

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, loan, and reimbursement provisions; reestablishing citizen board  
1.6 of Pollution Control Agency; providing for carpet stewardship; modifying game  
1.7 and 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; modifying provisions for certain  
1.11 grants for outdoor recreation; modifying provisions for all-terrain vehicles; naming  
1.12 certain park facilities, water trails, and lakes; providing exemption from  
1.13 requirements for certain storm water runoff ponds; providing for removal of beavers  
1.14 and beaver dams causing damage; banning certain insecticides in wildlife  
1.15 management areas; modifying school trust lands; extending citizen oversight  
1.16 committees; modifying groundwater use permitting; requiring a model ordinance  
1.17 pertaining to silica sand mines; requiring rulemaking; amending Minnesota Statutes  
1.18 2018, sections 16A.151, subdivision 2; 16A.152, subdivision 2; 17.035, subdivision  
1.19 1; 84.026, by adding a subdivision; 84.027, subdivision 18; 84.0895, by adding a  
1.20 subdivision; 84.775, subdivision 1; 84.788, subdivision 2; 84.794, subdivision 2;  
1.21 84.83, subdivision 3; 84.925, subdivision 1; 84.9256, subdivision 1; 84.928,  
1.22 subdivision 2; 84D.15; 85.32, subdivision 1; 85.42; 85.44; 85.47; 86B.415,  
1.23 subdivisions 1, 1a, 2, 3, 4, 5, 7; 88.642, subdivisions 1, 3; 88.6435; 89.37,  
1.24 subdivision 3; 90.01, by adding a subdivision; 90.195; 92.50, subdivision 1;  
1.25 97A.015, subdivisions 25, 43; 97A.055, subdivisions 4, 4b; 97A.065, subdivision  
1.26 6; 97A.075, subdivisions 1, 5; 97A.126; 97A.137, subdivision 3; 97A.321,  
1.27 subdivision 1; 97A.405, by adding a subdivision; 97A.475, subdivisions 3a, 4, 41;  
1.28 97B.011; 97B.015, subdivision 6; 97B.081, subdivision 3; 97B.1055; 97B.1115;  
1.29 97B.205; 97B.645, subdivision 9; 97B.655; 97B.665, by adding a subdivision;  
1.30 97B.667, subdivisions 2, 3, 4, by adding a subdivision; 97C.391, subdivision 1;  
1.31 97C.395, subdivision 2; 97C.605, subdivisions 1, 2c, 3; 103G.241, subdivisions  
1.32 1, 3; 103G.287, subdivision 1; 103G.301, subdivision 2; 103G.311, subdivisions  
1.33 2, 5; 103G.315, subdivision 8; 103G.408; 103G.615, subdivision 3a; 115.03, by  
1.34 adding a subdivision; 115A.142; 115A.51; 115B.421; 116.02; 116.03, subdivisions  
1.35 1, 2a; 116.155, subdivisions 1, 3, by adding a subdivision; 116.993, subdivisions  
1.36 2, 6; 127A.353, subdivision 1; 325F.071; Laws 2013, chapter 114, article 4, section  
1.37 105, as amended; Laws 2016, chapter 189, article 3, section 6, as amended; Laws  
1.38 2017, chapter 93, article 1, section 9; proposing coding for new law in Minnesota



3.1	<u>Appropriations by Fund</u>	
3.2	<u>2020</u>	<u>2021</u>
3.3	<u>General</u>	<u>596,000</u>
3.4	<u>Environmental</u>	<u>346,000</u>
3.5	<u>Remediation</u>	<u>12,671,000</u>
3.6		<u>12,761,000</u>
3.7		<u>201,000</u>

- 3.6 (a) \$89,000 the first year and \$89,000 the  
 3.7 second year are for:
- 3.8 (1) a municipal liaison to assist municipalities  
 3.9 in implementing and participating in the  
 3.10 rulemaking process for water quality standards  
 3.11 and navigating the NPDES/SDS permitting  
 3.12 process;
- 3.13 (2) enhanced economic analysis in the  
 3.14 rulemaking process for water quality  
 3.15 standards, including more-specific analysis  
 3.16 and identification of cost-effective permitting;
- 3.17 (3) developing statewide economic analyses  
 3.18 and templates to reduce the amount of  
 3.19 information and time required for  
 3.20 municipalities to apply for variances from  
 3.21 water quality standards; and
- 3.22 (4) coordinating with the Public Facilities  
 3.23 Authority to identify and advocate for the  
 3.24 resources needed for municipalities to achieve  
 3.25 permit requirements.
- 3.26 (b) \$205,000 the first year and \$205,000 the  
 3.27 second year are from the environmental fund  
 3.28 for a monitoring program under Minnesota  
 3.29 Statutes, section 116.454.
- 3.30 (c) \$115,000 the first year and \$115,000 the  
 3.31 second year are for monitoring water quality  
 3.32 and operating assistance programs.
- 3.33 (d) \$347,000 the first year and \$347,000 the  
 3.34 second year are from the environmental fund

- 4.1 for monitoring ambient air for hazardous  
4.2 pollutants.
- 4.3 (e) \$90,000 the first year and \$90,000 the  
4.4 second year are from the environmental fund  
4.5 for duties related to harmful chemicals in  
4.6 products under Minnesota Statutes, sections  
4.7 116.9401 to 116.9407. Of this amount,  
4.8 \$57,000 each year is transferred to the  
4.9 commissioner of health.
- 4.10 (f) \$109,000 the first year and \$109,000 the  
4.11 second year are from the environmental fund  
4.12 for registering wastewater laboratories.
- 4.13 (g) \$926,000 the first year and \$926,000 the  
4.14 second year are from the environmental fund  
4.15 to continue perfluorochemical biomonitoring  
4.16 in eastern metropolitan communities, as  
4.17 recommended by the Environmental Health  
4.18 Tracking and Biomonitoring Advisory Panel,  
4.19 and to address other environmental health  
4.20 risks, including air quality. The communities  
4.21 must include Hmong and other immigrant  
4.22 farming communities. Of this amount, up to  
4.23 \$689,000 the first year and \$689,000 the  
4.24 second year are for transfer to the Department  
4.25 of Health.
- 4.26 (h) \$51,000 the first year and \$51,000 the  
4.27 second year are from the environmental fund  
4.28 for the listing procedures for impaired waters  
4.29 required under this act.
- 4.30 (i) \$141,000 the first year and \$141,000 the  
4.31 second year are to implement and enforce  
4.32 Minnesota Statutes, section 325F.071. Of this  
4.33 amount, up to \$65,000 each year may be  
4.34 transferred to the commissioner of health.

5.1 (j) \$250,000 the first year is for transfer to the  
 5.2 commissioner of health for enhanced blood  
 5.3 lead testing, lead poisoning prevention efforts,  
 5.4 and asthma education as recommended by the  
 5.5 Northern Metals Consent Decree Advisory  
 5.6 Committee. This is a onetime appropriation.

5.7 (k) The base for the general fund in fiscal year  
 5.8 2022 and later is \$345,000.

5.9 **Subd. 3. Industrial** 15,473,000 15,606,000

	<u>Appropriations by Fund</u>	
	<u>2020</u>	<u>2021</u>
5.11		
5.12	<u>14,472,000</u>	<u>14,605,000</u>
5.13	<u>1,001,000</u>	<u>1,001,000</u>

5.14 (a) \$1,001,000 the first year and \$1,001,000  
 5.15 the second year are from the remediation fund  
 5.16 for the leaking underground storage tank  
 5.17 program to investigate, clean up, and prevent  
 5.18 future releases from underground petroleum  
 5.19 storage tanks and for the petroleum  
 5.20 remediation program for vapor assessment  
 5.21 and remediation. These same annual amounts  
 5.22 are transferred from the petroleum tank fund  
 5.23 to the remediation fund.

5.24 (b) \$393,000 the first year and \$393,000 the  
 5.25 second year are from the environmental fund  
 5.26 to further evaluate the use and reduction of  
 5.27 trichloroethylene around Minnesota and  
 5.28 identify its potential health impacts on  
 5.29 communities. Of this amount, up to \$121,000  
 5.30 each year may be transferred to the  
 5.31 commissioner of health. This is a onetime  
 5.32 appropriation.

5.33 **Subd. 4. Municipal** 8,232,000 7,859,000

6.1	<u>Appropriations by Fund</u>	
6.2	<u>2020</u>	<u>2021</u>
6.3	<u>General</u>	<u>164,000</u>
6.4	<u>Environmental</u>	<u>8,068,000</u>

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

6.7 (1) a municipal liaison to assist municipalities  
6.8 in implementing and participating in the  
6.9 rulemaking process for water quality standards  
6.10 and navigating the NPDES/SDS permitting  
6.11 process;

6.12 (2) enhanced economic analysis in the  
6.13 rulemaking process for water quality  
6.14 standards, including more-specific analysis  
6.15 and identification of cost-effective permitting;

6.16 (3) developing statewide economic analyses  
6.17 and templates to reduce the amount of  
6.18 information and time required for  
6.19 municipalities to apply for variances from  
6.20 water quality standards; and

6.21 (4) coordinating with the Public Facilities  
6.22 Authority to identify and advocate for the  
6.23 resources needed for municipalities to achieve  
6.24 permit requirements.

6.25 (b) \$50,000 the first year and \$50,000 the  
6.26 second year are from the environmental fund  
6.27 for transfer to the Office of Administrative  
6.28 Hearings to establish sanitary districts.

6.29 (c) \$671,000 the first year and \$671,000 the  
6.30 second year are from the environmental fund  
6.31 for subsurface sewage treatment system  
6.32 (SSTS) program administration and  
6.33 community technical assistance and education,  
6.34 including grants and technical assistance to

7.1 communities for water-quality protection. Of  
7.2 this amount, \$129,000 each year is for  
7.3 assistance to counties through grants for SSTS  
7.4 program administration. A county receiving  
7.5 a grant from this appropriation must submit  
7.6 the results achieved with the grant to the  
7.7 commissioner as part of its annual SSTS  
7.8 report. Any unexpended balance in the first  
7.9 year does not cancel but is available in the  
7.10 second year.

7.11 (d) \$784,000 the first year and \$784,000 the  
7.12 second year are from the environmental fund  
7.13 to address the need for continued increased  
7.14 activity in new technology review, technical  
7.15 assistance for local governments, and  
7.16 enforcement under Minnesota Statutes,  
7.17 sections 115.55 to 115.58, and to complete the  
7.18 requirements of Laws 2003, chapter 128,  
7.19 article 1, section 165.

7.20 (e) \$373,000 the first year is from the  
7.21 environmental fund to meet the increased  
7.22 demand for technical assistance and review  
7.23 of municipal water infrastructure projects that  
7.24 will be generated by increased grant funding  
7.25 through the Public Facilities Authority. This  
7.26 is a onetime appropriation and is available  
7.27 until June 30, 2021.

7.28 (f) Notwithstanding Minnesota Statutes,  
7.29 section 16A.28, the appropriations  
7.30 encumbered on or before June 30, 2021, as  
7.31 grants or contracts for subsurface sewage  
7.32 treatment systems, surface water and  
7.33 groundwater assessments, storm water, and  
7.34 water-quality protection in this subdivision  
7.35 are available until June 30, 2024.

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

8.2 Appropriations by Fund

	<u>2020</u>	<u>2021</u>
8.4 <u>General</u>	<u>2,490,000</u>	<u>2,490,000</u>
8.5 <u>Environmental</u>	<u>4,208,000</u>	<u>5,019,000</u>
8.6 <u>Remediation</u>	<u>828,000</u>	<u>828,000</u>

8.7 (a) \$180,000 the first year and \$180,000 the  
 8.8 second year are from the remediation fund for  
 8.9 the leaking underground storage tank program  
 8.10 to investigate, clean up, and prevent future  
 8.11 releases from underground petroleum storage  
 8.12 tanks and for the petroleum remediation  
 8.13 program for vapor assessment and  
 8.14 remediation. These same annual amounts are  
 8.15 transferred from the petroleum tank fund to  
 8.16 the remediation fund.

8.17 (b) \$2,490,000 the first year and \$2,490,000  
 8.18 the second year are to support agency  
 8.19 information technology services provided at  
 8.20 the enterprise and agency level.

8.21 (c) \$800,000 the second year is from the  
 8.22 environmental fund to develop and maintain  
 8.23 systems to support permitting and regulatory  
 8.24 business processes and agency data.

8.25 **Subd. 6. Remediation** 14,516,000 12,945,000

8.26 Appropriations by Fund

	<u>2020</u>	<u>2021</u>
8.28 <u>General</u>	<u>216,000</u>	<u>-0-</u>
8.29 <u>Environmental</u>	<u>832,000</u>	<u>1,099,000</u>
8.30 <u>Remediation</u>	<u>11,846,000</u>	<u>11,846,000</u>
8.31 <u>Closed Landfill</u>		
8.32 <u>Investment</u>	<u>1,622,000</u>	<u>-0-</u>

8.33 (a) All money for environmental response,  
 8.34 compensation, and compliance in the  
 8.35 remediation fund not otherwise appropriated



9.1 is appropriated to the commissioners of the  
9.2 Pollution Control Agency and agriculture for  
9.3 purposes of Minnesota Statutes, section  
9.4 115B.20, subdivision 2, clauses (1), (2), (3),  
9.5 (6), and (7). At the beginning of each fiscal  
9.6 year, the two commissioners must jointly  
9.7 submit to the commissioner of management  
9.8 and budget an annual spending plan that  
9.9 maximizes resource use and appropriately  
9.10 allocates the money between the two  
9.11 departments. This appropriation is available  
9.12 until June 30, 2021.

