c) A pass must be signed by the skier across the front of the pass to be valid and ~~becomes~~
52.20 is nontransferable on signing when signed.

52.21 (d) The commissioner and agents ~~shall~~ must issue a duplicate pass to a person whose
52.22 pass is lost or destroyed, using the process established under section 97A.405, subdivision
52.23 3, and rules adopted thereunder. The fee for a duplicate cross-country-ski pass is \$2.

52.24 Sec. 12. Minnesota Statutes 2018, section 85.47, is amended to read:

52.25 **85.47 SPECIAL USE PERMITS; FEES.**

52.26 Fees collected for special use permits to use state trails not on state forest, state park, or
52.27 state recreation area lands and for use of state water access sites must be deposited in the
52.28 natural resources fund and are appropriated to the commissioner of natural resources for
52.29 operating and maintaining state trails and water access sites.

53.1 Sec. 13. Minnesota Statutes 2018, section 86B.415, subdivision 1, is amended to read:

53.2 Subdivision 1. **Watercraft 19 feet or less.** (a) Except as provided in paragraph (b) and
53.3 ~~subdivision subdivisions~~ 1a and 4, the fee for a watercraft license for watercraft 19 feet or
53.4 less in length is ~~\$27~~ \$39.25.

53.5 (b) The watercraft license ~~fee~~ fees for the specified watercraft are as follows:

53.6 (1) for watercraft, other than personal watercraft, 19 feet in length or less that is offered
53.7 for rent or lease, ~~the fee is \$9~~ \$11.25;

53.8 (2) for a sailboat, 19 feet in length or less, ~~the fee is \$10.50~~ \$15.25;

53.9 (3) for a watercraft 19 feet in length or less used by a nonprofit corporation for teaching
53.10 boat and water safety, ~~the fee is~~ as provided in subdivision 4;

53.11 (4) for a watercraft owned by a dealer under a dealer's license, ~~the fee is~~ as provided in
53.12 subdivision 5;

53.13 (5) for a personal watercraft, ~~the fee is \$37.50~~ \$54.50, except for a personal watercraft
53.14 that is offered for rent or lease according to section 86B.313, subdivision 4, \$47; and

53.15 (6) for a watercraft less than 17 feet in length, other than a watercraft listed in clauses
53.16 (1) to (5), ~~the fee is \$18~~ \$26.

53.17 Sec. 14. Minnesota Statutes 2018, section 86B.415, subdivision 1a, is amended to read:

53.18 Subd. 1a. **Canoes, kayaks, sailboards, paddleboards, paddleboats, or rowing**
53.19 **shells.** Except as provided under subdivision 4, the fee for a watercraft license for a canoe,
53.20 kayak, sailboard, paddleboard, paddleboat, or rowing shell over ten feet in length is ~~\$10.50~~
53.21 \$15.25.

53.22 Sec. 15. Minnesota Statutes 2018, section 86B.415, subdivision 2, is amended to read:

53.23 Subd. 2. **Watercraft over 19 feet.** Except as provided in subdivisions 1a, 3, 4, and 5,
53.24 the watercraft license fee:

53.25 (1) for a watercraft more than 19 feet but less than 26 feet in length is ~~\$45~~ \$65.25;

53.26 (2) for a watercraft 26 feet but less than 40 feet in length is ~~\$67.50~~ \$98; and

53.27 (3) for a watercraft 40 feet in length or longer is ~~\$90~~ \$130.50.

54.1 Sec. 16. Minnesota Statutes 2018, section 86B.415, subdivision 3, is amended to read:

54.2 Subd. 3. **Watercraft over 19 feet for hire.** Except as provided under subdivision 4, the
54.3 license fee for a watercraft more than 19 feet in length for hire with an operator is ~~\$75~~
54.4 \$108.75 each.

54.5 Sec. 17. Minnesota Statutes 2018, section 86B.415, subdivision 4, is amended to read:

54.6 Subd. 4. **Watercraft used by nonprofit corporation for teaching organization or**
54.7 **homestead resort.** (a) The watercraft license fee for a watercraft used by a nonprofit
54.8 organization for teaching boat and water safety is \$4.50 each.

54.9 (b) The following fees apply to watercraft owned and used by a homestead resort, as
54.10 defined under section 273.13, subdivision 22, paragraph (c), that contains ten rental units
54.11 or less, when the watercraft remains on a single water body:

54.12 (1) for a watercraft 40 feet in length or longer, \$90;

54.13 (2) for a watercraft 26 feet but less than 40 feet in length, \$67.50;

54.14 (3) for a watercraft more than 19 feet but less than 26 feet in length, \$45;

54.15 (4) for a watercraft more than 19 feet in length for hire with an operator, \$75;

54.16 (5) for a watercraft 17 to 19 feet in length, \$27, except as provided in clauses (6) to (10);

54.17 (6) for a watercraft, other than personal watercraft, 19 feet in length or less that is offered
54.18 for rent or lease, \$9;

54.19 (7) for a sailboat 19 feet in length or less, \$10.50;

54.20 (8) for a personal watercraft, \$37.50;

54.21 (9) for a canoe, kayak, sailboard, paddleboard, paddleboat, or rowing shell over ten feet
54.22 in length, \$10.50; and

54.23 (10) for a watercraft less than 17 feet in length, other than a watercraft listed in clauses
54.24 (6) to (9), \$18.

54.25 Sec. 18. Minnesota Statutes 2018, section 86B.415, subdivision 5, is amended to read:

54.26 Subd. 5. **Dealer's license.** There is no separate fee for watercraft owned by a dealer
54.27 under a dealer's license. The fee for a dealer's license is ~~\$67.50~~ \$98.

55.1 Sec. 19. Minnesota Statutes 2018, section 86B.415, subdivision 7, is amended to read:

55.2 Subd. 7. **Watercraft surcharge.** A ~~\$5~~ \$20 surcharge is placed on each watercraft licensed
55.3 under subdivisions 1 to 3 and 5 and a ~~\$5~~ surcharge is placed on each watercraft licensed
55.4 under subdivision 4 for control, public awareness, law enforcement, monitoring, and research
55.5 of aquatic invasive species such as zebra mussel, purple loosestrife, and Eurasian watermilfoil
55.6 in public waters and public wetlands.

55.7 Sec. 20. Minnesota Statutes 2018, section 88.642, subdivision 1, is amended to read:

55.8 Subdivision 1. **Written consent.** No person shall cut, harvest, remove, transport, or
55.9 possess for decorative purposes or for sale more than three decorative trees, more than 100
55.10 pounds of decorative boughs, more than 50 spruce stems or branches greater than six inches
55.11 in length, more than 50 birch stems or branches greater than one-inch large-end diameter,
55.12 or more than 100 pounds of any other decorative materials without the written consent of
55.13 the owner or authorized agent of the private or public land on which the decorative materials
55.14 were cut or harvested. The written consent ~~shall be on a form furnished or otherwise approved~~
55.15 ~~by the commissioner of natural resources and shall~~ must contain the legal description of the
55.16 land where the decorative materials were cut or harvested, as well as the name of the legal
55.17 owner of the land or the owner's authorized agent. The written consent must be carried by
55.18 every person cutting, harvesting, removing, possessing, or transporting any decorative
55.19 materials, or in any way aiding therein, and must be exhibited to any officer at the officer's
55.20 request at any time.

55.21 Sec. 21. Minnesota Statutes 2018, section 88.642, subdivision 3, is amended to read:

55.22 Subd. 3. **Transportation requirements.** No person, common carrier, ~~bough~~ decorative
55.23 materials buyer, or authorized agent shall purchase or otherwise receive for shipment or
55.24 transportation any decorative materials without recording the seller's or consignor's name
55.25 and address and the written consent on a form furnished or otherwise approved by the
55.26 commissioner of natural resources.

55.27 Sec. 22. Minnesota Statutes 2018, section 88.6435, is amended to read:

55.28 **88.6435 BOUGH DECORATIVE MATERIALS BUYERS.**

55.29 ~~Subdivision 1. **Permits.** A person may not buy more than 100 pounds of decorative~~
55.30 ~~boughs in any calendar year without a bough buyer's permit issued by the commissioner of~~
55.31 ~~natural resources. The annual fee for a permit for a resident or nonresident to buy decorative~~
55.32 ~~boughs is \$25.~~

- 56.1 Subd. 1a. **License.** (a) A person must have a buyer's license for decorative materials to:
- 56.2 (1) buy more than 100 pounds of decorative boughs in any calendar year;
- 56.3 (2) buy more than 50 spruce stems or branches greater than six inches in length in any
- 56.4 calendar year; or
- 56.5 (3) buy more than 50 birch stems or branches greater than one-inch large-end diameter
- 56.6 in any calendar year.
- 56.7 (b) The annual fee for a buyer's license for decorative materials for a resident or
- 56.8 nonresident is \$25.
- 56.9 **Subd. 2. Record requirements.** (a) When buying or otherwise receiving decorative
- 56.10 ~~boughs~~ materials, a person ~~permitted~~ licensed under this section must record:
- 56.11 (1) the seller's name and address;
- 56.12 (2) the form of written consent; and
- 56.13 (3) the government permit number or legal description or property tax identification
- 56.14 number of the land from which the ~~boughs~~ decorative materials were obtained.
- 56.15 (b) The information under paragraph (a) must be ~~provided~~ recorded on a form furnished
- 56.16 or otherwise approved by the commissioner of natural resources ~~in consultation with the~~
- 56.17 ~~balsam bough industry groups~~ and must be exhibited to an officer upon request.
- 56.18 ~~(b) Boughs may not be purchased~~ (c) A licensed buyer may not purchase decorative
- 56.19 materials if the seller fails to exhibit the written consent required under section 88.642,
- 56.20 subdivision 1, ~~or if the boughs do not conform to the standards specified on the consent.~~
- 56.21 Decorative ~~boughs cut from public lands~~ materials must conform to standards specified in
- 56.22 the written consent.
- 56.23 ~~(e)~~ (d) Records ~~shall~~ must be maintained from July 1 until June 30 of the following
- 56.24 calendar year and ~~shall~~ must be open to inspection to an officer during reasonable hours.
- 56.25 ~~(d)~~ (e) Customer name and address records created and maintained by ~~permittees~~ licensees
- 56.26 under this section are classified as private or nonpublic government data.
- 56.27 **Subd. 3. ~~Revocation of permits~~ Penalties.** (a) The commissioner may deny, modify,
- 56.28 suspend, or revoke a ~~permit~~ license issued under this section for cause, including ~~falsification~~
- 56.29 ~~of~~ for falsifying records required under this section or ~~violation of any other provision of~~
- 56.30 for violating sections 88.641 to 88.648.

57.1 (b) A person convicted of two or more violations of sections 88.641 to 88.648 within
57.2 three years may not obtain a ~~buyer's permit~~ buyer's permit license for decorative materials for three
57.3 years ~~from~~ after the date of the last conviction.

57.4 Subd. 4. ~~Forest bough~~ Special forest products account; disposition of fees. (a) The
57.5 ~~forest bough~~ special forest products account is established in the state treasury ~~within~~ in the
57.6 natural resources fund.

57.7 (b) Fees for ~~permits~~ licenses issued under this section must be deposited in the state
57.8 treasury and credited to the ~~forest bough~~ special forest products account and, except for the
57.9 electronic licensing system commission established by the commissioner under section
57.10 84.027, subdivision 15, are annually appropriated to the commissioner of natural resources
57.11 for costs associated with special forest product information and education programs for
57.12 harvesters and buyers.

