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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-FIRST SESSION

H. F. No. 2686

03/25/2019 Authored by Pierson, Ecklund, Sundin, Torkelson and Boe
The bill was read for the first time and referred to the Committee on Ways and Means

1.1 A bill for an act
1.2 relating to environment; establishing a grant program to clean up contaminated
1.3 tax-forfeited property; appropriating money.

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

1.5 Section 1. ENVIRONMENTAL REMEDIATION; TAX-FORFEITED PROPERTIES;
1.6 PILOT PROGRAM.

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

1.9 (b) "Commissioner" means the commissioner of employment and economic development.

1.10 (c) "Hazardous substance" has the meaning given in Minnesota Statutes, section 115B.02,
1.11 subdivision 8.

1.12 (d) "Petroleum" has the meaning given in Minnesota Statutes, section 115C.02,
1.13 subdivision 10.

1.14 (e) "Pollutant or contaminant" has the meaning given in Minnesota Statutes, section
1.15 115B.02, subdivision 13.

1.16 (f) "Release" has the meaning given in Minnesota Statutes, section 115B.02, subdivision
1.17 15.

1.18 (g) "Tank" has the meaning given in Minnesota Statutes, section 115C.02, subdivision
1.19 14.

2.1 Subd. 2. **Pilot project; grants.** The commissioner must establish a pilot project to award
2.2 grants to counties to remediate tax-forfeited properties contaminated by a release or
2.3 threatened release of a hazardous substance or a pollutant or contaminant.

2.4 Subd. 3. **Eligible expenditures.** (a) A grant awarded to a county under this section may
2.5 be expended for:

2.6 (1) cleaning up or removing a release or threatened release of a hazardous substance or
2.7 a pollutant or contaminant from a tax-forfeited property;

2.8 (2) costs for assessing, testing, and monitoring associated with cleaning up or removing
2.9 a release or threatened release of a hazardous substance or a pollutant or contaminant from
2.10 a tax-forfeited property; and

2.11 (3) transporting a hazardous substance or a pollutant or contaminant off site, or storing,
2.12 treating, destroying, or securing disposition of the substance or the pollutant or contaminant
2.13 off site, if the commissioner determines that the actions are necessary to protect public
2.14 health or welfare.

2.15 (b) The expenditures allowed under this subdivision apply to cleaning up or removing
2.16 a release or threatened release of petroleum only if:

2.17 (1) the release or threatened release is from a tank; and

2.18 (2) the cleanup or removal is ineligible to receive reimbursement under Minnesota
2.19 Statutes, chapter 115C.

2.20 Subd. 4. **Application.** A county seeking a grant under this section must file an application
2.21 with the commissioner on a form prescribed by the commissioner. The application must
2.22 contain, at a minimum:

2.23 (1) a description of the tax-forfeited property;

2.24 (2) the results of any testing or monitoring indicating the presence of a hazardous
2.25 substance or a pollutant or contaminant on the tax-forfeited property or the reason for
2.26 suspecting that a hazardous substance or a pollutant or contaminant is present on the
2.27 tax-forfeited property;

2.28 (3) a proposed remediation plan describing any assessment and removal activities
2.29 proposed;

2.30 (4) the estimated cost of the proposed remediation plan;

2.31 (5) the source and amount of nongrant money that will be contributed to the remediation
2.32 plan; and

3.1 (6) any other information required by the commissioner.

3.2 Subd. 5. **Awarding grants.** In awarding grants under this section, the commissioner
3.3 may modify a county's proposed remediation plan.

3.4 Subd. 6. **Limitations.** (a) No county may be awarded more than one grant per year under
3.5 this section.

3.6 (b) A grant awarded under this section may not exceed 85 percent of the estimated cost
3.7 of the proposed remediation plan.

3.8 Subd. 7. **Expiration.** This section expires June 30, 2021.

3.9 Sec. 2. **APPROPRIATION.**

3.10 \$5,000,000 in fiscal year 2020 and \$5,000,000 in fiscal year 2021 are appropriated from
3.11 the general fund to the commissioner of employment and economic development for awarding
3.12 grants under section 1. If the appropriation for either year is insufficient, the appropriation
3.13 for the other year is available for it.