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

9.23 (c) \$3,961,000 the first year and \$3,961,000  
9.24 the second year are from the remediation fund  
9.25 for the leaking underground storage tank  
9.26 program to investigate, clean up, and prevent  
9.27 future releases from underground petroleum  
9.28 storage tanks and for the petroleum  
9.29 remediation program for vapor assessment  
9.30 and remediation. These same annual amounts  
9.31 are transferred from the petroleum tank fund  
9.32 to the remediation fund.

9.33 (d) \$257,000 the first year and \$257,000 the  
9.34 second year are from the remediation fund for  
9.35 transfer to the commissioner of health for

10.1 private water-supply monitoring and health  
 10.2 assessment costs in areas contaminated by  
 10.3 unpermitted mixed municipal solid waste  
 10.4 disposal facilities and drinking water  
 10.5 advisories and public information activities  
 10.6 for areas contaminated by hazardous releases.

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

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

<u>Appropriations by Fund</u>		
	<u>2020</u>	<u>2021</u>
10.21 <u>General</u>	<u>950,000</u>	<u>700,000</u>
10.22 <u>State Government</u>		
10.23 <u>Special Revenue</u>	<u>75,000</u>	<u>75,000</u>
10.24 <u>Environmental</u>	<u>33,524,000</u>	<u>33,926,000</u>

10.26 (a) Up to \$150,000 the first year and \$150,000  
 10.27 the second year may be transferred from the  
 10.28 environmental fund to the small business  
 10.29 environmental improvement loan account  
 10.30 under Minnesota Statutes, section 116.993.

10.31 (b) \$1,000,000 the first year and \$1,000,000  
 10.32 the second year are for competitive recycling  
 10.33 grants under Minnesota Statutes, section  
 10.34 115A.565. Of this amount, \$700,000 each year  
 10.35 is from the general fund and \$300,000 is from

- 11.1 the environmental fund. This appropriation is  
11.2 available until June 30, 2023. Any  
11.3 unencumbered grant balances in the first year  
11.4 do not cancel but are available for grants in  
11.5 the second year.
- 11.6 (c) \$694,000 the first year and \$694,000 the  
11.7 second year are from the environmental fund  
11.8 for emission-reduction activities and grants to  
11.9 small businesses and other  
11.10 nonpoint-emission-reduction efforts. Of this  
11.11 amount, \$100,000 the first year and \$100,000  
11.12 the second year are to continue work with  
11.13 Clean Air Minnesota, and the commissioner  
11.14 may enter into an agreement with  
11.15 Environmental Initiative to support this effort.  
11.16 Any unencumbered grant balances in the first  
11.17 year do not cancel but are available for grants  
11.18 in the second year.
- 11.19 (d) \$17,250,000 the first year and \$17,250,000  
11.20 the second year are from the environmental  
11.21 fund for SCORE block grants to counties. Any  
11.22 unencumbered grant balances in the first year  
11.23 do not cancel but are available for grants in  
11.24 the second year.
- 11.25 (e) \$119,000 the first year and \$119,000 the  
11.26 second year are from the environmental fund  
11.27 for environmental assistance grants or loans  
11.28 under Minnesota Statutes, section 115A.0716.  
11.29 Any unencumbered grant and loan balances  
11.30 in the first year do not cancel but are available  
11.31 for grants and loans in the second year.
- 11.32 (f) \$112,000 the first year and \$112,000 the  
11.33 second year are from the environmental fund  
11.34 for subsurface sewage treatment system  
11.35 (SSTS) program administration and

12.1 community technical assistance and education,  
12.2 including grants and technical assistance to  
12.3 communities for water-quality protection.

12.4 (g) \$169,000 the first year and \$169,000 the  
12.5 second year are from the environmental fund  
12.6 to address the need for continued increased  
12.7 activity in new technology review, technical  
12.8 assistance for local governments, and  
12.9 enforcement under Minnesota Statutes,  
12.10 sections 115.55 to 115.58, and to complete the  
12.11 requirements of Laws 2003, chapter 128,  
12.12 article 1, section 165.

12.13 (h) \$250,000 the first year is for public  
12.14 engagement and outreach that supports  
12.15 developing and implementing policies to  
12.16 address climate change. This is a onetime  
12.17 appropriation. Public meetings held as part of  
12.18 efforts under this appropriation must be  
12.19 distributed evenly among the following three  
12.20 areas: Minneapolis and St. Paul; cities in the  
12.21 seven-county metropolitan area, but not  
12.22 including Minneapolis and St. Paul; and areas  
12.23 outside the seven-county metropolitan area.

12.24 (i) \$400,000 the second year is from the  
12.25 environmental fund for grants to develop and  
12.26 expand recycling markets for Minnesota  
12.27 businesses.

12.28 (j) \$30,000 the first year and \$30,000 the  
12.29 second year are from the environmental fund  
12.30 for reviewing financial qualifications of waste  
12.31 tire facility permit applicants under Minnesota  
12.32 Statutes, section 115A.903.

12.33 (k) \$244,000 the first year and \$222,000 the  
12.34 second year are from the environmental fund

13.1 for the voluntary certification program for  
 13.2 commercial deicer applicators under  
 13.3 Minnesota Statutes, section 116.2025.  
 13.4 (l) All money deposited in the environmental  
 13.5 fund for the metropolitan solid waste landfill  
 13.6 fee in accordance with Minnesota Statutes,  
 13.7 section 473.843, and not otherwise  
 13.8 appropriated, is appropriated for the purposes  
 13.9 of Minnesota Statutes, section 473.844.  
 13.10 (m) Notwithstanding Minnesota Statutes,  
 13.11 section 16A.28, the appropriations  
 13.12 encumbered on or before June 30, 2021, as  
 13.13 contracts or grants for environmental  
 13.14 assistance awarded under Minnesota Statutes,  
 13.15 section 115A.0716; technical and research  
 13.16 assistance under Minnesota Statutes, section  
 13.17 115A.152; technical assistance under  
 13.18 Minnesota Statutes, section 115A.52; and  
 13.19 pollution prevention assistance under  
 13.20 Minnesota Statutes, section 115D.04, are  
 13.21 available until June 30, 2023.

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

	<u>Appropriations by Fund</u>	
	<u>2020</u>	<u>2021</u>
13.23 <u>General</u>	<u>2,109,000</u>	<u>1,959,000</u>
13.24 <u>Environmental</u>	<u>7,142,000</u>	<u>7,142,000</u>
13.25 <u>Remediation</u>	<u>234,000</u>	<u>234,000</u>

13.26 (a) \$1,959,000 the first year and \$1,959,000  
 13.27 the second year are for grants to delegated  
 13.28 counties to administer the county feedlot  
 13.29 program under Minnesota Statutes, section  
 13.30 116.0711, subdivisions 2 and 3. Money  
 13.31 remaining after the first year is available for  
 13.32 the second year.

- 14.1 (b) \$208,000 the first year and \$208,000 the  
14.2 second year are from the environmental fund  
14.3 for the costs of implementing general  
14.4 operating permits for feedlots over 1,000  
14.5 animal units.
- 14.6 (c) \$122,000 the first year and \$122,000 the  
14.7 second year are from the remediation fund for  
14.8 the leaking underground storage tank program  
14.9 to investigate, clean up, and prevent future  
14.10 releases from underground petroleum storage  
14.11 tanks and for the petroleum remediation  
14.12 program for vapor assessment and  
14.13 remediation. These same annual amounts are  
14.14 transferred from the petroleum tank fund to  
14.15 the remediation fund.
- 14.16 (d) \$150,000 the first year is for a grant to the  
14.17 Minnesota Association of County Feedlot  
14.18 Officers to develop, in coordination with the  
14.19 Pollution Control Agency and the University  
14.20 of Minnesota Extension program, an online  
14.21 training curriculum related to animal feedlot  
14.22 requirements under Minnesota Rules, chapter  
14.23 7020. The curriculum must be developed to:
- 14.24 (1) provide base-level knowledge to new and  
14.25 existing county feedlot pollution control  
14.26 officers on feedlot registration, permitting,  
14.27 compliance, enforcement, and program  
14.28 administration;
- 14.29 (2) provide assistance to new and existing  
14.30 county feedlot pollution control officers for  
14.31 working efficiently and effectively with  
14.32 producers; and
- 14.33 (3) reduce the incidence of manure or nutrients  
14.34 entering surface water or groundwater.

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

15.2 Appropriations by Fund

15.3	<u>2020</u>	<u>2021</u>
15.4	<u>1,431,000</u>	<u>1,081,000</u>
15.5	<u>193,000</u>	<u>193,000</u>

15.6 \$350,000 the first year is for a grant to the  
 15.7 Board of Regents of the University of  
 15.8 Minnesota, Water Resources Center, for a  
 15.9 comprehensive study of the economic benefits  
 15.10 of managed aquifer recharge and to make  
 15.11 recommendations to enhance and replenish  
 15.12 Minnesota's groundwater resources. This is a  
 15.13 onetime appropriation and is available until  
 15.14 June 30, 2021. The study must include but is  
 15.15 not limited to:

15.16 (1) examining the potential benefits of  
 15.17 enhancing groundwater recharge in  
 15.18 water-stressed areas;

15.19 (2) assessing the relationship to changing  
 15.20 seasonality and intensity of precipitation on  
 15.21 groundwater recharge rates;

15.22 (3) reviewing the approaches to manage  
 15.23 recharge in geologically appropriate areas;

15.24 (4) identifying policy options, costs, and  
 15.25 barriers to recharging groundwater; and

15.26 (5) assessing the economic returns of options  
 15.27 for groundwater recharge.

15.28 In conducting the study, the Water Resources  
 15.29 Center must convene a stakeholder group and  
 15.30 provide for public participation. By January  
 15.31 15, 2021, the Water Resources Center must  
 15.32 present its findings and recommendations in  
 15.33 a report submitted to the chairs of the  
 15.34 legislative committees and divisions with

16.1 jurisdiction over environment and natural  
16.2 resources policy.

16.3 **Subd. 10. Transfers**

16.4 (a) The commissioner must transfer up to  
16.5 \$44,000,000 from the environmental fund to  
16.6 the remediation fund for purposes of the  
16.7 remediation fund under Minnesota Statutes,  
16.8 section 116.155, subdivision 2.

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

16.23 **Subd. 11. Cancellations**

16.24 (a) The unencumbered amount of the  
16.25 environmental fund appropriation in Laws  
16.26 2016, chapter 189, article 3, section 2,  
16.27 subdivision 2, for technical assistance and  
16.28 review of municipal wastewater infrastructure  
16.29 projects, estimated to be \$373,000, is canceled  
16.30 on June 30, 2019.

16.31 (b) The unencumbered amount of the closed  
16.32 landfill investment fund appropriation in Laws  
16.33 2017, chapter 93, article 1, section 2,  
16.34 subdivision 6, for settling obligations, remedial





18.1 management account in the natural resources  
 18.2 fund for use as provided under Minnesota  
 18.3 Statutes, section 93.2236, paragraph (c), for  
 18.4 mineral resource management, projects to  
 18.5 enhance future mineral income, and projects  
 18.6 to promote new mineral-resource  
 18.7 opportunities.

18.8 (c) \$215,000 the first year and \$218,000 the  
 18.9 second year are from the state forest suspense  
 18.10 account in the permanent school fund to secure  
 18.11 maximum long-term economic return from  
 18.12 the school trust lands consistent with fiduciary  
 18.13 responsibilities and sound natural resources  
 18.14 conservation and management principles.

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

18.16	<u>Appropriations by Fund</u>	
18.17	<u>2020</u>	<u>2021</u>
18.18	<u>General</u>	<u>18,718,000</u> <u>18,922,000</u>
18.19	<u>Natural Resources</u>	<u>15,414,000</u> <u>15,586,000</u>
18.20	<u>Game and Fish</u>	<u>5,411,000</u> <u>5,524,000</u>

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

18.32 (b) \$500,000 the first year and \$500,000 the  
 18.33 second year are from the invasive species  
 18.34 account in the natural resources fund for grants

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

- 20.1 (i) \$971,000 the first year and \$985,000 the  
20.2 second year are from the nongame wildlife  
20.3 management account in the natural resources  
20.4 fund for nongame wildlife management.  
20.5 Notwithstanding Minnesota Statutes, section  
20.6 290.431, \$100,000 the first year and \$100,000  
20.7 the second year may be used for nongame  
20.8 wildlife information, education, and  
20.9 promotion.
- 20.10 (j) Notwithstanding Minnesota Statutes,  
20.11 section 84.943, \$13,000 the first year and  
20.12 \$13,000 the second year from the critical  
20.13 habitat private sector matching account may  
20.14 be used to publicize the critical habitat license  
20.15 plate match program.
- 20.16 (k) \$6,000,000 the first year and \$6,000,000  
20.17 the second year are for the following activities:
- 20.18 (1) financial reimbursement and technical  
20.19 support to soil and water conservation districts  
20.20 or other local units of government for  
20.21 groundwater-level monitoring;
- 20.22 (2) surface water monitoring and analysis,  
20.23 including installing monitoring gauges;
- 20.24 (3) groundwater analysis to assist with  
20.25 water-appropriation permitting decisions;
- 20.26 (4) permit application review incorporating  
20.27 surface water and groundwater technical  
20.28 analysis;
- 20.29 (5) precipitation data and analysis to improve  
20.30 irrigation use;
- 20.31 (6) information technology, including  
20.32 electronic permitting and integrated data  
20.33 systems; and

21.1 (7) compliance and monitoring.  
 21.2 (l) \$410,000 the first year and \$410,000 the  
 21.3 second year are from the heritage enhancement  
 21.4 account in the game and fish fund for grants  
 21.5 to the Minnesota Aquatic Invasive Species  
 21.6 Research Center at the University of  
 21.7 Minnesota to prioritize, support, and develop  
 21.8 research-based solutions that can reduce the  
 21.9 effects of aquatic invasive species in  
 21.10 Minnesota by preventing spread, controlling  
 21.11 populations, and managing ecosystems and to  
 21.12 advance knowledge to inspire actions by  
 21.13 others.