57.13 Sec. 23. Minnesota Statutes 2018, section 89.37, subdivision 3, is amended to read:

57.14 Subd. 3. **Private lands.** The commissioner may supply only bare root seedlings, woody
57.15 cuttings, and transplant material for use on private land, provided that such material must
57.16 be sold in lots of not less than ~~500~~ 250 for a sum determined by the commissioner to be
57.17 equivalent to the cost of the materials and the expenses of their distribution. The
57.18 commissioner may not directly or indirectly supply any other planting stock for use on
57.19 private lands.

57.20 Sec. 24. [89.435] FOREST CARBON SEQUESTRATION GOAL.

57.21 It is the goal of the state to plant an additional 1,000,000 trees each year in fiscal years
57.22 2020, 2021, 2022, and 2023, to provide additional carbon sequestration and improve forest
57.23 health.

57.24 Sec. 25. Minnesota Statutes 2018, section 90.01, is amended by adding a subdivision to
57.25 read:

57.26 Subd. 13. **Special forest products.** "Special forest products" means woody and
57.27 herbaceous plants, plant parts, seeds, fungus, soil, gravel, and forest substrate for
57.28 consumption, decoration, or medicine or for any other specialty use.

58.1 Sec. 26. Minnesota Statutes 2018, section 90.195, is amended to read:

58.2 **90.195 SPECIAL USE AND PRODUCT PERMIT.**

58.3 (a) The commissioner may issue a fuelwood permit to salvage or cut not to exceed 12
58.4 cords of fuelwood per year for personal use from either or both of the following sources:

58.5 (1) dead, down, and damaged trees; or

58.6 (2) other trees that are of negative value under good forest management practices.

58.7 (b) The fuelwood permits under paragraph (a) may be issued for a period not to exceed
58.8 one year. The commissioner ~~shall~~ must charge a fee for the permit as provided under section
58.9 90.041, subdivision 10. The fee ~~shall~~ must not exceed the current market value of fuelwood
58.10 of similar species, grade, and volume that is being sold in the area where the salvage or
58.11 cutting is authorized under the permit.

58.12 ~~(b)~~ (c) The commissioner may issue a ~~special product permit under section 89.42 for~~
58.13 ~~commercial use, which may include~~ permit for harvesting or collecting incidental volumes
58.14 ~~of boughs, gravel, hay, biomass, and other products derived from forest management activities~~
58.15 special forest products. The value of the products is the current market value of the products
58.16 that are being sold in the area. The permit may be issued for a period not to exceed one year,
58.17 and the commissioner ~~shall~~ must charge a fee for the permit as provided under section
58.18 90.041, subdivision 10.

58.19 ~~(c)~~ (d) The commissioner may issue a special use permit for incidental volumes of timber
58.20 from approved right-of-way road clearing across state land ~~for the purpose of accessing to~~
58.21 access a state timber permit. The permit ~~shall~~ must include the volume and value of timber
58.22 to be cleared and may be issued for a period not to exceed one year. A presale conference
58.23 as required under section 90.151, subdivision 6, must be completed before the start of any
58.24 activities under the permit.

58.25 Sec. 27. Minnesota Statutes 2018, section 97A.055, subdivision 4, is amended to read:

58.26 Subd. 4. **Game and fish annual reports.** (a) By December 15 each year, the
58.27 commissioner shall submit to the legislative committees having jurisdiction over
58.28 appropriations and the environment and natural resources reports on each of the following:

58.29 (1) the amount of revenue from the following and purposes for which expenditures were
58.30 made:

58.31 (i) the small-game license surcharge under section 97A.475, subdivision 4;

59.1 (ii) the Minnesota migratory-waterfowl stamp under section 97A.475, subdivision 5,
59.2 clause (1);

59.3 (iii) the trout-and-salmon stamp under section 97A.475, subdivision 10;

59.4 (iv) the pheasant stamp under section 97A.475, subdivision 5, clause (2);

59.5 (v) the wild-turkey management account under section 97A.075, subdivision 5;

59.6 (vi) the deer license ~~donations and~~ surcharges under section 97A.475, subdivisions 3,
59.7 paragraph (b), and 3a; and

59.8 (vii) the walleye stamp under section 97A.475, subdivision 10a;

59.9 (2) the amounts available under section 97A.075, subdivision 1, paragraphs (b) and (c),
59.10 and the purposes for which these amounts were spent;

59.11 (3) money credited to the game and fish fund under this section and purposes for which
59.12 expenditures were made from the fund;

59.13 (4) outcome goals for the expenditures from the game and fish fund; and

59.14 (5) summary and comments of citizen oversight committee reviews under subdivision
59.15 4b.

59.16 (b) The report must include the commissioner's recommendations, if any, for changes
59.17 in the laws relating to the stamps and surcharge referenced in paragraph (a).

59.18 Sec. 28. Minnesota Statutes 2018, section 97A.065, subdivision 6, is amended to read:

59.19 Subd. 6. **Deer license ~~donations and~~ surcharges.** (a) The surcharges collected under
59.20 section 97A.475, subdivision 3a, ~~paragraph (b), shall~~ must be deposited in an account in
59.21 the special revenue fund and are appropriated to the commissioner for deer management,
59.22 including for grants or payments to agencies, organizations, or individuals for assisting with
59.23 the cost of processing deer taken for population management purposes for venison donation
59.24 programs. None of the additional license fees shall be transferred to any other agency for
59.25 administration of programs other than venison donation. If any money transferred by the
59.26 commissioner is not used for a venison donation program, it shall be returned to the
59.27 commissioner.

59.28 (b) The surcharges ~~and donations~~ under section 97A.475, ~~subdivisions~~ subdivision 3,
59.29 paragraph (b); 3a, paragraph (a); and 4, paragraph (b), shall, must be deposited in an account
59.30 in the special revenue fund and are appropriated to the commissioner for the walk-in access
59.31 program.

60.1 Sec. 29. Minnesota Statutes 2018, section 97A.075, subdivision 1, is amended to read:

60.2 Subdivision 1. **Deer, bear, and lifetime licenses.** (a) For purposes of this subdivision,
60.3 "deer license" means a license issued under section 97A.475, subdivisions 2, clauses (5),
60.4 (6), (7), (13), (14), and (15); 3, paragraph (a), clauses (2), (3), (4), (10), (11), and (12); and
60.5 8, paragraph (b), and licenses issued under section 97B.301, subdivision 4.

60.6 (b) ~~\$2 from each annual deer license and \$2 annually from the lifetime fish and wildlife~~
60.7 ~~trust fund, established in section 97A.4742, for each license issued under section 97A.473,~~
60.8 ~~subdivision 4, shall~~ The deer management account is established as an account in the game
60.9 and fish fund and may be used only for deer habitat improvement or deer management
60.10 programs. The following amounts must be credited to the deer management account and is
60.11 ~~appropriated to the commissioner for deer habitat improvement or deer management~~
60.12 ~~programs.;~~

60.13 (1) \$16 from each annual deer license issued under section 97A.475, subdivisions 2,
60.14 clauses (5), (6), and (7); 3, paragraph (a), clauses (2), (3), and (4); and 8, paragraph (b);

60.15 (2) \$2 from each annual deer license issued under sections 97A.475, subdivisions 2,
60.16 clauses (13), (14), and (15); and 3, paragraph (a), clauses (10), (11), and (12); and 97B.301,
60.17 subdivision 4; and

60.18 (3) \$16 annually from the lifetime fish and wildlife trust fund, established under section
60.19 97A.4742, for each license issued to a person 18 years of age or older under section 97A.473,
60.20 subdivision 4, and \$2 annually from the lifetime fish and wildlife trust fund for each license
60.21 issued to a person under 18 years of age.

60.22 (c) \$1 from each annual deer license and each bear license and \$1 annually from the
60.23 lifetime fish and wildlife trust fund, established in section 97A.4742, for each license issued
60.24 under section 97A.473, subdivision 4, ~~shall~~ must be credited to the deer and bear management
60.25 account and is appropriated to the commissioner for deer- and bear-management programs,
60.26 including a computerized licensing system.

60.27 (d) Fifty cents from each deer license is credited to the ~~emergency deer feeding and wild~~
60.28 ~~Cervidae health-management account and is appropriated for emergency deer feeding and~~
60.29 ~~wild Cervidae health management. Money appropriated for emergency deer feeding and~~
60.30 ~~wild Cervidae health management is available until expended.~~

60.31 (e) When the unencumbered balance in the appropriation for emergency deer feeding
60.32 ~~and wild Cervidae health management exceeds \$2,500,000 at the end of a fiscal year, the~~

61.1 unencumbered balance ~~in excess of~~ over \$2,500,000 is canceled and is available for deer-
61.2 and bear-management programs and computerized licensing.

61.3 Sec. 30. Minnesota Statutes 2018, section 97A.126, subdivision 2, is amended to read:

61.4 Subd. 2. **Use of enrolled lands.** (a) From September 1 to May 31, a person ~~must have~~
61.5 ~~a walk-in access hunter validation in possession to~~ may hunt on private lands, including
61.6 agricultural lands, that are posted as being enrolled in the walk-in access program.

61.7 (b) Hunting on private lands that are posted as enrolled in the walk-in access program
61.8 is allowed from one-half hour before sunrise to one-half hour after sunset.

61.9 (c) Hunter access on private lands that are posted as enrolled in the walk-in access
61.10 program is restricted to nonmotorized use, except by hunters with disabilities operating
61.11 motor vehicles on established trails or field roads who possess a valid permit to shoot from
61.12 a stationary vehicle under section 97B.055, subdivision 3.

61.13 (d) The general provisions for use of wildlife management areas adopted under sections
61.14 86A.06 and 97A.137, relating to overnight use, alcoholic beverages, use of motorboats,
61.15 firearms and target shooting, hunting stands, abandonment of trash and property, destruction
61.16 or removal of property, introduction of plants or animals, and animal trespass, apply to
61.17 hunters on lands enrolled in the walk-in access program.

61.18 (e) Any use of enrolled lands other than hunting according to this section is prohibited,
61.19 including:

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

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

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

61.24 Sec. 31. Minnesota Statutes 2018, section 97A.405, is amended by adding a subdivision
61.25 to read:

61.26 Subd. 6. **Application deadline.** When an application deadline is specified, including an
61.27 application deadline for determining the fee based on age for a lifetime license, an application
61.28 must be received no later than 4:30 p.m. on the day of the deadline or, if mailed, an
61.29 application must be postmarked on or before the deadline date.

62.1 Sec. 32. Minnesota Statutes 2018, section 97A.475, subdivision 3a, is amended to read:

62.2 Subd. 3a. **Deer license donation and surcharge.** ~~(a) A person may agree to add a~~
62.3 ~~donation of \$1, \$3, or \$5 to the fees for annual resident and nonresident licenses to take~~
62.4 ~~deer by firearms or archery established under subdivisions 2, clauses (5), (6), (7), (13), (14),~~
62.5 ~~and (15), and 3, paragraph (a), clauses (2), (3), (4), (10), (11), and (12).~~

62.6 ~~(b)~~ (a) Beginning March 1, 2008, fees for bonus licenses to take deer by firearms or
62.7 archery established under section 97B.301, subdivision 4, must be increased by a surcharge
62.8 of \$1.