21.14 (m) \$50,000 the first year is for grants to local  
 21.15 units of government for removing storm debris  
 21.16 from Roberds Lake. This is a onetime  
 21.17 appropriation.

21.18 Subd. 4. Forest Management 51,968,000 52,603,000

21.19	<u>Appropriations by Fund</u>	
21.20	<u>2020</u>	<u>2021</u>
21.21	<u>34,451,000</u>	<u>34,800,000</u>
21.22	<u>16,119,000</u>	<u>16,386,000</u>
21.23	<u>1,398,000</u>	<u>1,417,000</u>

21.24 (a) \$7,521,000 the first year and \$7,521,000  
 21.25 the second year are for prevention,  
 21.26 presuppression, and suppression costs of  
 21.27 emergency firefighting and other costs  
 21.28 incurred under Minnesota Statutes, section  
 21.29 88.12. The amount necessary to pay for  
 21.30 presuppression and suppression costs during  
 21.31 the biennium is appropriated from the general  
 21.32 fund. By January 15 of each year, the  
 21.33 commissioner of natural resources must submit  
 21.34 a report to the chairs and ranking minority  
 21.35 members of the house and senate committees

- 22.1 and divisions having jurisdiction over  
22.2 environment and natural resources finance that  
22.3 identifies all firefighting costs incurred and  
22.4 reimbursements received in the prior fiscal  
22.5 year. These appropriations may not be  
22.6 transferred. Any reimbursement of firefighting  
22.7 expenditures made to the commissioner from  
22.8 any source other than federal mobilizations  
22.9 must be deposited into the general fund.
- 22.10 (b) \$15,119,000 the first year and \$15,386,000  
22.11 the second year are from the forest  
22.12 management investment account in the natural  
22.13 resources fund for only the purposes specified  
22.14 in Minnesota Statutes, section 89.039,  
22.15 subdivision 2.
- 22.16 (c) \$1,398,000 the first year and \$1,417,000  
22.17 the second year are from the heritage  
22.18 enhancement account in the game and fish  
22.19 fund to advance ecological classification  
22.20 systems (ECS) scientific management tools  
22.21 for forest and invasive species management.
- 22.22 (d) \$836,000 the first year and \$847,000 the  
22.23 second year are for the Forest Resources  
22.24 Council to implement the Sustainable Forest  
22.25 Resources Act.
- 22.26 (e) \$1,131,000 the first year and \$1,131,000  
22.27 the second year are for the Next Generation  
22.28 Core Forestry data system.
- 22.29 (f) \$500,000 the first year and \$500,000 the  
22.30 second year are from the forest management  
22.31 investment account in the natural resources  
22.32 fund for forest road maintenance on state  
22.33 forest roads.

23.1 (g) \$500,000 the first year and \$500,000 the  
23.2 second year are for forest road maintenance  
23.3 on county forest roads.

23.4 (h) \$500,000 the first year and \$500,000 the  
23.5 second year are for grants to local units of  
23.6 government to develop community ash  
23.7 management plans; to identify and convert ash  
23.8 stands to more diverse, climate-adapted  
23.9 species; and to replace removed ash trees.

23.10 (i) \$500,000 the first year and \$500,000 the  
23.11 second year are from the forest management  
23.12 investment account in the natural resources  
23.13 fund to identify and convert ash forests on  
23.14 state lands to climate-adapted species.

23.15 (j) \$1,000,000 the first year and \$1,000,000  
23.16 the second year are for grants to remove and  
23.17 dispose of ash trees within counties  
23.18 quarantined for emerald ash borer. The base  
23.19 for this appropriation in fiscal year 2022 and  
23.20 later is \$655,000.

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

23.34 Money appropriated for grants under  
23.35 paragraphs (h) and (j) may be used to pay

24.1 reasonable costs incurred by the commissioner  
 24.2 of natural resources to administer paragraphs  
 24.3 (h) and (j).

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

24.5	<u>Appropriations by Fund</u>	
24.6	<u>2020</u>	<u>2021</u>
24.7 <u>General</u>	<u>27,143,000</u>	<u>27,480,000</u>
24.8 <u>Natural Resources</u>	<u>62,650,000</u>	<u>59,706,000</u>
24.9 <u>Game and Fish</u>	<u>2,292,000</u>	<u>2,300,000</u>

24.10 (a) \$1,075,000 the first year and \$1,075,000  
 24.11 the second year are from the water recreation  
 24.12 account in the natural resources fund for  
 24.13 maintaining and enhancing public  
 24.14 water-access facilities.

24.15 (b) \$6,344,000 the first year and \$6,435,000  
 24.16 the second year are from the natural resources  
 24.17 fund for state trail, park, and recreation area  
 24.18 operations. This appropriation is from revenue  
 24.19 deposited in the natural resources fund under  
 24.20 Minnesota Statutes, section 297A.94,  
 24.21 paragraph (h), clause (2).

24.22 (c) \$18,552,000 the first year and \$18,828,000  
 24.23 the second year are from the state parks  
 24.24 account in the natural resources fund to  
 24.25 operate and maintain state parks and state  
 24.26 recreation areas.

24.27 (d) \$890,000 the first year and \$890,000 the  
 24.28 second year are from the natural resources  
 24.29 fund for park and trail grants to local units of  
 24.30 government on land to be maintained for at  
 24.31 least 20 years for parks or trails. This  
 24.32 appropriation is from revenue deposited in the  
 24.33 natural resources fund under Minnesota  
 24.34 Statutes, section 297A.94, paragraph (h),



25.1 clause (4). Any unencumbered balance does  
25.2 not cancel at the end of the first year and is  
25.3 available for the second year.

25.4 (e) \$9,624,000 the first year and \$9,624,000  
25.5 the second year are from the snowmobile trails  
25.6 and enforcement account in the natural  
25.7 resources fund for the snowmobile  
25.8 grants-in-aid program. Any unencumbered  
25.9 balance does not cancel at the end of the first  
25.10 year and is available for the second year.

25.11 (f) \$2,135,000 the first year and \$2,135,000  
25.12 the second year are from the natural resources  
25.13 fund for the off-highway vehicle grants-in-aid  
25.14 program. Of this amount, \$1,660,000 each  
25.15 year is from the all-terrain vehicle account;  
25.16 \$150,000 each year is from the off-highway  
25.17 motorcycle account; and \$325,000 each year  
25.18 is from the off-road vehicle account. Any  
25.19 unencumbered balance does not cancel at the  
25.20 end of the first year and is available for the  
25.21 second year.

25.22 (g) \$116,000 the first year and \$117,000 the  
25.23 second year are from the cross-country-ski  
25.24 account in the natural resources fund for  
25.25 grooming and maintaining cross-country-ski  
25.26 trails in state parks, trails, and recreation areas.

25.27 (h) \$266,000 the first year and \$269,000 the  
25.28 second year are from the state land and water  
25.29 conservation account in the natural resources  
25.30 fund for priorities established by the  
25.31 commissioner for eligible state projects and  
25.32 administrative and planning activities  
25.33 consistent with Minnesota Statutes, section  
25.34 84.0264, and the federal Land and Water  
25.35 Conservation Fund Act. Any unencumbered

26.1 balance does not cancel at the end of the first  
26.2 year and is available for the second year.

26.3 (i) \$250,000 the first year and \$250,000 the  
26.4 second year are for matching grants for local  
26.5 parks and outdoor recreation areas under  
26.6 Minnesota Statutes, section 85.019,  
26.7 subdivision 2.

26.8 (j) \$250,000 the first year and \$250,000 the  
26.9 second year are for matching grants for local  
26.10 trail connections under Minnesota Statutes,  
26.11 section 85.019, subdivision 4c.

26.12 (k) \$600,000 the first year is from the  
26.13 all-terrain vehicle account in the natural  
26.14 resources fund for grants to St. Louis County.  
26.15 Of this amount, \$100,000 is for a grant to St.  
26.16 Louis County for an environmental assessment  
26.17 worksheet for the overall construction of the  
26.18 Voyageur Country ATV Trail system and  
26.19 connections, and \$500,000 is for a grant to St.  
26.20 Louis County to design, plan, permit, acquire  
26.21 right-of-way for, and construct Voyageur  
26.22 Country ATV Trail from Buyck to Holmes  
26.23 Logging Road and to Shuster Road toward  
26.24 Cook. This is a onetime appropriation.

26.25 (l) \$2,400,000 the first year is from the  
26.26 all-terrain vehicle account in the natural  
26.27 resources fund. Of this amount, \$1,300,000 is  
26.28 for a grant to Lake County to match other  
26.29 funding sources to develop the Prospector  
26.30 Loop Trail system and \$1,100,000 is for  
26.31 acquisition, design, environmental review,  
26.32 permitting, and construction for all-terrain  
26.33 vehicle use on the Taconite State Trail  
26.34 between Ely and Purvis Forest Management  
26.35 Road.

- 27.1 (m) \$950,000 the first year and \$950,000 the  
27.2 second year are from the all-terrain vehicle  
27.3 account in the natural resources fund for grants  
27.4 to St. Louis County for the Quad Cities ATV  
27.5 Club trail construction program for planning,  
27.6 design, environmental permitting, right-of-way  
27.7 acquisition, and construction of up to 24 miles  
27.8 of trail connecting the cities of Mountain Iron,  
27.9 Virginia, Eveleth, and Gilbert to the  
27.10 Laurentian Divide, County Road 303, the  
27.11 Taconite State Trail, and Biwabik and from  
27.12 Pfeiffer Lake Forest Road to County Road  
27.13 361. This is a onetime appropriation.
- 27.14 (n) \$250,000 the first year and \$250,000 the  
27.15 second year are for grants for  
27.16 natural-resource-based education and  
27.17 recreation programs under Minnesota Statutes,  
27.18 section 84.976. This is a onetime  
27.19 appropriation.
- 27.20 (o) \$50,000 the first year is from the state  
27.21 parks account in the natural resources fund for  
27.22 signage and interpretative resources necessary  
27.23 for naming state park assets and a segment of  
27.24 the St. Croix River State Water Trail after  
27.25 Walter F. Mondale as provided in this act.
- 27.26 (p) \$260,000 the first year is from the state  
27.27 parks account in the natural resources fund for  
27.28 increased operations at Hill-Annex Mine State  
27.29 Park in fiscal years 2020 to 2023. This is a  
27.30 onetime appropriation, is in addition to funds  
27.31 budgeted by or otherwise available to the  
27.32 commissioner for this park, and is available  
27.33 until June 30, 2023.
- 27.34 (q) \$150,000 the first year is from the  
27.35 all-terrain vehicle account in the natural

28.1 resources fund for a grant to Crow Wing  
 28.2 County to plan and design a multipurpose  
 28.3 bridge on the Mississippi River Northwoods  
 28.4 Trail across Sand Creek located five miles  
 28.5 northeast of Brainerd along the Mississippi  
 28.6 River.

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

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

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

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

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

29.1 carcasses as required in this act; and \$500,000  
29.2 the first year is for a grant to the Board of  
29.3 Regents of the University of Minnesota for  
29.4 the Chronic Wasting Disease Response,  
29.5 Research, and Policy Program. The  
29.6 commissioner and board must each submit  
29.7 quarterly reports on the activities funded under  
29.8 this paragraph to the chairs and ranking  
29.9 minority members of the legislative  
29.10 committees and divisions with jurisdiction  
29.11 over environment and natural resources and  
29.12 agriculture. Base funding for this activity is  
29.13 \$1,100,000 in fiscal year 2022 and thereafter.  
29.14 (c) \$8,546,000 the first year and \$8,546,000  
29.15 the second year are from the deer management  
29.16 account for the purposes identified in  
29.17 Minnesota Statutes, section 97A.075,  
29.18 subdivision 1.  
29.19 (d) \$250,000 the first year and \$250,000 the  
29.20 second year are from the game and fish fund  
29.21 for the walk-in access program under  
29.22 Minnesota Statutes, section 97A.126.  
29.23 (e) Notwithstanding Minnesota Statutes,  
29.24 section 297A.94, \$100,000 the first year and  
29.25 \$100,000 the second year are from the heritage  
29.26 enhancement account in the game and fish  
29.27 fund for shooting sports facility grants under  
29.28 Minnesota Statutes, section 87A.10, including  
29.29 grants for archery facilities. Grants must be  
29.30 matched with a nonstate match, which may  
29.31 include in-kind contributions. This is a  
29.32 onetime appropriation.  
29.33 (f) Notwithstanding Minnesota Statutes,  
29.34 section 297A.94, \$10,000 the first year is from  
29.35 the heritage enhancement account in the game

30.1 and fish fund for implementing nontoxic shot  
30.2 requirements under Minnesota Statutes,  
30.3 section 97B.673.

30.4 **Subd. 7. Enforcement** 46,210,000 47,810,000

30.5 Appropriations by Fund

	<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>

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

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

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

30.28 (d) \$315,000 the first year and \$315,000 the  
30.29 second year are from the snowmobile trails  
30.30 and enforcement account in the natural  
30.31 resources fund for grants to local law  
30.32 enforcement agencies for snowmobile  
30.33 enforcement activities. Any unencumbered

31.1 balance does not cancel at the end of the first  
31.2 year and is available for the second year.

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

31.20 (f) \$510,000 the first year and \$510,000 the  
31.21 second year are from the natural resources  
31.22 fund for grants to county law enforcement  
31.23 agencies for off-highway vehicle enforcement  
31.24 and public education activities based on  
31.25 off-highway vehicle use in the county. Of this  
31.26 amount, \$498,000 each year is from the  
31.27 all-terrain vehicle account, \$11,000 each year  
31.28 is from the off-highway motorcycle account,  
31.29 and \$1,000 each year is from the off-road  
31.30 vehicle account. The county enforcement  
31.31 agencies may use money received under this  
31.32 appropriation to make grants to other local  
31.33 enforcement agencies within the county that  
31.34 have a high concentration of off-highway  
31.35 vehicle use. Of this appropriation, \$25,000

32.1 each year is for administering these grants.  
 32.2 Any unencumbered balance does not cancel  
 32.3 at the end of the first year and is available for  
 32.4 the second year.

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

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

32.15 (i) The base for fiscal year 2022 and thereafter  
 32.16 is \$7,553,000 from the general fund,  
 32.17 \$27,955,000 from the game and fish fund,  
 32.18 \$12,080,000 from the natural resources fund,  
 32.19 and \$111,000 from the remediation fund.  
 32.20 These base level adjustments include pension  
 32.21 costs as provided in Laws 2018, chapter 211,  
 32.22 article 21, section 1, paragraph (a).

32.23 Subd. 8. Operations Support 3,000,000 2,350,000

	<u>Appropriations by Fund</u>	
	<u>2020</u>	<u>2021</u>
<u>General</u>	<u>2,850,000</u>	<u>2,350,000</u>
<u>Natural Resources</u>	<u>150,000</u>	<u>-0-</u>

32.28 (a) \$2,000,000 the first year and \$1,500,000  
 32.29 the second year are available for legal costs.  
 32.30 Of this amount, up to \$500,000 the first year  
 32.31 and \$375,000 the second year may be  
 32.32 transferred to the Minnesota Pollution Control  
 32.33 Agency. This is a onetime appropriation and  
 32.34 is available until June 30, 2023.



33.1 (b) \$850,000 the first year and \$850,000 the  
 33.2 second year are available for protecting the  
 33.3 department's business systems and associated  
 33.4 infrastructure.

33.5 (c) \$150,000 the first year is from the water  
 33.6 recreation account in the natural resources  
 33.7 fund for programming costs required for the  
 33.8 new watercraft licensing categories established  
 33.9 in this act.

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

	<u>Appropriations by Fund</u>	
	<u>2020</u>	<u>2021</u>
33.11 <u>General</u>	<u>187,000</u>	<u>187,000</u>
33.12 <u>Natural Resources</u>	<u>380,000</u>	<u>380,000</u>
33.13 <u>Permanent School</u>	<u>300,000</u>	<u>300,000</u>

33.14 (a) \$380,000 the first year and \$380,000 the  
 33.15 second year are from the natural resources  
 33.16 fund for grants to be divided equally between  
 33.17 the city of St. Paul for the Como Park Zoo and  
 33.18 Conservatory and the city of Duluth for the  
 33.19 Lake Superior Zoo. This appropriation is from  
 33.20 revenue deposited to the natural resources fund  
 33.21 under Minnesota Statutes, section 297A.94,  
 33.22 paragraph (h), clause (5).

33.23 (b) \$187,000 the first year and \$187,000 the  
 33.24 second year are for the Office of School Trust  
 33.25 Lands.

33.26 (c) \$300,000 the first year and \$300,000 the  
 33.27 second year are from the forestry suspense  
 33.28 account in the permanent school fund for the  
 33.29 Office of School Trust Lands.

33.30 **Subd. 10. Cancellation**

33.31 The unencumbered amount of the general fund  
 33.32 appropriation in Laws 2016, chapter 189,

34.1 article 3, section 3, subdivision 8, for legal  
34.2 costs, estimated to be \$500,000, is canceled  
34.3 on June 30, 2019.

34.4 **EFFECTIVE DATE.** Subdivision 10 is effective the day following final enactment.

34.5 **Sec. 4. BOARD OF WATER AND SOIL**  
34.6 **RESOURCES**

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

34.7 (a) \$3,423,000 the first year and \$3,423,000  
34.8 the second year are for natural resources block  
34.9 grants to local governments to implement the  
34.10 Wetland Conservation Act and shoreland  
34.11 management under Minnesota Statutes,  
34.12 chapter 103F, and local water management  
34.13 under Minnesota Statutes, chapter 103B. The  
34.14 board may reduce the amount of the natural  
34.15 resources block grant to a county by an  
34.16 amount equal to any reduction in the county's  
34.17 general services allocation to a soil and water  
34.18 conservation district from the county's  
34.19 previous year allocation when the board  
34.20 determines that the reduction was  
34.21 disproportionate.

34.22 (b) \$3,116,000 the first year and \$3,116,000  
34.23 the second year are for grants to soil and water  
34.24 conservation districts for the purposes of  
34.25 Minnesota Statutes, sections 103C.321 and  
34.26 103C.331, and for general purposes, nonpoint  
34.27 engineering, and implementation and  
34.28 stewardship of the reinvest in Minnesota  
34.29 reserve program. Expenditures may be made  
34.30 from these appropriations for supplies and  
34.31 services benefiting soil and water conservation  
34.32 districts. Any district receiving a payment  
34.33 under this paragraph must maintain a web page  
34.34 that publishes, at a minimum, its annual report,

- 35.1 annual audit, annual budget, and meeting  
35.2 notices.
- 35.3 (c) \$761,000 the first year and \$761,000 the  
35.4 second year are to implement, enforce, and  
35.5 provide oversight for the Wetland  
35.6 Conservation Act, including administering the  
35.7 wetland banking program and in-lieu fee  
35.8 mechanism.
- 35.9 (d) \$1,560,000 the first year and \$1,560,000  
35.10 the second year are for the following  
35.11 cost-share programs:
- 35.12 (1) \$260,000 each year is for the feedlot water  
35.13 quality cost-sharing program for feedlots under  
35.14 500 animal units and nutrient and manure  
35.15 management projects in watersheds where  
35.16 there are impaired waters;
- 35.17 (2) \$1,200,000 each year is for cost-sharing  
35.18 programs of soil and water conservation  
35.19 districts for perennially vegetated riparian  
35.20 buffers, erosion control, water retention and  
35.21 treatment, and other high-priority conservation  
35.22 practices; and
- 35.23 (3) \$100,000 each year is for county  
35.24 cooperative weed management programs and  
35.25 to restore native plants in selected invasive  
35.26 species management sites.
- 35.27 (e) \$166,000 the first year and \$166,000 the  
35.28 second year are to provide technical assistance  
35.29 to local drainage management officials and  
35.30 for the costs of the Drainage Work Group. The  
35.31 board must coordinate with the Drainage Work  
35.32 Group according to Minnesota Statutes,  
35.33 section 103B.101, subdivision 13.

36.1 (f) \$100,000 the first year and \$100,000 the  
36.2 second year are for a grant to the Red River  
36.3 Basin Commission for water quality and  
36.4 floodplain management, including  
36.5 administration of programs. This appropriation  
36.6 must be matched by nonstate funds.

36.7 (g) \$140,000 the first year and \$140,000 the  
36.8 second year are for grants to Area II  
36.9 Minnesota River Basin Projects for floodplain  
36.10 management.

36.11 (h) \$125,000 the first year and \$125,000 the  
36.12 second year are for conservation easement  
36.13 stewardship.

36.14 (i) \$269,000 the first year and \$259,000 the  
36.15 second year are for critical information  
36.16 technology upgrades, development, and  
36.17 security improvements.

36.18 (j) \$240,000 the first year and \$240,000 the  
36.19 second year are for a grant to the Lower  
36.20 Minnesota River Watershed District to defray  
36.21 the annual cost of operating and maintaining  
36.22 sites for dredge spoil to sustain the state,  
36.23 national, and international commercial and  
36.24 recreational navigation on the lower Minnesota  
36.25 River.

36.26 (k) \$3,500,000 the first year and \$3,500,000  
36.27 the second year are for payments to soil and  
36.28 water conservation districts for the purposes  
36.29 of Minnesota Statutes, sections 103C.321 and  
36.30 103C.331. This is a onetime appropriation.

36.31 (l) \$150,000 the first year is for:

36.32 (1) identifying and listing ineligible materials  
36.33 under Minnesota Statutes, section 103F.49;

37.1 (2) assessing the viability of replacing plastic  
37.2 materials used in conservation and  
37.3 bioengineering projects with similarly  
37.4 designed organic materials; and  
37.5 (3) by November 1, 2020, preparing and  
37.6 submitting a report to the chairs and ranking  
37.7 minority members of the committees and  
37.8 divisions with jurisdiction over environment  
37.9 and natural resources with:  
37.10 (i) criteria to be used by the board for  
37.11 identifying and listing materials under  
37.12 Minnesota Statutes, section 103F.49;  
37.13 (ii) recommendations for implementing  
37.14 Minnesota Statutes, section 103F.49, including  
37.15 a process for reviewing and updating the list;  
37.16 and  
37.17 (iii) results of the assessment under clause (2)  
37.18 and any related recommendations.  
37.19 The board must consult with the United States  
37.20 Department of Agriculture and the  
37.21 commissioners of natural resources,  
37.22 transportation, and the Pollution Control  
37.23 Agency and may contract with the University  
37.24 of Minnesota as necessary for the purposes of  
37.25 this appropriation. This is a onetime  
37.26 appropriation and is available until June 30,  
37.27 2022.  
37.28 (m) \$400,000 the first year is to provide  
37.29 onetime state incentive payments to enrollees  
37.30 in the federal Conservation Reserve Program  
37.31 (CRP) and its derivative programs available  
37.32 in Minnesota. The board may establish  
37.33 payment rates based on land valuation and on  
37.34 environmental benefit criteria, including but

38.1 not limited to reducing nutrients in surface  
38.2 water or groundwater, protecting drinking  
38.3 water, enhancing soil health, and enhancing  
38.4 pollinator and wildlife habitat. The board may  
38.5 use state funds to implement the program and  
38.6 to provide technical assistance to landowners  
38.7 or their agents to fulfill enrollment and  
38.8 contract provisions. This is a onetime  
38.9 appropriation and is available until June 30,  
38.10 2023.

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

38.26 (o) \$150,000 the first year is to prepare a  
38.27 statewide action plan for soil health in  
38.28 cooperation with the University of Minnesota  
38.29 Water Resources Center and in consultation  
38.30 with the commissioners of agriculture, natural  
38.31 resources, and the Pollution Control Agency.  
38.32 The plan must include recommendations for  
38.33 protecting and improving the state's soil health  
38.34 for agricultural and water quality purposes,  
38.35 including recommendations for research and

39.1 outreach. By February 15, 2020, the plan must  
39.2 be submitted to the chairs and ranking  
39.3 minority members of the house of  
39.4 representatives and senate committees and  
39.5 divisions with jurisdiction over agriculture  
39.6 and environment and natural resources policy.  
39.7 This is a onetime appropriation.  
39.8 (p) \$5,745,000 the first year and \$5,550,000  
39.9 the second year are for agency administration  
39.10 and operation of the Board of Water and Soil  
39.11 Resources. The base for agency administration  
39.12 is \$5,351,000 in fiscal year 2022 and  
39.13 thereafter.  
39.14 (q) Notwithstanding Minnesota Statutes,  
39.15 section 103C.501, the board may shift money  
39.16 in this section and may adjust the technical  
39.17 and administrative assistance portion of the  
39.18 funds to leverage federal or other nonstate  
39.19 funds or to address accountability, oversight,  
39.20 local government performance, or  
39.21 high-priority needs identified in local water  
39.22 management plans or comprehensive water  
39.23 management plans.  
39.24 (r) The appropriations for grants in this section  
39.25 are available until June 30, 2023. Returned  
39.26 grant funds must be regranted consistent with  
39.27 the purposes of this section. If an appropriation  
39.28 for grants in either year is insufficient, the  
39.29 appropriation in the other year is available for  
39.30 it.  
39.31 (s) Notwithstanding Minnesota Statutes,  
39.32 section 16B.97, the appropriations for grants  
39.33 in this section are exempt from the Department  
39.34 of Administration, Office of Grants  
39.35 Management Policy 08-10 Grant Monitoring.





41.1 (a) \$190,000 the first year and \$190,000 the  
 41.2 second year are from the natural resources  
 41.3 fund from revenue deposited under Minnesota  
 41.4 Statutes, section 297A.94, paragraph (h),  
 41.5 clause (5).

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

41.9 (c) \$40,000 the first year is for the prairie  
 41.10 butterfly conservation program. This is a  
 41.11 onetime appropriation.