62.9 ~~(e)~~ (b) An additional commission may not be assessed on the ~~donation or~~ surcharge.

62.10 Sec. 33. Minnesota Statutes 2018, section 97A.475, subdivision 4, is amended to read:

62.11 Subd. 4. **Small-game surcharge and donation.** ~~(a)~~ Fees for annual licenses to take
62.12 small game must be increased by a surcharge of \$6.50, except licenses under subdivisions
62.13 2, clauses (18) and (19); and 3, paragraph (a), clause (14). An additional commission may
62.14 not be assessed on the surcharge and the following statement must be included in the annual
62.15 small-game-hunting regulations: "This \$6.50 surcharge is being paid by hunters for the
62.16 acquisition and development of wildlife lands."

62.17 ~~(b) A person may agree to add a donation of \$1, \$3, or \$5 to the fees for annual resident~~
62.18 ~~and nonresident licenses to take small game. An additional commission may not be assessed~~
62.19 ~~on the donation. The following statement must be included in the annual small-game-hunting~~
62.20 ~~regulations: "The small-game license donations are being paid by hunters for administration~~
62.21 ~~of the walk-in access program."~~

62.22 Sec. 34. Minnesota Statutes 2018, section 97A.475, subdivision 41, is amended to read:

62.23 Subd. 41. **Turtle licenses license.** ~~(a) The fee for a turtle seller's license to sell turtles~~
62.24 ~~and to take, transport, buy, and possess turtles for sale is \$250.~~

62.25 ~~(b)~~ The fee for a recreational turtle license to take, transport, and possess turtles for
62.26 personal use is \$25.

62.27 ~~(e) The fee for a turtle seller's apprentice license is \$100.~~

63.1 Sec. 35. **[97B.673] NONTOXIC SHOT REQUIRED FOR TAKING SMALL GAME**
63.2 **IN CERTAIN AREAS.**

63.3 Subdivision 1. **Nontoxic shot on wildlife management areas in agricultural zone.** After
63.4 July 1, 2020, a person may not take small game, rails, or common snipe on any wildlife
63.5 management area within the farmland zone with shot other than:

63.6 (1) steel shot;

63.7 (2) copper-plated, nickel-plated, or zinc-plated steel shot; or

63.8 (3) shot made of other nontoxic material approved by the director of the United States
63.9 Fish and Wildlife Service.

63.10 Subd. 2. **Farmland zone.** For the purposes of this section, the farmland zone is the
63.11 portion of the state that falls south and west of Minnesota Highway 70 westward from the
63.12 Wisconsin border to Minnesota Highway 65 to Minnesota Highway 23 to U.S. Highway
63.13 169 at Milaca to Minnesota Highway 18 at Garrison to Minnesota Highway 210 at Brainerd
63.14 to U.S. Highway 10 at Motley to U.S. Highway 59 at Detroit Lakes northward to the
63.15 Canadian border.

63.16 Sec. 36. Minnesota Statutes 2018, section 97C.605, subdivision 1, is amended to read:

63.17 Subdivision 1. ~~Resident angling license required~~ **Taking turtles; requirements.** (a)
63.18 ~~In addition to any other license required in this section,~~ A person may not take, possess, or
63.19 transport turtles without a resident angling license, ~~except as provided in subdivision 2e~~
63.20 and a recreational turtle license.

63.21 (b) Turtles taken from the wild are for personal use only and may not be resold.

63.22 Sec. 37. Minnesota Statutes 2018, section 97C.605, subdivision 2c, is amended to read:

63.23 Subd. 2c. **License exemptions.** (a) A person does not need ~~a turtle seller's license or an~~
63.24 angling license the licenses specified under subdivision 1:

63.25 ~~(1) when buying turtles for resale at a retail outlet;~~

63.26 ~~(2)~~ (1) when buying a turtle at a retail outlet; or

63.27 ~~(3) if the person is a nonresident buying a turtle from a licensed turtle seller for export~~
63.28 ~~out of state. Shipping documents provided by the turtle seller must accompany each shipment~~
63.29 ~~exported out of state by a nonresident. Shipping documents must include: name, address,~~
63.30 ~~city, state, and zip code of the buyer; number of each species of turtle; and name and license~~
63.31 ~~number of the turtle seller; or~~

64.1 ~~(4)~~ (2) to take, possess, and rent or sell up to 25 turtles greater than four inches in length
64.2 for the purpose of providing the turtles to participants at a nonprofit turtle race, if the person
64.3 is a resident under age 18. The person is responsible for the well-being of the turtles.

64.4 (b) A person with an aquatic farm license with a turtle endorsement or a private fish
64.5 hatchery license with a turtle endorsement may sell, obtain, possess, transport, and propagate
64.6 turtles and turtle eggs according to Minnesota Rules, part 6256.0900, without the licenses
64.7 specified under subdivision 1.

64.8 Sec. 38. Minnesota Statutes 2018, section 97C.605, subdivision 3, is amended to read:

64.9 Subd. 3. **Taking; methods prohibited.** ~~(a)~~ A person may take turtles in any manner,
64.10 except by the use of:

64.11 (1) explosives, drugs, poisons, lime, and other harmful substances;

64.12 (2) traps, ~~except as provided in paragraph (b) and rules adopted under this section;~~

64.13 (3) nets other than anglers' fish landing nets; or

64.14 (4) commercial equipment, ~~except as provided in rules adopted under this section.~~

64.15 ~~(b) Until new rules are adopted under this section, a person with a turtle seller's license~~
64.16 ~~may take turtles with a floating turtle trap that:~~

64.17 ~~(1) has one or more openings above the water surface that measure at least ten inches~~
64.18 ~~by four inches; and~~

64.19 ~~(2) has a mesh size of not less than one-half inch, bar measure.~~

64.20 Sec. 39. [103F.49] CONSERVATION MATERIALS CONTAINING PLASTICS.

64.21 Subdivision 1. Identifying and listing. By January 1, 2021, the Board of Water and
64.22 Soil Resources must:

64.23 (1) identify materials used in conservation and bioengineering projects that contain
64.24 plastic that are used or are likely to be used in state-funded streambank stabilization projects;

64.25 (2) determine whether feasible alternatives for the materials identified are available that
64.26 do not contain plastic; and

64.27 (3) post a list of the materials with feasible alternatives on the board's website stating
64.28 that the materials are ineligible for state funding beginning January 1, 2022.

64.29 Subd. 2. Prohibition. Beginning January 1, 2022, a person may not:

- 65.1 (1) purchase a material listed under subdivision 1, in whole or in part, with state funds;
65.2 or
65.3 (2) use a material listed under subdivision 1 as part of a project funded in whole or in
65.4 part with state funds.

65.5 Sec. 40. Minnesota Statutes 2018, section 103G.301, subdivision 2, is amended to read:

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

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

65.16 (c) The fee to apply for a permit to appropriate water, in addition to any fee under
65.17 paragraph (b), ~~and for a permit to construct or repair a dam that is subject to dam safety~~
65.18 ~~inspection~~ is \$150. The application fee for a permit to construct or repair a dam that is
65.19 subject to a dam safety inspection, to work in public waters, or to divert waters for mining
65.20 must be at least ~~\$150~~ \$300, but not more than ~~\$1,000~~ \$3,000. The fee for a notification to
65.21 request authorization to conduct a project under a general permit is \$100.

65.22 Sec. 41. **[115A.141] CARPET PRODUCTS; STEWARDSHIP PROGRAM;**
65.23 **STEWARDSHIP PLAN.**

65.24 Subdivision 1. **Definitions.** For purposes of this section, the following terms have the
65.25 meanings given:

65.26 (1) "blended carpet" means carpet with a nonuniform face fiber, which is manufactured
65.27 with multiple polymer types, fiber types, or both, in the face of the constructed material;

65.28 (2) "brand" means a name, symbol, word, or mark that identifies carpet, rather than its
65.29 components, and attributes the carpet to the owner or licensee of the brand as the producer;

65.30 (3) "carpet" means a manufactured article that is affixed or placed on the floor or building
65.31 walking surface or used as a decorative or functional building interior or exterior feature,
65.32 and is primarily constructed of a top visible surface of synthetic face fibers or yarns or tufts

66.1 attached to a backing system derived from synthetic or natural materials. Carpet includes,
66.2 but is not limited to, blended carpet, nylon carpet, PET carpet, polypropylene carpet, PTT
66.3 carpet, wool carpet, commercial or residential broadloom carpet, modular carpet tiles, and
66.4 artificial turf. Carpet includes a pad or underlayment used in conjunction with a carpet.
66.5 Carpet does not include handmade rugs, area rugs, or mats;

66.6 (4) "discarded carpet" means carpet that is no longer used for its manufactured purpose,
66.7 and may include carpet that is being evaluated for reuse and directed to reuse, as defined
66.8 in this section;

66.9 (5) "distributor" means a person who buys or otherwise acquires carpet from another
66.10 source and sells or offers to sell that carpet to retailers and installers in this state;

66.11 (6) "nylon carpet" means carpet made with a uniform face fiber made with either nylon
66.12 6 or nylon 6,6;

66.13 (7) "PET carpet" means carpet made from polyethylene terephthalate;

66.14 (8) "producer" means a person that:

66.15 (i) has legal ownership of the brand, brand name, or cobrand of carpet sold in the state;

66.16 (ii) imports carpet branded by a producer that meets the specifications of item (i) when
66.17 the producer has no physical presence in the United States;

66.18 (iii) if items (i) and (ii) do not apply, makes unbranded carpet that is sold in the state;

66.19 or

66.20 (iv) sells carpet at wholesale or retail, does not have legal ownership of the brand, and
66.21 elects to fulfill the responsibilities of the producer for the carpet;

66.22 (9) "polypropylene carpet" means carpet made from polypropylene;

66.23 (10) "program year" means a calendar year;

66.24 (11) "PTT carpet" means carpet made from polytrimethylene terephthalate;

66.25 (12) "recycling" means the process by which discarded carpet is collected and processed
66.26 into raw materials or products. Recycling includes only discarded carpet that is an output
66.27 of a recycling facility destined for an end market or reuse and does not include all discarded
66.28 carpet accepted by a recycling facility. Recycling does not include:

66.29 (i) energy recovery or energy generation by means of combusting discarded carpet; and

66.30 (ii) any disposal or use of discarded carpet within the permitted boundaries of a disposal
66.31 facility;

67.1 (13) "recycling rate" means the percentage of discarded carpet that is managed through
67.2 recycling or reuse, as defined in this section, and is calculated by dividing the amount of
67.3 discarded carpet that is collected and recycled or reused by the total amount of discarded
67.4 carpet generated over a program year. To determine the annual recycling rates required by
67.5 this section, the amount of discarded carpet generated must be calculated using a standard
67.6 recognized methodology based on annual sales, replacement rate, and the average weight
67.7 of carpet and must be approved by the agency;

67.8 (14) "retailer" means any person who sells or offers carpet for sale at retail in the state
67.9 that generates sales tax revenue;

67.10 (15) "reuse" means donating or selling discarded carpet back into the market for its
67.11 original intended use, when the carpet retains its original purpose and performance
67.12 characteristics;

67.13 (16) "sale" or "sell" means the transfer of title of carpet for consideration, including:

67.14 (i) a remote sale conducted through a sales outlet, catalog, website, or similar electronic
67.15 means; or

67.16 (ii) a lease through which carpet is provided to a consumer by a producer or retailer;

67.17 (17) "stewardship assessment" means the amount added to the purchase price of carpet
67.18 sold in the state that is necessary to cover the cost of collecting, transporting, processing,
67.19 and marketing discarded carpet by the stewardship organization operating under a product
67.20 stewardship plan;

67.21 (18) "stewardship organization" means a single organization exempt from taxation under
67.22 Section 501(c)(3) of the federal Internal Revenue Code of 1986 (United States Code, title
67.23 21, section 501(c)(3)) that is established by producers in accordance with this section to
67.24 develop, implement, and administer a product stewardship program under this section;

67.25 (19) "stewardship plan" means a detailed plan describing the manner in which a product
67.26 stewardship program under subdivision 2 will be implemented; and

67.27 (20) "wool carpet" means carpet made from wool.