41.12	Sec. 8. <b><u>SCIENCE MUSEUM</u></b>	<b><u>\$</u></b>	<b><u>1,079,000</u></b>	<b><u>\$</u></b>	<b><u>1,079,000</u></b>
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41.13	Sec. 9. <b><u>EXPLORE MINNESOTA TOURISM</u></b>	<b><u>\$</u></b>	<b><u>14,394,000</u></b>	<b><u>\$</u></b>	<b><u>14,594,000</u></b>
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41.14 \$500,000 the first year and \$500,000 the  
 41.15 second year must be matched from nonstate  
 41.16 sources to develop maximum private sector  
 41.17 involvement in tourism. Each \$1 of state  
 41.18 incentive must be matched with \$6 of private  
 41.19 sector money. "Matched" means revenue to  
 41.20 the state or documented cash expenditures  
 41.21 directly expended to support Explore  
 41.22 Minnesota Tourism programs. Up to one-half  
 41.23 of the private sector contribution may be  
 41.24 in-kind or soft match. The incentive in fiscal  
 41.25 year 2020 is based on fiscal year 2019 private  
 41.26 sector contributions. The incentive in fiscal  
 41.27 year 2021 is based on fiscal year 2020 private  
 41.28 sector contributions. This incentive is ongoing.

41.29 Money for marketing grants is available either  
 41.30 year of the biennium. Unexpended grant  
 41.31 money from the first year is available in the  
 41.32 second year.

41.33 \$100,000 each year is for a grant to the  
 41.34 Northern Lights International Music Festival.

42.1 \$50,000 the first year and \$250,000 the second  
42.2 year are for the Minnesota Outdoor Recreation  
42.3 Office under Minnesota Statutes, section  
42.4 116U.60.

42.5 **Sec. 10. CONTINGENT APPROPRIATIONS**

42.6 **Subdivision 1. Motor Fuels Tax**

42.7 (a) The following appropriations are available  
42.8 only if new revenue is raised from increases  
42.9 in the motor fuels tax rates under Minnesota  
42.10 Statutes, sections 296A.07 and 296A.08,  
42.11 enacted during the 2019 session:

42.12 (1) \$300,000 the first year and \$300,000 the  
42.13 second year are appropriated to the  
42.14 commissioner of natural resources from the  
42.15 water recreation account in the natural  
42.16 resources fund for grants to counties for boat  
42.17 and water safety. Any unencumbered balance  
42.18 does not cancel at the end of the first year and  
42.19 is available for the second year;

42.20 (2) \$3,350,000 the first year and \$3,350,000  
42.21 the second year are appropriated to the  
42.22 commissioner of natural resources from the  
42.23 water recreation account in the natural  
42.24 resources fund for activities of the Division  
42.25 of Parks and Trails under Minnesota Statutes,  
42.26 section 86B.706, subdivision 3; and

42.27 (3) \$500,000 the first year and \$500,000 the  
42.28 second year are appropriated to the  
42.29 commissioner of natural resources from the  
42.30 all-terrain vehicle account in the natural  
42.31 resources fund for all-terrain vehicle trail  
42.32 management.

42.33 (b) In the appropriations specified under  
42.34 paragraph (a), the amounts appropriated are

43.1 reduced proportionally, as necessary, if the  
43.2 legislation enacted in the 2019 legislative  
43.3 session does not provide sufficient revenue to  
43.4 the accounts.

43.5 **Subd. 2. Solid Waste Tax**

43.6 (a) The following appropriations are available  
43.7 only if new revenue is available in the  
43.8 environmental fund from increases in solid  
43.9 waste management tax rates under Minnesota  
43.10 Statutes, chapter 297H, enacted during the  
43.11 2019 session:

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

43.22 (2) \$750,000 the first year and \$750,000 the  
43.23 second year are appropriated from the  
43.24 environmental fund to the commissioner of  
43.25 the Pollution Control Agency for reducing and  
43.26 diverting food waste, redirecting edible food  
43.27 for consumption, and removing barriers to  
43.28 collecting and recovering organic waste. Of  
43.29 this amount, \$500,000 each year is for grants  
43.30 to increase food rescue and waste prevention.  
43.31 This appropriation is available until June 30,  
43.32 2023. Any unencumbered grant balances in  
43.33 the first year do not cancel but are available  
43.34 for grants in the second year;



45.1 appropriation and is available until June 30,  
45.2 ~~2019~~ 2021.

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

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

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

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

45.15 (b) \$500,000 the first year is from the state  
45.16 forest suspense account in the permanent  
45.17 school fund for the school trust lands director  
45.18 to initiate the ~~private sale of surplus school~~  
45.19 ~~trust lands identified according to Minnesota~~  
45.20 ~~Statutes, section 92.82, paragraph (d)~~  
45.21 Boundary Waters Canoe Area Wilderness  
45.22 private forest land alternative with the United  
45.23 States Department of Agriculture Forest  
45.24 Service and a nonprofit partner. The school  
45.25 trust lands director may use these funds for  
45.26 project costs, including but not limited to  
45.27 environmental assessments, valuation  
45.28 expenses, legal fees, closing costs, and  
45.29 transactional staff costs. This is a onetime  
45.30 appropriation and is available until June 30,  
45.31 ~~2019~~ 2021.

45.32 **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 84.026, is amended by adding a subdivision to  
48.26 read:

48.27 Subd. 4. **Paying grant-eligible expenditures.** Notwithstanding section 16A.41, the  
48.28 commissioner may make payments for otherwise eligible grant-program expenditures that  
48.29 are made on or after the effective date of the appropriation that funds the payments for:

48.30 (1) grants-in-aid under sections 84.794, 84.803, 84.83, 84.927, and 85.44;

48.31 (2) local recreation grants under section 85.019; and



49.1 (3) enforcement and public education grants under sections 84.794, 84.803, 84.83,  
49.2 84.927, 86B.701, 86B.705, and 87A.10.

49.3 Sec. 6. Minnesota Statutes 2018, section 84.027, subdivision 18, is amended to read:

49.4 Subd. 18. **Permanent school fund authority; reporting.** (a) The commissioner of  
49.5 natural resources has the authority and responsibility ~~for the administration of~~ to administer  
49.6 school trust lands under sections ~~92.121~~ 92.122 and 127A.31. The commissioner shall  
49.7 biannually report to the Legislative Permanent School Fund Commission and the legislature  
49.8 on the management of the school trust lands that shows how the commissioner has and will  
49.9 continue to achieve the following goals:

49.10 (1) manage the school trust lands efficiently and in a manner that reflects the undivided  
49.11 loyalty to the beneficiaries consistent with the commissioner's fiduciary duties;

49.12 (2) reduce the management expenditures of school trust lands and maximize the revenues  
49.13 deposited in the permanent school trust fund;

49.14 (3) manage the sale, exchange, and commercial leasing of school trust lands, requiring  
49.15 returns of not less than fair market value, to maximize the revenues deposited in the  
49.16 permanent school trust fund and retain the value from the long-term appreciation of the  
49.17 school trust lands;

49.18 (4) manage the school trust lands to maximize the long-term economic return for the  
49.19 permanent school trust fund while maintaining sound natural resource conservation and  
49.20 management principles;

49.21 (5) optimize school trust land revenues and maximize the value of the trust consistent  
49.22 with ~~the~~ balancing of short-term and long-term interests, so that long-term benefits are not  
49.23 lost in an effort to maximize short-term gains; and

49.24 (6) maintain the integrity of the trust and prevent the misapplication of its lands and its  
49.25 revenues.

49.26 (b) When the commissioner finds an irresolvable conflict between maximizing the  
49.27 long-term economic return and protecting natural resources and recreational values on  
49.28 school trust lands, the commissioner shall give precedence to the long-term economic return  
49.29 in managing school trust lands. By July 1, 2018, the permanent school fund ~~shall~~ must be  
49.30 compensated for all school trust lands included under a designation or policy provision that  
49.31 prohibits long-term economic return. The commissioner shall submit recommendations to  
49.32 the appropriate legislative committees and divisions on methods of funding for the  
49.33 compensation required under this paragraph, including recommendations for appropriations

50.1 from the general fund, nongeneral funds, and the state bond fund. Any uncompensated  
50.2 designation or policy provision restrictions on the long-term economic return on school  
50.3 trust lands remaining after July 1, 2018, ~~shall~~ must be compiled and submitted to the  
50.4 Legislative Permanent School Fund Commission for review.

50.5 (c) By December 31, 2013, the report required under paragraph (a) ~~shall~~ must provide  
50.6 an inventory and identification of all school trust lands that are included under a designation  
50.7 or policy provision that prohibits long-term economic return. The report ~~shall~~ must include  
50.8 a plan to compensate the permanent school fund through the purchase or exchange of the  
50.9 lands or a plan to manage the school trust land to generate long-term economic return to  
50.10 the permanent school fund. Subsequent reports under paragraph (a) ~~shall~~ must include a  
50.11 status report of the commissioner's progress in maximizing the long-term economic return  
50.12 on lands identified in the 2013 report.

50.13 (d) When ~~future~~ management practices, policies, or designations or policies by the  
50.14 commissioner diminish or prohibit the long-term economic return on school trust land, the  
50.15 conflict ~~shall~~ must be resolved ~~by compensating the permanent school fund through an~~  
50.16 ~~exchange or purchase of the lands before designation or application of the policy as provided~~  
50.17 in section 92.122.

50.18 Sec. 7. Minnesota Statutes 2018, section 84.0895, is amended by adding a subdivision to  
50.19 read:

50.20 Subd. 10. **Rusty patched bumble bee.** The rusty patched bumble bee, *Bombus affinis*,  
50.21 is designated as an endangered species under this section, is the state bee under section  
50.22 1.1465, has been listed as an endangered species under the federal Endangered Species Act,  
50.23 and is a species that is of most concern to the state in order to prevent extinction. The  
50.24 Environmental Quality Board must coordinate efforts to protect the rusty patched bumble  
50.25 bee in the state.

50.26 Sec. 8. **[84.0896] TRADE IN PROHIBITED ANIMAL PARTS PROHIBITED.**

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

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

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

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

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

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

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

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

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

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

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

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

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

51.15 (2) expressly authorized by federal law;

51.16 (3) of an antique;

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

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

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

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

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

52.1 Sec. 9. Minnesota Statutes 2018, section 84.775, subdivision 1, is amended to read:

52.2 Subdivision 1. **Civil citation; authority to issue.** (a) A conservation officer or other  
52.3 licensed peace officer may issue a civil citation to a person who operates:

52.4 (1) an off-highway motorcycle in violation of sections 84.773, subdivision 1 or 2, clause  
52.5 (1); 84.777; 84.788 to 84.795; or 84.90;

52.6 (2) an off-road vehicle in violation of sections 84.773, subdivision 1 or 2, clause (1);  
52.7 84.777; 84.798 to 84.804; or 84.90; or

52.8 (3) an all-terrain vehicle in violation of sections 84.773, subdivision 1 or 2, clause (1);  
52.9 84.777; 84.90; or 84.922 to 84.928.

52.10 (b) A civil citation under paragraph (a) shall require restitution for public and private  
52.11 property damage and impose a penalty of:

52.12 (1) \$100 for the first offense;

52.13 (2) \$200 for the second offense; and

52.14 (3) \$500 for third and subsequent offenses.

52.15 (c) A conservation officer or other licensed peace officer may issue a civil citation to a  
52.16 person who operates an off-highway motorcycle, off-road vehicle, or all-terrain vehicle in  
52.17 violation of section 84.773, subdivision 2, clause (2) or (3). A civil citation under this  
52.18 paragraph shall require restitution for damage to wetlands and impose a penalty of:

52.19 (1) \$100 for the first offense;

52.20 (2) \$500 for the second offense; and

52.21 (3) \$1,000 for third and subsequent offenses.

52.22 (d) If the peace officer determines that there is damage to property requiring restitution,  
52.23 the commissioner must send a written explanation of the extent of the damage and the cost  
52.24 of the repair by first class mail to the address provided by the person receiving the citation  
52.25 within 15 days of the date of the citation.

52.26 (e) An off-road vehicle ~~or all-terrain vehicle~~ that is equipped with a snorkel device and  
52.27 receives a civil citation under this section is subject to twice the penalty amounts in  
52.28 paragraphs (b) and (c).

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

53.1 Sec. 10. Minnesota Statutes 2018, section 84.788, subdivision 2, is amended to read:

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

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

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

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

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

53.10 ~~(5)~~ (4) operated on state or grant-in-aid trails by a nonresident possessing a nonresident  
53.11 off-highway motorcycle state trail pass;

53.12 ~~(6)~~ (5) operated by a person participating in an event for which the commissioner has  
53.13 issued a special use permit; or

53.14 ~~(7)~~ (6) operated on boundary trails and registered in another state or country providing  
53.15 equal reciprocal registration or licensing exemptions for registrants of this state.

53.16 Sec. 11. Minnesota Statutes 2018, section 84.794, subdivision 2, is amended to read:

53.17 Subd. 2. **Purposes.** (a) Subject to appropriation by the legislature, money in the  
53.18 off-highway motorcycle account may only be spent for:

53.19 (1) administration, enforcement, and implementation of sections 84.787 to 84.795;

53.20 (2) acquisition, maintenance, and development of off-highway motorcycle trails and use  
53.21 areas; ~~and~~

53.22 (3) grants-in-aid to counties and municipalities to construct and maintain off-highway  
53.23 motorcycle trails and use areas; and

53.24 (4) grants for enforcement and public education to local law enforcement agencies.

53.25 (b) The distribution of funds made available for grants-in-aid must be guided by the  
53.26 statewide comprehensive outdoor recreation plan.