67.28 Subd. 2. **Product stewardship program.** A producer of carpet sold in the state must
67.29 participate in the stewardship organization to implement and finance a statewide product
67.30 stewardship program operated under an agency-approved product stewardship plan that
67.31 manages carpet by reducing carpet's waste generation, promoting its reuse and recycling,
67.32 and providing for negotiation and execution of agreements to collect, transport, and process
67.33 carpet for recycling and reuse.

68.1 Subd. 3. **Requirement for sale.** On and after January 1, 2022, no producer, distributor,
68.2 or retailer may sell carpet or offer carpet for sale in the state unless the carpet's producer
68.3 participates in the product stewardship organization to implement and finance a statewide
68.4 product stewardship program operated under a stewardship plan approved by the agency.

68.5 Subd. 4. **Requirements for stewardship plan.** (a) On or before January 1, 2021, initially
68.6 and on or before each July 1 in a year when the stewardship plan is required to be updated
68.7 under paragraph (b), the stewardship organization must submit a stewardship plan to the
68.8 agency and receive agency approval of the plan. A stewardship plan must include all elements
68.9 required under subdivision 5.

68.10 (b) At least every three years, the stewardship organization operating a product
68.11 stewardship program must update the stewardship plan and submit the updated plan to the
68.12 agency for review and approval.

68.13 (c) It is the responsibility of the stewardship organization to notify the agency within
68.14 30 days of any significant changes or modifications to the plan or its implementation. Within
68.15 30 days of the notification, a written plan revision must be submitted to the agency for
68.16 review and approval.

68.17 (d) Upon agency approval of the stewardship plan, the stewardship organization must
68.18 comply with and implement the contents of the approved plan.

68.19 Subd. 5. **Stewardship plan content.** The stewardship plan must contain:

68.20 (1) certification that the product stewardship program will accept all discarded carpet
68.21 regardless of which producer produced the carpet and its individual components;

68.22 (2) contact information for the individual and the entity submitting the plan and for all
68.23 producers participating in the product stewardship program;

68.24 (3) a description of the methods by which discarded carpet will be collected in all areas
68.25 in the state without relying on end-of-life fees, including an explanation of how the collection
68.26 system will be convenient and adequate to serve the needs of small businesses and residents.
68.27 The stewardship program must include an operating collection site located in each county
68.28 of the state by January 1, 2023. Subject to approval by the agency, the stewardship program
68.29 may propose an alternative to a collection site location in each county that is convenient
68.30 and adequate to collect discarded carpet generated in each county;

68.31 (4) a description of how the adequacy of the collection program will be monitored and
68.32 maintained;

69.1 (5) the names and locations of collectors, transporters, and recycling facilities that will
69.2 manage discarded carpet;

69.3 (6) a description of how the discarded carpet and the carpet's components will be safely
69.4 and securely transported, tracked, and handled from collection through final recycling and
69.5 processing;

69.6 (7) a description of the method that will be used to reuse, deconstruct, or recycle the
69.7 discarded carpet to ensure that the product's components, to the extent feasible, are
69.8 transformed or remanufactured into raw materials or finished products for use;

69.9 (8) a description of the promotion and outreach activities that will be used to encourage
69.10 participation in the collection and recycling programs and how the activities' effectiveness
69.11 will be evaluated and the program modified, if necessary;

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

69.14 (10) performance goals, including an estimate of the percentage of discarded carpet that
69.15 will be collected, reused, recycled, and disposed during each of the three years of each
69.16 stewardship plan. The program must achieve at a minimum, a 15 percent recycling rate in
69.17 program year 2023 and must include and meet escalating performance goals for each
69.18 subsequent year. The performance goals must be based on:

69.19 (i) the most recent collection data available for the state;

69.20 (ii) the amount of carpet disposed of annually;

69.21 (iii) the weight of the carpet that is expected to be available for collection annually; and

69.22 (iv) actual collection data from other existing stewardship programs.

69.23 A stewardship plan must state the methodology used to determine these goals. The agency
69.24 must review and may adjust the recycling rate and performance goals, based on information
69.25 included in the stewardship plan and annual reports, other information provided by the
69.26 stewardship organization, and economic and any other relevant information;

69.27 (11) a discussion of the status of statewide collection infrastructure, processor capacity,
69.28 and end markets for discarded carpet and what, if any, additional statewide collection
69.29 infrastructure, processor capacity, and end markets are needed to improve the functioning
69.30 of the program and meet increasing performance goals;

69.31 (12) carpet design changes that will be considered to reduce toxicity, water use, or energy
69.32 use or to increase recycled content, recyclability, or carpet longevity;

70.1 (13) a discussion of market development opportunities to expand the use of recovered
70.2 carpet, with consideration of expanding processing activity near areas of collection;

70.3 (14) a financial plan that demonstrates sufficient funding to carry out the stewardship
70.4 plan, including the administrative, operational, and capital costs of the plan, and payment
70.5 of incentive payments to carpet collectors, processors, and end use markets to assist with
70.6 the implementation of this section;

70.7 (15) annual budgets showing revenue and expenditure projections for the current program
70.8 year and for the next three years of the program;

70.9 (16) a process by which the financial activities of the stewardship organization related
70.10 to the implementation of the plan are subject to an annual independent audit, which shall
70.11 be reviewed by the agency;

70.12 (17) baseline information, for the most recent three-year period for which data is available,
70.13 on the number of square feet and pounds of carpet sold in this state, by type of carpet pursuant
70.14 to subdivision 1, clause (3);

70.15 (18) a discussion of the feasibility, cost, and effectiveness of labeling the backside of
70.16 new carpet with the polymer type or nonpolymer material used to manufacture the carpet
70.17 to assist processors in more easily identifying the type of discarded carpet collected for
70.18 processing;

70.19 (19) a description of a mandatory program to train carpet installers on properly managing
70.20 discarded carpet so that it can be reused or recycled under this section; and

70.21 (20) a summary of the consultation process that identifies the consulted stakeholders,
70.22 the stakeholder comments raised in the consultation process, and the stewardship
70.23 organization's responses to those comments as required under subdivision 7.

70.24 Subd. 6. **Stewardship assessment.** (a) On and after July 1, 2021, a producer must add
70.25 a stewardship assessment fee of four cents per square foot to the purchase price of nylon
70.26 carpet, polypropylene carpet, and wool carpet, and six cents per square foot to the purchase
70.27 price of PET carpet, PTT carpet, blended carpet, and any other types of carpet sold by the
70.28 producer in this state. The assessment added under this section must be remitted by the
70.29 producer on a quarterly basis to the stewardship organization.

70.30 (b) The assessment must be added by the producer to the purchase price of all carpet
70.31 sold by producers to a Minnesota retailer or distributor or otherwise sold for use in this
70.32 state. The assessment must be clearly visible on all invoices or functionally equivalent

71.1 billing documents as a separate line item and must be accompanied by a brief description
71.2 of the assessment.

71.3 (c) If the amount of the assessment is too low to properly fund the stewardship program,
71.4 the stewardship organization must submit a plan update to the agency to increase the
71.5 assessment, subject to agency review and approval in accordance with this section before
71.6 the assessment is increased.

71.7 (d) On and after January 1, 2025, if a fund balance greater than one-half of the program's
71.8 annual operating cost is reached, the stewardship organization must submit a plan update
71.9 to the agency to reduce the assessment, subject to agency review and approval in accordance
71.10 with this section before the assessment is reduced.

71.11 (e) The assessment fee must be deposited by the stewardship organization into a Federal
71.12 Deposit Insurance Corporation (FDIC) insured financial institution, and, if for any reason
71.13 this section is repealed, the entire assessment fund balance must be transferred by the
71.14 stewardship organization to the state to be deposited into the environmental fund.

71.15 (f) A stewardship assessment must not be used to pay for any penalties assessed under
71.16 this section or for the final disposal or incineration of discarded carpet.

71.17 Subd. 7. **Consultation required.** (a) The stewardship organization must consult with
71.18 stakeholders, including retailers, installers, collectors, recyclers, local government, customers,
71.19 and citizens, during development of the stewardship plan; solicit stakeholder comments;
71.20 and incorporate stakeholder comments regarding the plan to the extent feasible before
71.21 submitting a plan to the agency for review.

71.22 (b) The stewardship organization must invite comments from local governments,
71.23 communities, and citizens to report their satisfaction with services, including education and
71.24 outreach, provided by the product stewardship program. The information must be submitted
71.25 to the agency and used by the agency in reviewing proposed updates or changes to the
71.26 stewardship plan.

71.27 Subd. 8. **Agency review and approval.** (a) Within 90 days after receiving a proposed
71.28 stewardship plan, the agency must determine whether the plan complies with subdivision
71.29 5 and is sufficient to achieve the goals and requirements of this section. If the agency
71.30 approves a plan, the agency must notify the applicant of the plan approval in writing. If the
71.31 agency rejects a plan, the agency must notify the applicant in writing of the reasons for
71.32 rejecting the plan. An applicant whose plan is rejected by the agency must submit a revised
71.33 plan to the agency within 60 days after receiving notice of rejection.

72.1 (b) Any proposed changes to a stewardship plan must be approved by the agency in
72.2 writing.

72.3 Subd. 9. **Plan availability.** All draft stewardship plans must be placed on the agency's
72.4 website for at least 30 days before agency approval and made available at the agency's
72.5 headquarters for public review and comment. All approved stewardship plans must be placed
72.6 on the agency's website while the plan is in effect.

72.7 Subd. 10. **Conduct authorized.** The stewardship organization that organizes collection,
72.8 transport, and processing of carpet under this section is immune from liability for the conduct
72.9 under state laws relating to antitrust, restraint of trade, unfair trade practices, and other
72.10 regulation of trade or commerce only to the extent that the conduct is necessary to plan and
72.11 implement the organization's chosen organized collection or recycling system.

72.12 Subd. 11. **Education materials.** (a) Producers of carpet or the stewardship organization
72.13 must provide retailers, installers, and consumers with educational materials regarding the
72.14 stewardship assessment and product stewardship program. The materials must include, but
72.15 are not limited to, information regarding available end-of-life management options for carpet
72.16 offered through the product stewardship program and information that notifies consumers
72.17 that a charge for operating the product stewardship program is included in the purchase
72.18 price of carpet sold in the state.

72.19 (b) Each distributor or retailer must provide the educational materials referenced in this
72.20 subdivision to carpet installation contractors and consumers at the time of purchase or
72.21 delivery or both.