54.1 Sec. 12. Minnesota Statutes 2018, section 84.83, subdivision 3, is amended to read:

54.2 Subd. 3. **Purposes for the account; allocation.** (a) The money deposited in the account  
54.3 and interest earned on that money may be expended only as appropriated by law for the  
54.4 following purposes:

54.5 (1) for a grant-in-aid program to counties and municipalities for construction and  
54.6 maintenance of snowmobile trails that are determined by the commissioner to be part of  
54.7 the state's grant-in-aid system, including maintenance of trails on lands and waters of  
54.8 Voyageurs National Park; on Lake of the Woods; on Rainy Lake; on the following lakes in  
54.9 St. Louis County: Burntside, Crane, Little Long, Mud, Pelican, Shagawa, and Vermilion;  
54.10 and on the following lakes in Cook County: Devil Track and Hungry Jack; The commissioner  
54.11 may establish a performance-based funding formula for annual grants-in-aid. The procedures  
54.12 and criteria for grants-in-aid are not subject to the rulemaking provisions of chapter 14, and  
54.13 section 14.386 does not apply. In administering the performance-based grants-in-aid, the  
54.14 commissioner must:

54.15 (i) determine annual grant amounts based on a funding formula that includes consideration  
54.16 of historical costs, snowfall, use, and tourism;

54.17 (ii) make grant payments based on:

54.18 (A) successful completion of performance benchmarks;

54.19 (B) reimbursement of eligible expenditures; or

54.20 (C) a combination of subitems (A) and (B); and

54.21 (iii) assess penalties to nonperforming grant-in-aid recipients, which may include  
54.22 withholding grant payments or making the grantee or trail system ineligible for future  
54.23 grant-in-aid funding.

54.24 (2) ~~for acquisition, development, and maintenance of~~ to acquire, develop, and maintain  
54.25 state recreational snowmobile trails;

54.26 (3) for snowmobile safety programs; and

54.27 (4) ~~for the administration and enforcement of~~ to administer and enforce sections 84.81  
54.28 to 84.91 and appropriated grants to local law enforcement agencies.

54.29 (b) No less than 60 percent of revenue collected from snowmobile registration and  
54.30 snowmobile state trail sticker fees must be expended for grants-in-aid to develop, maintain,  
54.31 and groom trails and acquire easements.

55.1 Sec. 13. Minnesota Statutes 2018, section 84.925, subdivision 1, is amended to read:

55.2 Subdivision 1. ~~Program~~ Training and certification programs established. (a) The  
55.3 commissioner shall establish:

55.4 (1) a comprehensive all-terrain vehicle environmental and safety education and training  
55.5 certification program, including the preparation and dissemination of vehicle information  
55.6 and safety advice to the public, the training of all-terrain vehicle operators, and the issuance  
55.7 of all-terrain vehicle safety certificates to vehicle operators over the age of 12 years who  
55.8 successfully complete the all-terrain vehicle environmental and safety education and training  
55.9 course; and

55.10 (2) a voluntary all-terrain vehicle online training program for youth and a parent or  
55.11 guardian, offered at no charge for operators at least six years of age but younger than ten  
55.12 years of age.

55.13 (b) A parent or guardian must be present at the hands-on a training portion of the program  
55.14 for when the youth who are six through is under ten years of age.

55.15 ~~(b)~~ (c) For the purpose of administering the program and to defray the expenses of  
55.16 training and certifying vehicle operators, the commissioner shall collect a fee from each  
55.17 person who receives the training for certification under paragraph (a), clause (1). The  
55.18 commissioner shall collect a fee, to include a \$1 issuing fee for licensing agents, for issuing  
55.19 a duplicate all-terrain vehicle safety certificate. The commissioner shall establish both fees  
55.20 in a manner that neither significantly overrecovers nor underrecovers costs, including  
55.21 overhead costs, involved in providing the services. The fees are not subject to the rulemaking  
55.22 provisions of chapter 14 and section 14.386 does not apply. The fees may be established  
55.23 by the commissioner notwithstanding section 16A.1283. Fee proceeds, except for the issuing  
55.24 fee for licensing agents under this subdivision, shall be deposited in the all-terrain vehicle  
55.25 account in the natural resources fund and the amount thereof, except for the electronic  
55.26 licensing system commission established by the commissioner under section 84.027,  
55.27 subdivision 15, and issuing fees collected by the commissioner, is appropriated annually to  
55.28 the Enforcement Division of the Department of Natural Resources for the administration  
55.29 of the programs. In addition to the fee established by the commissioner, instructors may  
55.30 charge each person up to the established fee amount for class materials and expenses.

55.31 ~~(e)~~ (d) The commissioner shall cooperate with private organizations and associations,  
55.32 private and public corporations, and local governmental units in furtherance of the ~~program~~  
55.33 programs established under this section. School districts may cooperate with the  
55.34 commissioner and volunteer instructors to provide space for the classroom portion of the

56.1 training. The commissioner shall consult with the commissioner of public safety in regard  
56.2 to ~~training program~~ the subject matter of the training programs and performance testing that  
56.3 leads to the certification of vehicle operators. The commissioner shall incorporate a riding  
56.4 component in the ~~safety education and training program~~ certification program established  
56.5 under this section and may incorporate a riding component in the training program established  
56.6 under paragraph (a), clause (2).

56.7 Sec. 14. Minnesota Statutes 2018, section 84.9256, subdivision 1, is amended to read:

56.8 Subdivision 1. **Prohibitions on youthful operators.** (a) Except for operation on public  
56.9 road rights-of-way that is permitted under section 84.928 and as provided under paragraph  
56.10 (j), a driver's license issued by the state or another state is required to operate an all-terrain  
56.11 vehicle along or on a public road right-of-way.

56.12 (b) A person under 12 years of age shall not:

56.13 (1) make a direct crossing of a public road right-of-way;

56.14 (2) operate an all-terrain vehicle on a public road right-of-way in the state; or

56.15 (3) operate an all-terrain vehicle on public lands or waters, except as provided in  
56.16 paragraph (f).

56.17 (c) Except for public road rights-of-way of interstate highways, a person 12 years of age  
56.18 but less than 16 years may make a direct crossing of a public road right-of-way of a trunk,  
56.19 county state-aid, or county highway or operate on public lands and waters or state or  
56.20 grant-in-aid trails, only if that person possesses a valid all-terrain vehicle safety certificate  
56.21 issued by the commissioner and is accompanied by a person 18 years of age or older who  
56.22 holds a valid driver's license.

56.23 (d) To be issued an all-terrain vehicle safety certificate, a person at least 12 years old,  
56.24 but less than 16 years old, must:

56.25 (1) successfully complete the safety education and training program under section 84.925,  
56.26 subdivision 1, including a riding component; and

56.27 (2) be able to properly reach and control the handle bars and reach the foot pegs while  
56.28 sitting upright on the seat of the all-terrain vehicle.

56.29 (e) A person at least ~~six~~ ten years of age may take the safety education and training  
56.30 program and may receive an all-terrain vehicle safety certificate under paragraph (d), but  
56.31 the certificate is not valid until the person reaches age 12.



57.1 (f) A person at least ten years of age but under 12 years of age may operate an all-terrain  
57.2 vehicle with an engine capacity up to 110cc if the vehicle is a class 1 all-terrain vehicle with  
57.3 straddle-style seating or up to 170cc if the vehicle is a class 1 all-terrain vehicle with  
57.4 side-by-side-style seating on public lands or waters if accompanied by a parent or legal  
57.5 guardian.

57.6 (g) A person under 15 years of age shall not operate a class 2 all-terrain vehicle.

57.7 (h) A person under the age of 16 may not operate an all-terrain vehicle on public lands  
57.8 or waters or on state or grant-in-aid trails if the person cannot properly reach and control:

57.9 (1) the handle bars and reach the foot pegs while sitting upright on the seat of the  
57.10 all-terrain vehicle with straddle-style seating; or

57.11 (2) the steering wheel and foot controls of a class 1 all-terrain vehicle with  
57.12 side-by-side-style seating while sitting upright in the seat with the seat belt fully engaged.

57.13 (i) Notwithstanding paragraph (c), a nonresident at least 12 years old, but less than 16  
57.14 years old, may make a direct crossing of a public road right-of-way of a trunk, county  
57.15 state-aid, or county highway or operate an all-terrain vehicle on public lands and waters or  
57.16 state or grant-in-aid trails if:

57.17 (1) the nonresident youth has in possession evidence of completing an all-terrain safety  
57.18 course offered by the ATV Safety Institute or another state as provided in section 84.925,  
57.19 subdivision 3; and

57.20 (2) the nonresident youth is accompanied by a person 18 years of age or older who holds  
57.21 a valid driver's license.

57.22 (j) A person 12 years of age but less than 16 years of age may operate an all-terrain  
57.23 vehicle on the roadway, bank, slope, or ditch of a public road right-of-way as permitted  
57.24 under section 84.928 if the person:

57.25 (1) possesses a valid all-terrain vehicle safety certificate issued by the commissioner;  
57.26 and

57.27 (2) is accompanied by a parent or legal guardian on a separate all-terrain vehicle.

57.28 Sec. 15. Minnesota Statutes 2018, section 84.928, subdivision 2, is amended to read:

57.29 Subd. 2. **Operation generally.** A person may not drive or operate an all-terrain vehicle:

57.30 (1) at a rate of speed greater than reasonable or proper under the surrounding  
57.31 circumstances;

58.1 (2) in a careless, reckless, or negligent manner so as to endanger or to cause injury or  
58.2 damage to the person or property of another;

58.3 (3) without headlight and taillight lighted at all times if the vehicle is equipped with  
58.4 headlight and taillight;

58.5 (4) without a functioning stoplight if so equipped;

58.6 (5) in a tree nursery or planting in a manner that damages or destroys growing stock;

58.7 (6) without a brake operational by either hand or foot;

58.8 (7) with more than one person on the vehicle, except as allowed under section 84.9257;

58.9 (8) at a speed exceeding ten miles per hour on the frozen surface of public waters within  
58.10 100 feet of a person not on an all-terrain vehicle or within 100 feet of a fishing shelter; or

58.11 ~~(9) with a snorkel device that has a raised air intake six inches or more above the vehicle~~  
58.12 ~~manufacturer's original air intake, except within the Iron Range Off-Highway Vehicle~~  
58.13 ~~Recreation Area as described in section 85.013, subdivision 12a, or other public off-highway~~  
58.14 ~~vehicle recreation areas; or~~

58.15 ~~(10)~~ (9) in a manner that violates operation rules adopted by the commissioner.

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

58.17 Sec. 16. **[84.976] NO CHILD LEFT INSIDE GRANT PROGRAM.**

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

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

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

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

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

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

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

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

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

59.5 Sec. 17. Minnesota Statutes 2018, section 84D.15, is amended to read:

59.6 **84D.15 INVASIVE SPECIES ACCOUNT ACCOUNTS.**

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

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

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

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

59.19 (1) 80 percent from each surcharge must be deposited in the invasive species account;  
59.20 and

59.21 (2) 20 percent from each surcharge must be deposited in the invasive species research  
59.22 account.

59.23 Subd. 3. **Use of money in invasive species account.** Money credited to the invasive  
59.24 species account in subdivision 2 ~~shall~~ must be used for management of invasive species  
59.25 and implementation of this chapter as it pertains to invasive species, including control,  
59.26 public awareness, law enforcement, assessment and monitoring, management planning,  
59.27 habitat improvements, and research. Of the money credited to the account, at least ten  
59.28 percent from each surcharge on watercraft licenses under section 86B.415, subdivision 7,  
59.29 must be used for grants to lake associations to manage aquatic invasive plant species.

59.30 Subd. 4. Use of money in invasive species research account. Money credited to the  
59.31 invasive species research account in subdivision 2, paragraph (b), must be used for grants

60.1 to the Board of Regents of the University of Minnesota for the Minnesota Aquatic Invasive  
60.2 Species Research Center to research aquatic invasive species.

60.3 Sec. 18. Minnesota Statutes 2018, section 85.32, subdivision 1, is amended to read:

60.4 Subdivision 1. **Designation.** (a) The commissioner of natural resources is authorized in  
60.5 cooperation with local units of government and private individuals and groups when feasible  
60.6 to manage state water trails on the Lake Superior water trail under section 85.0155 and on  
60.7 the following rivers, which have historic, recreational, and scenic values: Little Fork, Big  
60.8 Fork, Minnesota, St. Croix, Snake, Mississippi, Red Lake, Cannon, Straight, Des Moines,  
60.9 Crow Wing, St. Louis, Pine, Rum, Kettle, Cloquet, Root, Zumbro, Pomme de Terre within  
60.10 Swift County, Watonwan, Cottonwood, Whitewater, Chippewa from Benson in Swift County  
60.11 to Montevideo in Chippewa County, Long Prairie, Red River of the North, Sauk, Otter Tail,  
60.12 Redwood, Blue Earth, Cedar, Shell Rock, Vermilion in St. Louis County, north fork of the  
60.13 Crow, and south fork of the Crow. The commissioner may map and sign points of interest,  
60.14 public water access sites, portages, camp sites, and dams, rapids, waterfalls, and other serious  
60.15 hazards that are dangerous to canoe, kayak, and watercraft travelers. The commissioner  
60.16 may maintain passageway for watercraft on state water trails.

60.17 (b) The segment of the St. Croix River Water Trail between Wild River State Park and  
60.18 William O'Brien State Park is designated as the Walter F. Mondale Scenic River Way.

60.19 Sec. 19. Minnesota Statutes 2018, section 85.42, is amended to read:

60.20 **85.42 USER FEE; VALIDITY.**

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

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

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

61.1 (d) The commissioner and agents ~~shall~~ must issue a duplicate pass to a person whose  
61.2 pass is lost or destroyed; using the process established under section 97A.405, subdivision  
61.3 3, and rules adopted thereunder. The fee for a duplicate cross-country-ski pass is \$2.