72.22 Subd. 12. **Retailer and distributor responsibilities.** (a) On and after January 1, 2022,
72.23 no carpet may be sold in the state unless the carpet's producer is participating in an approved
72.24 stewardship plan.

72.25 (b) Any retailer or distributor may participate, on a voluntary basis, as a designated
72.26 collection point pursuant to a product stewardship program under this section and in
72.27 accordance with applicable law.

72.28 (c) No retailer or distributor shall be found to be in violation of this section if, on the
72.29 date the carpet was ordered from the producer or its agent, the producer was listed as
72.30 compliant on the agency's website, as provided in subdivision 15.

72.31 (d) Nothing in this section prohibits a retailer or distributor from selling their inventory
72.32 of carpet existing prior to January 1, 2022.

73.1 Subd. 13. **Stewardship reports.** Beginning March 31, 2023, and each March 31
73.2 thereafter, the stewardship organization must submit an annual report to the agency describing
73.3 the product stewardship program. At a minimum, the report must contain:

73.4 (1) a description of the methods used to collect, transport, and process carpet in all
73.5 regions of the state;

73.6 (2) the weight of all carpet collected in the seven-county metropolitan area and in the
73.7 remainder of the state and a comparison to the performance goals, recycling rates, and
73.8 collection infrastructure established in the stewardship plan and, if appropriate, an explanation
73.9 stating the reason or reasons performance goals were not met;

73.10 (3) the amount of discarded carpet collected in the state by method of disposition,
73.11 including reuse, recycling, and other methods of processing, including the amount collected
73.12 but not reused or recycled, and its methods of ultimate disposition;

73.13 (4) identification of the facilities processing carpet and the weight processed by type of
73.14 carpet listed in subdivision 1, clause (3), at each facility;

73.15 (5) an evaluation of the program's funding mechanism and budget for each program
73.16 year, including a copy of the independent audit;

73.17 (6) samples of educational materials provided to consumers and an evaluation of the
73.18 effectiveness of the materials and the methods used to disseminate the materials;

73.19 (7) a description of progress made toward achieving carpet design changes in order to
73.20 achieve the goals listed in subdivision 5, clause (12);

73.21 (8) an assessment of how the stewardship organization is achieving the goals of this
73.22 section and the goals established in the stewardship plan, including a discussion of each of
73.23 the required elements of the stewardship plan under subdivision 5;

73.24 (9) data necessary to determine whether the amount of the stewardship assessment will
73.25 be sufficient to achieve the goals of this section and the goals established in the stewardship
73.26 plan and will properly fund the stewardship program; and

73.27 (10) other information that the agency may request for the purposes of determining
73.28 compliance under this section.

73.29 Subd. 14. **Sales information.** Sales information provided to the commissioner under
73.30 this section is classified as private or nonpublic data, as specified in section 115A.06,
73.31 subdivision 13.

74.1 Subd. 15. **Agency responsibilities.** The agency must provide on its website a list of all
74.2 compliant producers and brands participating in stewardship plans that the agency has
74.3 approved and a list of all producers and brands the agency has identified as noncompliant
74.4 with this section.

74.5 Subd. 16. **Local government responsibilities.** A city, county, or other public agency
74.6 may voluntarily participate by serving as a designated collection point by providing education
74.7 and outreach, or by using other strategies to assist in meeting product stewardship program
74.8 recycling obligations. A city, county, or other public agency providing voluntary assistance
74.9 must be reimbursed for all of its expenses by the stewardship organization.

74.10 Subd. 17. **Administrative fee.** (a) The stewardship organization submitting a stewardship
74.11 plan must pay the agency an annual administrative fee. The agency must set the fee at an
74.12 amount that is adequate to cover the agency's full costs of administering and enforcing this
74.13 section.

74.14 (b) Fees collected under this subdivision are subject to section 16A.1285.

74.15 (c) The agency must identify the direct program development or regulatory costs it incurs
74.16 under this section before the first stewardship plan is submitted and must establish a fee in
74.17 an amount adequate to cover those costs, which must be paid by the stewardship organization.

74.18 (d) The stewardship organization must pay the agency's administrative fee under
74.19 paragraph (a) on or before July 1, 2021, and annually thereafter, and the agency's onetime
74.20 development fee under paragraph (c) on or before July 1, 2021. Each year after the initial
74.21 payment, and notwithstanding paragraph (b), the annual administrative fee may not exceed
74.22 five percent of the aggregate stewardship assessment collected under subdivision 6 for the
74.23 preceding calendar year.

74.24 Subd. 18. **Account created.** A carpet stewardship account is created as an account in
74.25 the special revenue fund. All fees collected by the agency from the stewardship organization
74.26 under this section must be deposited in the account. Any earnings from assets of the account
74.27 must be credited to the account. Money in the account is appropriated to the commissioner
74.28 for the purposes of this section.

74.29 Subd. 19. **Duty to provide information.** Any producer, distributor, retailer, stewardship
74.30 organization, or other person must furnish to the agency any information which that person
74.31 may have or may reasonably obtain that the agency requests for the purposes of determining
74.32 compliance under this section.

75.1 Sec. 42. Minnesota Statutes 2018, section 115A.142, is amended to read:

75.2 **115A.142 REPORT TO LEGISLATURE AND GOVERNOR.**

75.3 As part of the report required under section 115A.121, the commissioner of the Pollution
75.4 Control Agency ~~shall~~ must provide a report to the governor and the legislature on the
75.5 implementation of ~~section~~ sections 115A.141 and 115A.1415.

75.6 Sec. 43. Minnesota Statutes 2018, section 115A.51, is amended to read:

75.7 **115A.51 APPLICATION REQUIREMENTS.**

75.8 (a) Applications for assistance under the program ~~shall~~ must demonstrate:

75.9 ~~(a)~~ (1) that the project is conceptually and technically feasible;

75.10 ~~(b)~~ (2) that affected political subdivisions are committed to implement the project, to
75.11 provide necessary local financing, and to accept and exercise the government powers
75.12 necessary to the project;

75.13 ~~(c)~~ (3) that operating revenues from the project, considering the availability and security
75.14 of sources of solid waste and of markets for recovered resources, together with any proposed
75.15 federal, state, or local financial assistance, will be sufficient to pay all costs over the projected
75.16 life of the project;

75.17 ~~(d)~~ (4) that the applicant has evaluated the feasible and prudent alternatives to disposal,
75.18 including using existing solid waste management facilities with reasonably available capacity
75.19 sufficient to accomplish the goals of the proposed project, and has compared and evaluated
75.20 the costs of the alternatives, including capital and operating costs, and the effects of the
75.21 alternatives on the cost to generators;

75.22 (5) that the applicant has identified:

75.23 (i) waste management objectives in applicable county and regional solid waste
75.24 management plans consistent with section 115A.46, subdivision 2, paragraphs (e) and (f),
75.25 or 473.149, subdivision 1; and

75.26 (ii) other solid waste facilities identified in the county and regional plans; and

75.27 (6) that the applicant has conducted a comparative analysis of the project against existing
75.28 public and private solid waste facilities, including an analysis of potential displacement of
75.29 those facilities, to determine whether the project is the most appropriate alternative to achieve
75.30 the identified waste management objectives that considers:

75.31 (i) conformity with approved county or regional solid waste management plans;

76.1 (ii) consistency with the state's solid waste hierarchy and section 115A.46, subdivision
76.2 2, paragraphs (e) and (f), or 473.149, subdivision 1; and

76.3 (iii) environmental standards related to public health, air, surface water, and groundwater.

76.4 (b) The commissioner may require completion of a comprehensive solid waste
76.5 management plan conforming to the requirements of section 115A.46, before accepting an
76.6 application. Within five days of filing an application with the agency, the applicant must
76.7 submit a copy of the application to each solid waste management facility mentioned in the
76.8 portion of the application addressing the requirements of paragraph (a), clauses (5) and (6).

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

76.10 Sec. 44. **[115A.903] WASTE TIRE FACILITIES OPERATING OUTDOORS;**
76.11 **FINANCIAL QUALIFICATIONS.**

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

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

76.15 (c) "Financial qualification" means the ability of an applicant or permit holder to pay
76.16 the costs to properly design, construct, operate, maintain, and close a waste tire facility.

76.17 (d) "Waste tire facility" means a permitted facility operated by a tire collector or tire
76.18 processor at which waste tires are stored or processed outdoors.

76.19 Subd. 2. **Application; financial qualification.** (a) An applicant for a permit for a waste
76.20 tire facility must submit in an application to the commissioner:

76.21 (1) information demonstrating the applicant's financial qualification to design, construct,
76.22 operate, maintain, and close a waste tire facility; and

76.23 (2) cost estimates for:

76.24 (i) site investigation;

76.25 (ii) land acquisition costs, including financing terms and costs;

76.26 (iii) project design;

76.27 (iv) construction;

76.28 (v) operations;

76.29 (vi) maintenance; and

76.30 (vii) facility closing.

77.1 (b) As part of the financial qualification review, an applicant must:

77.2 (1) provide a copy of its most recent audited or reviewed financial statements prepared
77.3 by a certified public accountant according to generally accepted accounting principles, if
77.4 the applicant is an operating business prior to application;

77.5 (2) provide a copy of its owners' personal financial statements, if the applicant is not an
77.6 operating business prior to application; and

77.7 (3) demonstrate its financial viability through one or a combination of assets including
77.8 cash, marketable securities or bonds, or letters of credit or loan commitments from a financial
77.9 institution that is a member of the Federal Deposit Insurance Corporation (FDIC) or the
77.10 National Credit Union Administration (NCUA) and is authorized to do business in the
77.11 United States.

77.12 (c) Any person whose assets are used as part of the financial qualification review must
77.13 be designated as a joint permittee with the applicant on the permit for the facility.

77.14 Subd. 3. **Financial qualification review.** The commissioner may provide to the state
77.15 auditor a copy of any filing that an applicant for a permit or a permit holder submits to the
77.16 commissioner to meet the financial qualification requirement under this section. The state
77.17 auditor must review the filing and provide the commissioner with a written opinion as to
77.18 the adequacy of the filing to meet the purposes of this section, including any recommended
77.19 changes.

77.20 Subd. 4. **Changes affecting financial qualification.** (a) To continue to hold a permit
77.21 for a waste tire facility, a permit holder must maintain financial qualification and must
77.22 provide any information requested by the commissioner to establish that the permit holder
77.23 continues to maintain financial qualification. A permit holder must notify the commissioner
77.24 within 30 days of any significant change in:

77.25 (1) the identity of any person or structure of the business entity that holds the permit for
77.26 the facility;

77.27 (2) the identity of any person or structure of the business entity that owns or operates
77.28 the facility; or

77.29 (3) assets of the permit holder, owner, or operator of the facility.

77.30 (b) A change is significant under paragraph (a) if the change:

77.31 (1) has the potential to affect the financial qualification of the permit holder, owner, or
77.32 operator; or

78.1 (2) would result in a change in the identity of the permit holder, owner, or operator for
78.2 purposes of financial qualification.

78.3 The commissioner may, after reviewing the changes, require the permit holder to reestablish
78.4 financial qualification and may modify or revoke a permit or require issuance of a new
78.5 permit.

78.6 Subd. 5. **Application.** (a) The financial qualification requirements of this section apply
78.7 only in the first ten years of operation of a waste tire facility permitted in the state.

78.8 (b) This section does not apply to political subdivisions operating a waste tire facility.

78.9 **EFFECTIVE DATE.** This section is effective the day following final enactment and
78.10 applies to waste tire facilities issued a permit on or after that date.

78.11 Sec. 45. **[115B.172] NATURAL RESOURCES DAMAGES ACCOUNT.**

78.12 Subdivision 1. **Establishment.** The natural resources damages account is established as
78.13 an account in the remediation fund.

78.14 Subd. 2. **Revenues.** The account consists of money from the following sources:

78.15 (1) revenue from actions taken to recover natural resources damages under section
78.16 115B.17, subdivision 7, or any other law, unless otherwise specified in the settlement
78.17 agreement;

78.18 (2) appropriations and transfers to the account as provided by law;

78.19 (3) interest earned on the account; and

78.20 (4) money received by the commissioner of the Pollution Control Agency or the
78.21 commissioner of natural resources for deposit in the account in the form of a gift or grant.

78.22 Subd. 3. **Expenditures.** (a) Money in the account is appropriated to the commissioner
78.23 of natural resources for the purposes authorized in section 115B.20, subdivision 2, clause
78.24 (4).

78.25 (b) The commissioner of management and budget must allocate the amounts available
78.26 in any biennium to the commissioner of natural resources for the purposes of this section
78.27 based upon work plans submitted by the commissioner of natural resources and may adjust
78.28 those allocations if revised work plans are submitted. Copies of the work plans must be
78.29 submitted to the chairs of the house of representatives and senate committees and divisions
78.30 having jurisdiction over environment and natural resources finance.

79.1 Subd. 4. **Report.** By November 1 each year, the commissioner of natural resources must
79.2 submit a report to the chairs and ranking minority members of the house of representatives
79.3 and senate committees and divisions with jurisdiction over environment and natural resources
79.4 policy and finance on expenditures from the natural resources damages account during the
79.5 previous fiscal year.

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

79.7 Sec. 46. Minnesota Statutes 2018, section 115B.421, is amended to read:

79.8 **115B.421 CLOSED LANDFILL INVESTMENT FUND.**

79.9 The closed landfill investment fund is established in the state treasury. The fund consists
79.10 of money credited to the fund, and interest and other earnings on money in the fund.
79.11 Beginning July 1, 2003, funds must be deposited as described in section 115B.445. The
79.12 fund shall be managed to maximize long-term gain through the State Board of Investment.
79.13 Money in the fund is appropriated to the commissioner and may be spent ~~by the commissioner~~
79.14 after fiscal year 2020 in accordance with sections 115B.39 to 115B.444.

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

79.16 Sec. 47. Minnesota Statutes 2018, section 116.02, is amended to read:

79.17 **116.02 POLLUTION CONTROL AGENCY; CREATION AND POWERS.**

79.18 Subdivision 1. **Creation.** A pollution control agency, designated as the Minnesota
79.19 Pollution Control Agency, is ~~hereby~~ created. The agency consists of the commissioner and
79.20 eight members appointed by the governor, by and with the advice and consent of the senate.
79.21 One member must be a person knowledgeable in the field of agriculture, and one must be
79.22 a representative of organized labor.

79.23 Subd. 2a. **Terms, compensation, removal, vacancies.** The membership terms,
79.24 compensation, removal of members, and filling of vacancies on the agency is as provided
79.25 in section 15.0575.

79.26 Subd. 3a. **Membership.** The membership of the Pollution Control Agency must be
79.27 broadly representative of the skills and experience necessary to effectuate the policy of
79.28 sections 116.01 to 116.075, except that no member other than the commissioner may be an
79.29 officer or employee of the state or federal government. Only two members at one time may
79.30 be officials or employees of a municipality or any governmental subdivision, but neither
79.31 may be a member ex officio or otherwise on the management board of a municipal sanitary
79.32 sewage disposal system.

80.1 Subd. 4a. **Chair.** The commissioner serves as chair of the agency. The agency elects
80.2 other officers as the agency deems necessary.

80.3 Subd. 5. **Agency successor to commission.** The Pollution Control Agency is the
80.4 successor of the Water Pollution Control Commission, and all powers and duties now vested
80.5 in or imposed upon said commission by chapter 115, or any act amendatory thereof or
80.6 supplementary thereto, are hereby transferred to, imposed upon, and vested in the
80.7 commissioner of the Minnesota Pollution Control Agency.

80.8 Subd. 6a. **Required decisions.** The agency must make final decisions on the following
80.9 matters:

80.10 (1) a petition for preparing an environmental assessment worksheet, if the project proposer
80.11 or a person commenting on the proposal requests that the decision be made by the agency
80.12 and the agency requests that it make the decision under subdivision 8a;

80.13 (2) the need for an environmental impact statement following preparation of an
80.14 environmental assessment worksheet under applicable rules, if:

80.15 (i) the agency has received a request for an environmental impact statement;

80.16 (ii) the project proposer or a person commenting on the proposal requests that the
80.17 declaration be made by the agency and the agency requests that it make the decision under
80.18 subdivision 8a; or

80.19 (iii) the commissioner is recommending preparation of an environmental impact
80.20 statement;

80.21 (3) the scope and adequacy of environmental impact statements;

80.22 (4) issuing, reissuing, modifying, or revoking a permit if:

80.23 (i) a variance is sought in the permit application or a contested case hearing request is
80.24 pending; or

80.25 (ii) the permit applicant, the permittee, or a person commenting on the permit action
80.26 requests that the decision be made by the agency and the agency requests that it make the
80.27 decision under subdivision 8a;

80.28 (5) final adoption or amendment of agency rules for which a public hearing is required
80.29 under section 14.25 or for which the commissioner decides to proceed directly to a public
80.30 hearing under section 14.14, subdivision 1;

80.31 (6) approving or denying an application for a variance from an agency rule if:

81.1 (i) granting the variance request would change an air, soil, or water quality standard;

81.2 (ii) the commissioner determines that granting the variance would have a significant
81.3 environmental impact; or

81.4 (iii) the applicant or a person commenting on the variance request requests that the
81.5 decision be made by the agency and the agency requests that it make the decision under
81.6 subdivision 8a; and

81.7 (7) whether to reopen, rescind, or reverse a decision of the agency.

81.8 Subd. 7a. **Additional decisions.** The commissioner may request that the agency make
81.9 additional decisions or provide advice to the commissioner.

81.10 Subd. 8a. **Other actions.** (a) Any other action not specifically within the authority of
81.11 the commissioner must be made by the agency if:

81.12 (1) before the commissioner's final decision on the action, one or more members of the
81.13 agency notify the commissioner of their request that the decision be made by the agency;
81.14 or

81.15 (2) any person submits a petition to the commissioner requesting that the decision be
81.16 made by the agency and the commissioner grants the petition.

81.17 (b) If the commissioner denies a petition submitted under paragraph (a), clause (2), the
81.18 commissioner must advise the agency and the petitioner of the reasons for the denial.

81.19 Subd. 9a. **Informing public.** The commissioner must inform interested persons as
81.20 appropriate in public notices and other public documents of their right to request the agency
81.21 to make decisions in specific matters according to subdivision 6a and the right of agency
81.22 members to request that decisions be made by the agency according to subdivision 8a. The
81.23 commissioner must regularly inform the agency of activities that have broad policy
81.24 implications or potential environmental significance and of activities in which the public
81.25 has exhibited substantial interest.

81.26 Subd. 11. **Changing decisions.** (a) The agency must not reopen, rescind, or reverse a
81.27 decision of the agency except upon:

81.28 (1) the affirmative vote of two-thirds of the agency; or

81.29 (2) a finding that there was an irregularity in a hearing related to the decision, an error
81.30 of law, or a newly discovered material issue of fact.

81.31 (b) The requirements in paragraph (a) are minimum requirements and do not limit the
81.32 agency's authority under sections 14.06 and 116.07, subdivision 3, to adopt rules:

82.1 (1) applying the requirement in paragraph (a), clause (1) or (2), to certain decisions of
82.2 the agency; or

82.3 (2) establishing additional or more stringent requirements for reopening, rescinding, or
82.4 reversing decisions of the agency.

82.5 Sec. 48. Minnesota Statutes 2018, section 116.03, subdivision 1, is amended to read:

82.6 Subdivision 1. **Office.** (a) The Office of Commissioner of the Pollution Control Agency
82.7 is created and is under the supervision and control of the commissioner, who is appointed
82.8 by the governor under the provisions of section 15.06.

82.9 (b) The commissioner may appoint a deputy commissioner and assistant commissioners
82.10 who ~~shall be~~ are in the unclassified service.

82.11 (c) The commissioner shall make all decisions on behalf of the agency that are not
82.12 required to be made by the agency under section 116.02.

82.13 Sec. 49. Minnesota Statutes 2018, section 116.03, subdivision 2a, is amended to read:

82.14 Subd. 2a. **Mission; efficiency.** It is part of the agency's mission that₂ within the agency's
82.15 resources₂ the commissioner and the members of the agency shall endeavor to:

82.16 (1) prevent the waste or unnecessary spending of public money;

82.17 (2) use innovative fiscal and human resource practices to manage the state's resources
82.18 and operate the agency as efficiently as possible;

82.19 (3) coordinate the agency's activities wherever appropriate with the activities of other
82.20 governmental agencies;

82.21 (4) use technology where appropriate to increase agency productivity, improve customer
82.22 service, increase public access to information about government, and increase public
82.23 participation in the business of government;

82.24 (5) ~~utilize~~ use constructive and cooperative labor-management practices to the extent
82.25 otherwise required by chapters 43A and 179A;

82.26 (6) report to the legislature on the performance of agency operations and the
82.27 accomplishment of agency goals in the agency's biennial budget according to section 16A.10,
82.28 subdivision 1; and

82.29 (7) recommend to the legislature appropriate changes in law necessary to carry out the
82.30 mission and improve the performance of the agency.

83.1 Sec. 50. Minnesota Statutes 2018, section 116.155, subdivision 1, is amended to read:

83.2 Subdivision 1. **Creation.** The remediation fund is created as a special revenue fund in
83.3 the state treasury to provide a reliable source of public money for response and corrective
83.4 actions to address releases of hazardous substances, pollutants or contaminants, agricultural
83.5 chemicals, and petroleum, and for environmental response actions at qualified landfill
83.6 facilities for which the agency has assumed such responsibility, including perpetual care of
83.7 such facilities. The specific purposes for which the general portion of the fund may be spent
83.8 are provided in subdivision 2. In addition to the general portion of the fund, the fund contains
83.9 ~~three~~ four accounts described in subdivisions 4 to ~~5a~~ 5b.

83.10 Sec. 51. Minnesota Statutes 2018, section 116.155, subdivision 3, is amended to read:

83.11 Subd. 3. **Revenues.** The following revenues shall be deposited in the general portion of
83.12 the remediation fund:

83.13 (1) response costs ~~and natural resource damages~~ related to releases of hazardous
83.14 substances, or pollutants or contaminants, recovered under sections 115B.17, ~~subdivisions~~
83.15 subdivision 6 and 7; 115B.443; 115B.444, or any other law;

83.16 (2) money paid to the agency or the Agriculture Department by voluntary parties who
83.17 have received technical or other assistance under sections 115B.17, subdivision 14, 115B.175
83.18 to 115B.179, and 115C.03, subdivision 9;

83.19 (3) money received in the form of gifts, grants, reimbursement, or appropriation from
83.20 any source for any of the purposes provided in subdivision 2, except federal grants; and

83.21 (4) interest accrued on the fund.