61.4 Sec. 20. Minnesota Statutes 2018, section 85.44, is amended to read:

61.5 **85.44 CROSS-COUNTRY-SKI TRAIL GRANT-IN-AID PROGRAM.**

61.6 The commissioner shall establish a grant-in-aid program for local units of government  
61.7 and special park districts ~~for the acquisition, development, and maintenance of~~ to acquire,  
61.8 develop, and maintain cross-country-ski trails that are determined by the commissioner to  
61.9 be part of the state's grant-in-aid system. Grants ~~shall be~~ are available ~~for acquisition of to~~  
61.10 acquire trail easements but may not be used to acquire any lands in fee title. Local units of  
61.11 government and special park districts applying for and receiving grants under this section  
61.12 ~~shall be~~ are considered to have cross-country-ski trails for one year following the expiration  
61.13 of their last grant. The department shall reimburse all public sponsors of grants-in-aid  
61.14 cross-country-ski trails based upon criteria established by the department. ~~Prior to the use~~  
61.15 ~~of~~ Before using any reimbursement criteria, a certain proportion of the revenues ~~shall~~ must  
61.16 be allocated on the basis of user fee sales location. The commissioner may establish a  
61.17 performance-based funding formula for annual grants-in-aid. The procedures and criteria  
61.18 for grants-in-aid are not subject to the rulemaking provisions of chapter 14, and section  
61.19 14.386 does not apply. In administering the performance-based grants-in-aid, the  
61.20 commissioner must:

61.21 (1) determine annual grant amounts based on a funding formula that includes  
61.22 consideration of historical costs, snowfall, use, and tourism;

61.23 (2) make grant payments based on:

61.24 (i) successful completion of performance benchmarks;

61.25 (ii) reimbursement of eligible expenditures; or

61.26 (iii) a combination of items (i) and (ii); and

61.27 (3) assess penalties to nonperforming grant-in-aid recipients, which may include  
61.28 withholding grant payments or making the grantee or trail system ineligible for future  
61.29 grant-in-aid funding.

62.1 Sec. 21. Minnesota Statutes 2018, section 85.47, is amended to read:

62.2 **85.47 SPECIAL USE PERMITS; FEES.**

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

62.7 Sec. 22. Minnesota Statutes 2018, section 86B.415, subdivision 1, is amended to read:

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

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

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

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

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

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

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

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

62.23 Sec. 23. Minnesota Statutes 2018, section 86B.415, subdivision 1a, is amended to read:

62.24 Subd. 1a. **Canoes, kayaks, sailboards, paddleboards, paddleboats, or rowing**  
62.25 **shells.** Except as provided under subdivision 4, the fee for a watercraft license for a canoe,  
62.26 kayak, sailboard, paddleboard, paddleboat, or rowing shell over ten feet in length is ~~\$10.50~~  
62.27 \$15.25.

62.28 Sec. 24. Minnesota Statutes 2018, section 86B.415, subdivision 2, is amended to read:

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

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

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

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

63.4 Sec. 25. Minnesota Statutes 2018, section 86B.415, subdivision 3, is amended to read:

63.5 Subd. 3. **Watercraft over 19 feet for hire.** Except as provided under subdivision 4, the  
63.6 license fee for a watercraft more than 19 feet in length for hire with an operator is ~~\$75~~  
63.7 \$108.75 each.

63.8 Sec. 26. Minnesota Statutes 2018, section 86B.415, subdivision 4, is amended to read:

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

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

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

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

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

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

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

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

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

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

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

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

64.1 Sec. 27. Minnesota Statutes 2018, section 86B.415, subdivision 5, is amended to read:

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

64.4 Sec. 28. Minnesota Statutes 2018, section 86B.415, subdivision 7, is amended to read:

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

64.10 Sec. 29. Minnesota Statutes 2018, section 88.642, subdivision 1, is amended to read:

64.11 Subdivision 1. **Written consent.** No person shall cut, harvest, remove, transport, or  
64.12 possess for decorative purposes or for sale more than three decorative trees, more than 100  
64.13 pounds of decorative boughs, more than 50 spruce stems or branches greater than six inches  
64.14 in length, more than 50 birch stems or branches greater than one-inch large-end diameter,  
64.15 or more than 100 pounds of any other decorative materials without the written consent of  
64.16 the owner or authorized agent of the private or public land on which the decorative materials  
64.17 were cut or harvested. The written consent ~~shall be on a form furnished or otherwise approved~~  
64.18 ~~by the commissioner of natural resources and shall~~ must contain the legal description of the  
64.19 land where the decorative materials were cut or harvested, as well as the name of the legal  
64.20 owner of the land or the owner's authorized agent. The written consent must be carried by  
64.21 every person cutting, harvesting, removing, possessing, or transporting any decorative  
64.22 materials, or in any way aiding therein, and must be exhibited to any officer at the officer's  
64.23 request at any time.

64.24 Sec. 30. Minnesota Statutes 2018, section 88.642, subdivision 3, is amended to read:

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



65.1 Sec. 31. Minnesota Statutes 2018, section 88.6435, is amended to read:

65.2 **88.6435 ~~BOUGH~~ DECORATIVE MATERIALS BUYERS.**

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

65.7 Subd. 1a. **License.** (a) A person must have a buyer's license for decorative materials to:

65.8 (1) buy more than 100 pounds of decorative boughs in any calendar year;

65.9 (2) buy more than 50 spruce stems or branches greater than six inches in length in any  
65.10 calendar year; or

65.11 (3) buy more than 50 birch stems or branches greater than one-inch large-end diameter  
65.12 in any calendar year.

65.13 (b) The annual fee for a buyer's license for decorative materials for a resident or  
65.14 nonresident is \$25.

65.15 Subd. 2. **Record requirements.** (a) When buying or otherwise receiving decorative  
65.16 boughs ~~materials~~, a person ~~permitted~~ licensed under this section must record:

65.17 (1) the seller's name and address;

65.18 (2) the form of written consent; and

65.19 (3) the government permit number or legal description or property tax identification  
65.20 number of the land from which the ~~boughs~~ decorative materials were obtained.

65.21 (b) The information under paragraph (a) must be ~~provided~~ recorded on a form furnished  
65.22 or otherwise approved by the commissioner of natural resources ~~in consultation with the~~  
65.23 ~~balsam bough industry groups~~ and must be exhibited to an officer upon request.

65.24 ~~(b) Boughs may not be purchased~~ (c) A licensed buyer may not purchase decorative  
65.25 materials if the seller fails to exhibit the written consent required under section 88.642,  
65.26 subdivision 1, ~~or if the boughs do not conform to the standards specified on the consent.~~  
65.27 Decorative ~~boughs cut from public lands~~ materials must conform to standards specified in  
65.28 the written consent.

65.29 ~~(e)~~ (d) Records ~~shall~~ must be maintained from July 1 until June 30 of the following  
65.30 calendar year and ~~shall~~ must be open to inspection to an officer during reasonable hours.

66.1 ~~(d)~~ (e) Customer name and address records created and maintained by ~~permittees~~ licensees  
66.2 under this section are classified as private or nonpublic government data.

66.3 Subd. 3. ~~Revocation of permits~~ **Penalties.** (a) The commissioner may deny, modify,  
66.4 suspend, or revoke a ~~permit~~ license issued under this section for cause, including ~~falsification~~  
66.5 ~~of for falsifying~~ records required under this section or ~~violation of any other provision of~~  
66.6 for violating sections 88.641 to 88.648.

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

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

66.13 (b) Fees for ~~permits~~ licenses issued under this section must be deposited in the state  
66.14 treasury and credited to the ~~forest bough~~ special forest products account and, except for the  
66.15 electronic licensing system commission established by the commissioner under section  
66.16 84.027, subdivision 15, are annually appropriated to the commissioner of natural resources  
66.17 for costs associated with special forest product information and education programs for  
66.18 harvesters and buyers.

66.19 Sec. 32. Minnesota Statutes 2018, section 89.37, subdivision 3, is amended to read:

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

66.26 Sec. 33. **[89.435] FOREST CARBON SEQUESTRATION GOAL.**

66.27 It is the goal of the state to plant an additional 1,000,000 trees each year in fiscal years  
66.28 2020, 2021, 2022, and 2023, to provide additional carbon sequestration and improve forest  
66.29 health.

67.1 Sec. 34. Minnesota Statutes 2018, section 90.01, is amended by adding a subdivision to  
67.2 read:

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

67.6 Sec. 35. Minnesota Statutes 2018, section 90.195, is amended to read:

67.7 **90.195 SPECIAL USE AND PRODUCT PERMIT.**

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

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

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

67.12 (b) The fuelwood permits under paragraph (a) may be issued for a period not to exceed  
67.13 one year. The commissioner ~~shall~~ must charge a fee for the permit as provided under section  
67.14 90.041, subdivision 10. The fee ~~shall~~ must not exceed the current market value of fuelwood  
67.15 of similar species, grade, and volume that is being sold in the area where the salvage or  
67.16 cutting is authorized under the permit.

67.17 ~~(b) (c)~~ The commissioner may issue a ~~special product permit under section 89.42 for~~  
67.18 ~~commercial use, which may include~~ permit for harvesting or collecting incidental volumes  
67.19 ~~of boughs, gravel, hay, biomass, and other products derived from forest management activities~~  
67.20 special forest products. The value of the products is the current market value of the products  
67.21 that are being sold in the area. The permit may be issued for a period not to exceed one year,  
67.22 and the commissioner ~~shall~~ must charge a fee for the permit as provided under section  
67.23 90.041, subdivision 10.

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

68.1 Sec. 36. **[92.122] COMPENSATING PERMANENT SCHOOL FUND.**

68.2 Subdivision 1. **Compensation requirements.** (a) When the revenue generated from  
68.3 school trust land and associated resources is diminished by management practices applied  
68.4 to the land and resources as determined by the commissioner of natural resources, the  
68.5 commissioner must compensate the permanent school fund.

68.6 (b) When generating revenue from school trust land and associated resources will be  
68.7 prohibited by a policy or designation applied to the land and resources as determined by  
68.8 the commissioner, the commissioner must compensate the permanent school fund before  
68.9 the policy or designation is applied.

68.10 Subd. 2. **Compensation methods.** To compensate the permanent school fund under  
68.11 subdivision 1, the commissioner may use compensation methods that include:

68.12 (1) exchanging other land that is compatible with the goal of the permanent school fund  
68.13 under section 127A.31, as allowed under sections 94.343, subdivision 1, and 94.3495, and  
68.14 the Minnesota Constitution, article XI, section 10;

68.15 (2) leasing under section 92.50 and according to subdivision 3, with rental payments as  
68.16 compensation; and

68.17 (3) condemning the land under section 92.83, with payment of the amount of the award  
68.18 and judgment as compensation.

68.19 Subd. 3. **Lease terms for compensating fund.** With advice from the school trust lands  
68.20 director according to section 127A.353, subdivision 4, the commissioner may lease school  
68.21 trust land to compensate the permanent school fund. Rental payments received under this  
68.22 subdivision:

68.23 (1) must be credited to the forest suspense account as nonqualifying revenue and not  
68.24 subject to cost certification under section 16A.125;

68.25 (2) must be paid in full upon executing the lease; and

68.26 (3) are determined by the commissioner and subject to review by a licensed appraiser.

68.27 Sec. 37. Minnesota Statutes 2018, section 92.50, subdivision 1, is amended to read:

68.28 Subdivision 1. **Lease terms.** (a) The commissioner of natural resources may lease land  
68.29 under the commissioner's jurisdiction and control:

68.30 (1) to remove sand, gravel, clay, rock, marl, peat, and black dirt;

68.31 (2) to store ore, waste materials from mines, or rock and tailings from ore milling plants;

69.1 (3) for roads or railroads;

69.2 (4) to compensate the permanent school fund according to section 92.122; or

69.3 ~~(4)~~ (5) for other uses consistent with the interests of the state.

69.4 (b) The commissioner shall offer the lease at public or private sale for an amount and  
69.5 under terms and conditions prescribed by the commissioner. Commercial leases for more  
69.6 than ten years and leases for removal of peat that cover 320 or more acres must be approved  
69.7 by the Executive Council.

69.8 (c) The lease term may not exceed 21 years except:

69.9 (1) leases of lands for storage sites for ore, waste materials from mines, or rock and  
69.10 tailings from ore milling plants; or for the removal of peat for nonagricultural purposes may  
69.11 not exceed a term of 25 years; and

69.12 (2) leases for commercial purposes, including major resort, convention center, or  
69.13 recreational area purposes, may not exceed a term of 40 years.

69.14 (d) Leases must be subject to sale and leasing of the land for mineral purposes and  
69.15 contain a provision for cancellation for just cause at any time by the commissioner upon  
69.16 six months' written notice. A longer notice period, not exceeding three years, may be provided  
69.17 in leases for storing ore, waste materials from mines, or rock or tailings from ore milling  
69.18 plants. The commissioner may determine the terms and conditions, including the notice  
69.19 period, for cancellation of a lease for the removal of peat and commercial leases.

69.20 (e) Money received from leases under this section must be credited to the fund to which  
69.21 the land belongs.