83.22 Sec. 52. Minnesota Statutes 2018, section 116.155, is amended by adding a subdivision
83.23 to read:

83.24 Subd. 5b. **Natural resources damages account.** The natural resources damages account
83.25 is as described in section 115B.172.

83.26 Sec. 53. [116.2025] SALT APPLICATORS; VOLUNTARY CERTIFICATION
83.27 PROGRAM.

83.28 Subdivision 1. **Definitions.** For purposes of this section, the following terms have the
83.29 meanings given:

84.1 (1) "certified commercial applicator" means an individual who applies deicer, completed
84.2 training on snow and ice removal and deicer application approved by the commissioner,
84.3 and passed an examination after completing the training;

84.4 (2) "commercial applicator" means an individual who applies deicer for hire, but does
84.5 not include a municipal, state, or other government employee;

84.6 (3) "deicer" means any substance used to melt snow and ice, or used for its anti-icing
84.7 effects, on privately owned surfaces traveled by pedestrians and vehicles; and

84.8 (4) "owner" means a person that owns or leases real estate and that enters into a written
84.9 contract with a certified commercial applicator for snow and ice removal and deicer
84.10 application.

84.11 Subd. 2. **Voluntary certification program; best management practices.** (a) The
84.12 commissioner of the Pollution Control Agency must develop a training program that promotes
84.13 best management practices for snow and ice removal and deicer application that protect
84.14 water quality and allows commercial applicators to obtain certification as a water-friendly
84.15 applicator. The commissioner must certify a commercial applicator as a water-friendly
84.16 applicator if the applicator successfully completes the program and passes the examination.

84.17 (b) The commissioner, in consultation with the University of Minnesota, must provide
84.18 additional training under this section for certified commercial applicators renewing
84.19 certification after their initial training and certification.

84.20 (c) The commissioner, in consultation with the University of Minnesota, must provide
84.21 the training and testing module at locations statewide and may make the recertification
84.22 training available online.

84.23 (d) The commissioner, in consultation with the University of Minnesota, must annually
84.24 post the best management practices and a list of certified commercial applicators on the
84.25 agency's website.

84.26 (e) The commissioner may charge a fee of no more than \$350 per certified commercial
84.27 applicator for the training or recertification under this section. Fees collected under this
84.28 subdivision must be deposited in the environmental fund.

84.29 Subd. 3. **Liability.** (a) A certified commercial applicator or an owner is not liable for
84.30 damages arising from hazards resulting from the accumulation of snow and ice on any real
84.31 estate maintained by the certified commercial applicator when the hazard is solely caused
84.32 by snow or ice and the certified commercial applicator used the best management practices
84.33 for snow and ice removal and deicing approved by the commissioner.

85.1 (b) Nothing in paragraph (a) prevents or limits the liability of a certified commercial
85.2 applicator or owner if the certified commercial applicator or owner:

85.3 (1) commits an act or omission that constitutes negligence or willful or wanton disregard
85.4 for the safety of entrants onto real estate of the owner that is maintained by the certified
85.5 commercial applicator and that act or omission proximately causes injury, damage, or death;

85.6 (2) has actual knowledge or reasonably should have known of a dangerous condition on
85.7 the real estate of the owner maintained by the certified commercial applicator;

85.8 (3) intentionally injures an entrant on real estate of the owner that is maintained by the
85.9 certified applicator; or

85.10 (4) fails to comply with the best management practices for snow and ice removal and
85.11 deicer application approved by the commissioner.

85.12 (c) The liability of a commercial applicator who applies deicer but is not certified under
85.13 this section may not be determined under the standards provided in this subdivision.

85.14 Subd. 4. **Record keeping.** A certified commercial applicator must maintain the following
85.15 records as part of the best management practices approved by the commissioner:

85.16 (1) a copy of the applicator's certification approved by the commissioner and any
85.17 recertification;

85.18 (2) evidence of passing the examination approved by the commissioner;

85.19 (3) copies of the winter maintenance assessment tool requirements developed by the
85.20 commissioner;

85.21 (4) a written record describing the road, parking lot, and property maintenance practices
85.22 used. The written record must include the type and rate of application of deicer used, the
85.23 dates of treatment, and the weather conditions for each event requiring deicing. The records
85.24 must be kept for a minimum of six years; and

85.25 (5) proof of compliance with the reporting requirements under subdivision 7.

85.26 Subd. 5. **Penalty.** The commissioner may revoke or decline to renew the certification
85.27 of a commercial applicator who violates this section or rules adopted under this section.

85.28 Subd. 6. **Relation to other law.** Nothing in this section affects municipal liability under
85.29 section 466.03.

86.1 Subd. 7. **Reporting required.** By July 1 each year, a certified commercial applicator
86.2 must submit to the commissioner on a form prescribed by the commissioner the amounts
86.3 and types of deicers used in the previous calendar year.

86.4 Subd. 8. **Expiration.** This section expires August 1, 2026.

86.5 **EFFECTIVE DATE.** This section is effective August 1, 2019, and applies to claims
86.6 arising on or after that date.

86.7 Sec. 54. **[116U.60] MINNESOTA OUTDOOR RECREATION OFFICE.**

86.8 Subdivision 1. **Office established.** The Minnesota Outdoor Recreation Office is
86.9 established as an office in Explore Minnesota Tourism. The governor, in consultation with
86.10 the commissioners of natural resources and employment and economic development, must
86.11 appoint the director of the Minnesota Outdoor Recreation Office.

86.12 Subd. 2. **Purpose.** The purpose of the Minnesota Outdoor Recreation Office is to promote
86.13 and increase participation in outdoor recreation by all Minnesota citizens by:

86.14 (1) supporting the outdoor recreation economy of Minnesota and working toward
86.15 equitable and inclusive access to the outdoors;

86.16 (2) creating and developing an inventory of existing public and private resources
86.17 promoting outdoor recreation;

86.18 (3) coordinating outdoor recreation policy and management among state and federal
86.19 agencies and local government entities;

86.20 (4) assisting in promoting and marketing opportunities and events for outdoor recreation;

86.21 (5) assisting the Department of Employment and Economic Development in supporting
86.22 outdoor recreation businesses and providing technical assistance with resources and
86.23 opportunities for economic development;

86.24 (6) developing strategies to recruit and grow outdoor recreation businesses and to enhance
86.25 recreation-related employment in Minnesota;

86.26 (7) promoting outdoor recreation opportunities for people with disabilities;

86.27 (8) promoting education and use of outdoor recreation assets to enhance public health;

86.28 (9) supporting outdoor recreation programs at Minnesota educational institutions;

86.29 (10) collecting data on the impact of outdoor recreation in the state and the accessibility
86.30 of natural resources for underserved populations; and

87.1 (11) recommending initiatives to increase access to outdoor recreational amenities and
87.2 experiences.

87.3 Subd. 3. **Account; donations.** The director of the Minnesota Outdoor Recreation Office
87.4 may accept gifts and grants for purposes related to the duties of the Minnesota Outdoor
87.5 Recreation Office. Money received by the director from gifts and grants is deposited in an
87.6 account in the special revenue fund and appropriated to the director for the purposes specified
87.7 in the gift or grant.

87.8 Subd. 4. **Strategic plan.** By January 15, 2020, the director of the Minnesota Outdoor
87.9 Recreation Office must submit a report to the chairs and ranking minority members of the
87.10 house of representatives and senate committees and divisions with jurisdiction over Explore
87.11 Minnesota Tourism and environment and natural resources policy and finance that contains
87.12 a strategic plan for the Minnesota Outdoor Recreation Office. In developing the strategic
87.13 plan, the director must consult with the Explore Minnesota Tourism Council; the
87.14 commissioners of natural resources, health, transportation, and employment and economic
87.15 development; and the chairs and ranking minority members or their designees of the house
87.16 of representatives and senate committees and divisions with jurisdiction over Explore
87.17 Minnesota Tourism and environment and natural resources policy and finance.

87.18 Subd. 5. **Consultation and cooperation.** (a) The director of the Minnesota Outdoor
87.19 Recreation Office must consult with the Explore Minnesota Tourism Council in carrying
87.20 out the purposes of the Minnesota Outdoor Recreation Office.

87.21 (b) Explore Minnesota Tourism and the commissioners of natural resources, health,
87.22 transportation, and employment and economic development must cooperate with the director
87.23 of the Minnesota Outdoor Recreation Office in fulfilling the duties of the Minnesota Outdoor
87.24 Recreation Office as they relate to the purposes of the respective office or agencies.

87.25 Subd. 6. **Report.** By January 1, 2021, and each year thereafter, the director of the
87.26 Minnesota Outdoor Recreation Office must submit an annual report to the legislature on
87.27 the donations received, accomplishments, recommendations, and findings of the Minnesota
87.28 Outdoor Recreation Office from the preceding fiscal year.

87.29 Subd. 7. **Regulatory authority.** Nothing contained in this section supplants or impacts
87.30 the regulatory authority of other state agencies.

87.31 Sec. 55. Minnesota Statutes 2018, section 127A.353, subdivision 1, is amended to read:

87.32 Subdivision 1. **Appointment.** The school trust lands director shall be appointed by the
87.33 governor. The commissioner of natural resources shall provide human resources, payroll,

88.1 accounting, procurement, and other similar administrative services to the school trust lands
88.2 director. The director's appointment is subject to the advice and consent of the senate.

88.3 Sec. 56. Minnesota Statutes 2018, section 325F.071, is amended to read:

88.4 **325F.071 FLAME-RETARDANT CHEMICALS; PROHIBITION.**

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

88.7 (b) "Child" means a person under 12 years of age.

88.8 (c) "Children's product" means a product primarily designed or intended by a
88.9 manufacturer to be used by or for a child, including any article used as a component of such
88.10 a product, but excluding a food, beverage, dietary supplement, pharmaceutical product or
88.11 biologic, children's toys that are subject to the most recent version of the American Society
88.12 for Testing and Materials F963, Standard Consumer Safety Specification for Toy Safety, a
88.13 medical device as defined in the Federal Food, Drug, and Cosmetic Act, United States Code,
88.14 title 21, section 321(h), products listed under section 116.9405, clauses (10) and (11), and
88.15 products listed under sections 325F.03 and 325F.04.

88.16 (d) "PFAS" means perfluoroalkyl and polyfluoroalkyl substances.

88.17 (e) "Residential or business textile" means a textile designed for use in the home,
88.18 businesses, or places of lodging as a covering on windows, walls, or floors. Residential or
88.19 business textile includes carpeting and carpet padding.

88.20 ~~(d) (f) "Upholstered residential furniture" means furniture with padding, coverings, and~~
88.21 ~~cushions intended and sold for use in the home or places of lodging.~~

88.22 Subd. 2. **Flame-retardant chemicals; prohibition.** (a) On and after July 1, 2018, no
88.23 manufacturer or wholesaler may manufacture, sell, offer for sale, distribute for sale, or
88.24 distribute for use in this state a children's product ~~or~~ upholstered residential furniture, a
88.25 residential or business textile, or a mattress containing, in amounts greater than 1,000 parts
88.26 per million in any product component, ~~the following flame-retardants:~~ any halogenated,
88.27 phosphorus-based, nitrogen-based, and nanoscale flame retardants.

88.28 ~~(1) TDCPP (tris(1,3-dichloro-2-propyl)phosphate), Chemical Abstracts Service number~~
88.29 ~~13674-87-8;~~

88.30 ~~(2) decabromodiphenyl ether, Chemical Abstracts Service number 1163-19-5;~~

88.31 ~~(3) hexabromocyclododecane, Chemical Abstracts Service number 25637-99-4; and~~

89.1 ~~(4) TCEP (tris(2-chloroethyl)phosphate), Chemical Abstracts Service number 115-96-8.~~

89.2 (b) On and after July 1, 2019, no retailer may sell or offer for sale or use in this state a
89.3 children's product or upholstered residential furniture, a residential or business textile, or
89.4 a mattress containing in amounts greater than 1,000 parts per million in any product
89.5 component the flame retardant chemicals listed in paragraph (a).

89.6 (c) The sale or offer for sale of any previously owned product containing a chemical
89.7 restricted under this section is exempt from the provisions of this section.

89.8 Subd. 3. **Flame-retardant chemicals; replacement chemicals.** A manufacturer shall
89.9 not replace a chemical whose use is prohibited under this section with a chemical identified
89.10 on the basis of credible scientific evidence by a state, federal, or international agency as
89.11 being known or suspected with a high degree of probability to:

89.12 (1) harm the normal development of a fetus or child or cause other developmental
89.13 toxicity;

89.14 (2) cause cancer, genetic damage, or reproductive harm;

89.15 (3) disrupt the endocrine or hormone system; or

89.16 (4) damage the nervous system, immune system, or organs, or cause other systemic
89.17 toxicity.

89.18 Subd. 4. **Firefighting foam.** Beginning July 1, 2020, a manufacturer or wholesaler may
89.19 only manufacture, sell, offer for sale, distribute for sale, or distribute for use in this state
89.20 class B firefighting foam that contains intentionally added PFAS to oil refineries, oil and
89.21 petroleum terminals, and airports.

89.22 Subd. 5. **Training exercises.** Class B firefighting foam that contains intentionally added
89.23 PFAS must not be used in training exercises, including at oil refineries, oil and petroleum
89.24 terminals, and airports.

89.25 Subd. 6. **Enforcement.** The commissioner of the Pollution Control Agency must enforce
89.26 compliance with this section under sections 115.071 and 116.072. The commissioner must
89.27 coordinate with the commissioners of commerce and health in enforcing this section to aid
89.28 in the law enforcement process or promote public health. Coordination includes but is not
89.29 limited to investigation, enforcement and sharing related data among the agencies in the
89.30 course of those processes, and using each agency's investigative and enforcement authorities,
89.31 where they are applicable.

90.1 **EFFECTIVE DATE.** (a) The amendments to subdivision 2, paragraph (a), are effective
90.2 July 1, 2020.

90.3 (b) The amendments to subdivision 2, paragraph (b), are effective July 1, 2021.

90.4 Sec. 57. **TURTLE SELLER'S LICENSES; TRANSFER AND RENEWAL.**

90.5 The commissioner of natural resources must not renew or transfer a turtle seller's license
90.6 after the effective date of this section.

90.7 Sec. 58. **CHRONIC WASTING DISEASE ADOPT-A-DUMPSTER PROGRAM;**
90.8 **DEER CARCASS HANDLING GUIDELINES.**

90.9 (a) The commissioner of natural resources must establish a chronic wasting disease
90.10 adopt-a-dumpster program to provide dumpsters dedicated to disposing of deer carcasses
90.11 in areas where chronic wasting disease has been detected. The commissioner must work
90.12 with solid waste haulers and other interested parties and encourage volunteer support to
90.13 ensure the dumpsters are located at convenient locations with appropriate signage, lined,
90.14 and maintained. The commissioner must ensure the carcasses collected are properly disposed
90.15 of to minimize the spread of chronic wasting disease.

90.16 (b) The commissioner of natural resources, in consultation with the commissioners of
90.17 health and the Pollution Control Agency, must develop guidelines to prevent the spread of
90.18 chronic wasting disease and protect public health that take into consideration infectious
90.19 waste as defined under Minnesota Statutes, section 116.76, subdivision 12:

90.20 (1) for hunters for handling deer in the field and transporting and disposing of carcasses;

90.21 (2) for solid waste facilities and solid waste haulers for proper handling, transportation,
90.22 and disposal of deer carcasses; and

90.23 (3) for taxidermists and meat processors for proper handling, processing, and disposal
90.24 of deer carcasses.

90.25 (c) By January 15, 2020, the commissioner of natural resources must submit a report to
90.26 the chairs and ranking minority members of the house of representatives and senate
90.27 committees and divisions with jurisdiction over environment and natural resources with the
90.28 results of the program developed under paragraph (a) and the guidelines developed under
90.29 paragraph (b).

91.1 Sec. 59. **REVISOR INSTRUCTION.**

91.2 The revisor of statutes shall renumber Minnesota Statutes, section 85.012, subdivision
91.3 49, as subdivision 58a, and include the history of the current subdivision 49 under the new
91.4 subdivision 58a.

91.5 Sec. 60. **REPEALER.**

91.6 (a) Minnesota Statutes 2018, section 97C.605, subdivisions 2, 2a, 2b, and 5, are repealed.

91.7 (b) Laws 2015, First Special Session chapter 4, article 4, section 149, is repealed.

91.8 (c) Minnesota Rules, part 6256.0500, subparts 2, 2a, 2b, 4, 5, 6, 7, and 8, are repealed.

97C.605 TURTLES.

Subd. 2. **Turtle seller's license.** (a) A person may not take, possess, buy, or transport turtles for sale; sell turtles; or take turtles for sale using commercial equipment without a turtle seller's license, except as provided in subdivision 2c.

(b) Except for renewals, no new turtle seller's licenses may be issued after August 1, 2002.

(c) A turtle seller's license is transferable by the turtle seller licensee by making application to the commissioner. A turtle seller's license may be transferred only once under this paragraph and the transfer must be to a child of the person holding the turtle seller's license.

Subd. 2a. **Recreational turtle license.** A person who does not possess a turtle seller's license must obtain a recreational turtle license to take turtles for personal use with commercial equipment.

Subd. 2b. **Turtle seller's apprentice license.** (a) A person with a turtle seller's license may list one person as an apprentice on the license. A person acting as an apprentice for a turtle seller licensee must have an apprentice license and may assist the turtle licensee in all licensed activities.

(b) The turtle seller licensee or turtle seller's apprentice licensee must be present at all turtle operations conducted under the turtle seller's license. Turtle operations include going to and from turtle harvest locations; setting, lifting, and removing commercial turtle equipment; taking turtles out of equipment; and transporting turtles from harvest locations.

(c) A turtle seller's apprentice license is transferable by the turtle seller licensee by making application to the commissioner. A person listed as an apprentice by a turtle seller licensee must not be listed as an apprentice by another turtle seller licensee nor may an apprentice possess a turtle seller's license or a recreational turtle license.

Subd. 5. **Interfering with commercial or recreational turtle operations.** A person may not:

(1) knowingly place or maintain an obstruction that will hinder, prevent, or interfere with a licensed turtle operation;

(2) remove turtles, other wild animals, or fish from a floating or submerged trap licensed under the game and fish laws; or

(3) knowingly damage, disturb, or interfere with a licensed turtle operation.

Laws 2015, First Special Session chapter 4, article 4, section 149

Sec. 149. **REVISOR'S INSTRUCTION.**

The revisor of statutes shall prepare draft legislation to amend statutes to conform with structural changes to the Minnesota Pollution Control Agency under sections 114 to 117 and 150. The revisor shall submit the proposed legislation to the chairs of the house of representatives and senate committees with jurisdiction over environment policy by January 1, 2016.

6256.0500 TAKING TURTLES.

Subp. 2. **Equipment.** Turtles may be taken by a person possessing a turtle seller's, turtle seller's apprentice, or recreational turtle license by means of floating or submerged turtle traps, turtle hooks, and other commercial fishing gear authorized by the commissioner. Traps must not exceed five feet in width, four feet in height, and eight feet in length.

Subp. 2a. **Submerged turtle traps.** Submerged traps must be constructed of either flexible webbing or wire. Flexible webbing traps must be of mesh size not less than 3-1/2 inches bar measure or seven inches stretch measure. Wire traps must be of mesh size not less than two inches by four inches bar measure and must have at least one square opening in the top panel measuring at least four inches on a side and two of the same dimension on each of the side panels near the top of the trap. A trap must be set in water shallow enough so that the top of the trap is at least level with the water surface.

Subp. 2b. **Floating turtle traps.** Floating traps must have: (1) one or more openings above the water surface that measure at least ten inches by four inches; and (2) a mesh size of not less than one-half inch bar measure.

Subp. 4. **Operation of turtle trap.** Each submerged trap must be checked and emptied at intervals not exceeding 48 hours and each floating trap must be checked and emptied at intervals not exceeding 120 hours. A turtle seller licensee or turtle seller's apprentice operating under a turtle seller's license may not operate more than 40 submerged turtle traps. A turtle seller's apprentice is not entitled to any traps in addition to those of the turtle seller. A recreational turtle licensee may not operate more than three turtle traps.

Subp. 5. **Required marking of turtle traps.**

A. When in use, each turtle trap must have affixed on it a tag of permanent material visible from above, legibly bearing the name, address, and license number of the operator. This information must be recorded in an indelible manner on the tag. The tag must be of dimensions not less than 2-1/2 inches in length by five-eighths inch in width.

B. The commissioner shall issue 40 submerged turtle trap identification tags to a turtle seller licensee and three recreational turtle trap identification tags to a recreational turtle licensee. Tags must be attached to submerged and recreational traps at all times. Lost tags must be reported within 48 hours to the local conservation officer or the commercial fisheries program consultant. The commissioner may reissue tags upon request.

Subp. 6. **Turtles taken incidental to other operations.** Turtles listed in subpart 1 that are taken incidental to other commercial fishing operations may be possessed, transported, and sold, provided the operator is a holder of a turtle seller's license.

Subp. 7. **Required reporting by turtle seller; record keeping.**

A. A holder of a turtle seller's license must submit reports, on forms provided by the commissioner, to the address identified on the form by the tenth day of each month for the preceding month for the months of March through November, whether or not any equipment was used to take turtles.

B. In the report required in item A, the licensee must record daily operations, including separate entries for each water body. The records must include water body location, equipment used, numbers and pounds of each species of turtles taken, numbers of each species of turtles released at that water body, and other information about the operation as specified on the form provided by the commissioner. The records must be kept current within 48 hours of the last daily operation.

C. A license shall not be renewed until all of the licensee's monthly reports for the previous calendar year are submitted and received at the address identified on the form.

Subp. 8. **Report on buying turtles for resale.** A licensee who buys turtles for resale or for processing and resale must keep a correct and complete book record of all transactions and activities covered in the license, not inconsistent with Minnesota Statutes, section

APPENDIX
Repealed Minnesota Rules: DIVH2209-1

97A.425. Copies of the shipping documents for turtles being sent out of state must be part of and included with the monthly reports required under subpart 7.