69.22 Sec. 38. Minnesota Statutes 2018, section 97A.015, subdivision 25, is amended to read:

69.23 Subd. 25. **Game fish.** "Game fish" means ~~walleye, sauger, yellow perch, channel catfish,~~  
69.24 ~~flathead catfish; members of the pike family, Esocidae, including muskellunge and northern~~  
69.25 ~~pike; members of the sunfish family, Centrarchidae, including largemouth bass, smallmouth~~  
69.26 ~~bass, sunfish, rock bass, white crappie, black crappie, members of the temperate bass family,~~  
69.27 ~~Pereichthyidae, including white bass and yellow bass; members of the salmon and trout~~  
69.28 ~~subfamily, Salmoninae, including Atlantic salmon, chinook salmon, coho salmon, pink~~  
69.29 ~~salmon, kokanee salmon, lake trout, brook trout, brown trout, rainbow (steelhead) trout,~~  
69.30 ~~and splake; members of the paddlefish family, Polyodontidae; members of the sturgeon~~  
69.31 ~~family, Acipenseridae, including lake sturgeon, and shovelnose sturgeon.~~ fish from the  
69.32 following families and species: Acipenseridae (lake sturgeon and shovelnose sturgeon),

70.1 Anguillidae (American eel), Centrarchidae (black crappie; largemouth bass; rock bass;  
70.2 smallmouth bass; white crappie; and sunfishes, including bluegill, green sunfish, longear  
70.3 sunfish, orangespotted sunfish, pumpkinseed, and warmouth), Esocidae (muskellunge and  
70.4 northern pike), Gadidae (burbot), Ictaluridae (blue catfish, channel catfish, and flathead  
70.5 catfish), Moronidae (white bass and yellow bass), Percidae (sauger, walleye, and yellow  
70.6 perch), Polyodontidae (paddlefish), and Salmonidae (Atlantic salmon, brook trout, brown  
70.7 trout, chinook salmon, cisco (tullibee), coho salmon, kokanee salmon, lake trout, lake  
70.8 whitefish, pink salmon, and rainbow trout). "Game fish" includes hybrids of game fish.

70.9 Sec. 39. Minnesota Statutes 2018, section 97A.015, subdivision 43, is amended to read:

70.10 Subd. 43. **Rough fish.** "Rough fish" means carp, buffalo, sucker, sheepshead, bowfin,  
70.11 ~~burbot, eisee,~~ gar, goldeye, and bullhead, except for any fish species listed as endangered,  
70.12 threatened, or of special concern in Minnesota Rules, chapter 6134.

70.13 Sec. 40. Minnesota Statutes 2018, section 97A.055, subdivision 4, is amended to read:

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

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

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

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

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

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

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

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

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

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

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

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

71.4 (5) summary and comments of citizen oversight committee reviews under subdivision  
71.5 4b.

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

71.8 Sec. 41. Minnesota Statutes 2018, section 97A.055, subdivision 4b, is amended to read:

71.9 Subd. 4b. **Citizen oversight committees.** (a) The commissioner shall appoint committees  
71.10 of affected persons to review the reports prepared under subdivision 4; review the proposed  
71.11 work plans and budgets for the coming year; propose changes in policies, activities, and  
71.12 revenue enhancements or reductions; review other relevant information; and make  
71.13 recommendations to the legislature and the commissioner for improvements in the  
71.14 management and use of money in the game and fish fund.

71.15 (b) The commissioner shall appoint the following committees, each comprised of at  
71.16 least ten affected persons:

71.17 (1) a Fisheries Oversight Committee to review fisheries funding and expenditures,  
71.18 including activities related to trout-and-salmon stamps and walleye stamps; and

71.19 (2) a Wildlife Oversight Committee to review wildlife funding and expenditures,  
71.20 including activities related to migratory waterfowl, pheasant, and wild turkey management  
71.21 and deer and big game management.

71.22 (c) The chairs of the Fisheries Oversight Committee and the Wildlife Oversight  
71.23 Committee, and four additional members from each committee, shall form a Budgetary  
71.24 Oversight Committee to coordinate the integration of the fisheries and wildlife oversight  
71.25 committee reports into an annual report to the legislature; recommend changes on a broad  
71.26 level in policies, activities, and revenue enhancements or reductions; and provide a forum  
71.27 to address issues that transcend the fisheries and wildlife oversight committees.

71.28 (d) The Budgetary Oversight Committee shall develop recommendations for a biennial  
71.29 budget plan and report for expenditures on game and fish activities. By August 15 of each  
71.30 even-numbered year, the committee shall submit the budget plan recommendations to the  
71.31 commissioner and to the senate and house of representatives committees with jurisdiction  
71.32 over natural resources finance.

72.1 (e) The chairs of the Fisheries Oversight Committee and the Wildlife Oversight  
72.2 Committee shall be chosen by their respective committees. The chair of the Budgetary  
72.3 Oversight Committee shall be appointed by the commissioner and may not be the chair of  
72.4 either of the other oversight committees.

72.5 (f) The Budgetary Oversight Committee may make recommendations to the commissioner  
72.6 and to the senate and house of representatives committees with jurisdiction over natural  
72.7 resources finance for outcome goals from expenditures.

72.8 (g) The committees authorized under this subdivision are not advisory councils or  
72.9 committees governed by section 15.059 and are not subject to section 15.059. Committee  
72.10 members appointed by the commissioner may request reimbursement for mileage expenses  
72.11 in the same manner and amount as authorized by the commissioner's plan adopted under  
72.12 section 43A.18, subdivision 2. Committee members must not receive daily compensation  
72.13 for oversight activities. The Fisheries Oversight Committee, the Wildlife Oversight  
72.14 Committee, and the Budgetary Oversight Committee expire June 30, ~~2020~~ 2025.

72.15 Sec. 42. Minnesota Statutes 2018, section 97A.065, subdivision 6, is amended to read:

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

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

72.29 Sec. 43. Minnesota Statutes 2018, section 97A.075, subdivision 1, is amended to read:

72.30 Subdivision 1. **Deer, bear, and lifetime licenses.** (a) For purposes of this subdivision,  
72.31 "deer license" means a license issued under section 97A.475, subdivisions 2, clauses (5),  
72.32 (6), (7), (13), (14), and (15); 3, paragraph (a), clauses (2), (3), (4), (10), (11), and (12); and  
72.33 8, paragraph (b), and licenses issued under section 97B.301, subdivision 4.



73.1 (b) ~~\$2 from each annual deer license and \$2 annually from the lifetime fish and wildlife~~  
73.2 ~~trust fund, established in section 97A.4742, for each license issued under section 97A.473,~~  
73.3 ~~subdivision 4, shall~~ The deer management account is established as an account in the game  
73.4 and fish fund and may be used only for deer habitat improvement or deer management  
73.5 programs. The following amounts must be credited to the deer management account and is  
73.6 appropriated to the commissioner for deer habitat improvement or deer management  
73.7 programs.:

73.8 (1) \$16 from each annual deer license issued under section 97A.475, subdivisions 2,  
73.9 clauses (5), (6), and (7); 3, paragraph (a), clauses (2), (3), and (4); and 8, paragraph (b);

73.10 (2) \$2 from each annual deer license issued under sections 97A.475, subdivisions 2,  
73.11 clauses (13), (14), and (15); and 3, paragraph (a), clauses (10), (11), and (12); and 97B.301,  
73.12 subdivision 4; and

73.13 (3) \$16 annually from the lifetime fish and wildlife trust fund, established under section  
73.14 97A.4742, for each license issued to a person 18 years of age or older under section 97A.473,  
73.15 subdivision 4, and \$2 annually from the lifetime fish and wildlife trust fund for each license  
73.16 issued to a person under 18 years of age.

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

73.22 (d) Fifty cents from each deer license is credited to the ~~emergency deer feeding and wild~~  
73.23 ~~Cervidae health-management account and is appropriated for emergency deer feeding and~~  
73.24 ~~wild Cervidae health management. Money appropriated for emergency deer feeding and~~  
73.25 ~~wild Cervidae health management is available until expended.~~

73.26 (e) When the unencumbered balance in the appropriation for emergency deer feeding  
73.27 and wild Cervidae health management exceeds \$2,500,000 at the end of a fiscal year, the  
73.28 unencumbered balance in excess of over \$2,500,000 is canceled and is available for deer-  
73.29 and bear-management programs and computerized licensing.

73.30 Sec. 44. Minnesota Statutes 2018, section 97A.075, subdivision 5, is amended to read:

73.31 Subd. 5. **Turkey account.** (a) \$4.50 from each turkey license sold, except youth licenses  
73.32 under section 97A.475, subdivision 2, clause (4), and subdivision 3, paragraph (a), clause

74.1 (7), must be credited to the wild-turkey management account and is appropriated to the  
74.2 commissioner only for:

74.3 (1) the development, restoration, and maintenance of suitable habitat for wild turkeys  
74.4 on public and private land including forest stand improvement and establishment of nesting  
74.5 cover, winter roost area, and reliable food sources;

74.6 (2) acquisitions of, or easements on, critical wild-turkey habitat;

74.7 (3) reimbursement of expenditures to provide wild-turkey habitat on public and private  
74.8 land;

74.9 (4) trapping and transplantation of wild turkeys; and

74.10 (5) the promotion of turkey habitat development and maintenance, population surveys  
74.11 and monitoring, and research.

74.12 (b) Money in the account may not be used for:

74.13 ~~(1) costs unless they are directly related to a specific parcel of land under paragraph (a),~~  
74.14 ~~clauses (1) to (3), a specific trap and transplant project under paragraph (a), clause (4), or~~  
74.15 ~~to specific promotional or evaluative activities under paragraph (a), clause (5); or~~

74.16 ~~(2) any permanent personnel costs.~~

74.17 Sec. 45. Minnesota Statutes 2018, section 97A.126, is amended to read:

74.18 **97A.126 WALK-IN ACCESS PROGRAM.**

74.19 Subdivision 1. **Establishment.** A walk-in access program is established to provide public  
74.20 access to wildlife habitat on ~~private~~ land not otherwise open to the public for hunting,  
74.21 excluding trapping, as provided under this section. The commissioner may enter into  
74.22 agreements with other units of government and landowners to provide ~~private land~~ hunting  
74.23 access.

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

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

74.29 (c) Hunter access on ~~private~~ lands that are posted as enrolled in the walk-in access  
74.30 program is restricted to nonmotorized use, except by hunters with disabilities operating

75.1 motor vehicles on established trails or field roads who possess a valid permit to shoot from  
75.2 a stationary vehicle under section 97B.055, subdivision 3.

75.3 (d) The general provisions for use of wildlife management areas adopted under sections  
75.4 86A.06 and 97A.137, relating to overnight use, alcoholic beverages, use of motorboats,  
75.5 firearms and target shooting, hunting stands, abandonment of trash and property, destruction  
75.6 or removal of property, introduction of plants or animals, and animal trespass, apply to  
75.7 hunters on lands enrolled in the walk-in access program.

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

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

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

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

75.14 Sec. 46. Minnesota Statutes 2018, section 97A.137, subdivision 3, is amended to read:

75.15 Subd. 3. **Use of motorized vehicles by disabled hunters.** ~~The commissioner may issue~~  
75.16 ~~a special permit, without a fee, authorizing a hunter~~ (a) A person with a permanent physical  
75.17 disability ~~to~~ may use a snowmobile, highway-licensed vehicle, all-terrain vehicle, or motor  
75.18 boat in wildlife management areas. ~~To qualify for a permit under this subdivision, The~~  
75.19 ~~disabled~~ person with a physical disability must possess:

75.20 (1) the required hunting licenses; and

75.21 (2) ~~a permit to shoot from a stationary vehicle under section 97B.055, subdivision 3~~ a  
75.22 valid disability parking certificate authorized by section 169.345 or valid license plates  
75.23 issued under section 168.021.

75.24 Sec. 47. **[97A.138] INSECTICIDES IN WILDLIFE MANAGEMENT AREAS.**

75.25 A person may not use a product containing an insecticide in a wildlife management area  
75.26 if the insecticide is from the neonicotinoid class of insecticides.

75.27 Sec. 48. Minnesota Statutes 2018, section 97A.321, subdivision 1, is amended to read:

75.28 Subdivision 1. **Owner responsibility; penalty amount.** (a) The owner of a dog that  
75.29 pursues but does not kill or mortally wound a big game animal is subject to a civil penalty

76.1 of \$100 for each violation. The owner of a dog that kills or mortally wounds a big game  
76.2 animal is subject to a civil penalty of \$500 for each violation.

76.3 (b) Paragraph (a) does not apply to a person using a dog in compliance with section  
76.4 97B.207.

76.5 Sec. 49. Minnesota Statutes 2018, section 97A.405, is amended by adding a subdivision  
76.6 to read:

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

76.11 Sec. 50. Minnesota Statutes 2018, section 97A.475, subdivision 3a, is amended to read:

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

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

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

76.20 Sec. 51. Minnesota Statutes 2018, section 97A.475, subdivision 4, is amended to read:

76.21 Subd. 4. ~~**Small-game surcharge and donation.**~~ (a) Fees for annual licenses to take  
76.22 small game must be increased by a surcharge of \$6.50, except licenses under subdivisions  
76.23 2, clauses (18) and (19); and 3, paragraph (a), ~~clause~~ clauses (14) and (15). An additional  
76.24 commission may not be assessed on the surcharge and the following statement must be  
76.25 included in the annual small-game-hunting regulations: "This \$6.50 surcharge is being paid  
76.26 by hunters for the acquisition and development of wildlife lands."

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

77.1 Sec. 52. Minnesota Statutes 2018, section 97A.475, subdivision 41, is amended to read:

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

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

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

77.7 Sec. 53. Minnesota Statutes 2018, section 97B.011, is amended to read:

77.8 **97B.011 DOGS PURSUING BIG GAME.**

77.9 (a) A person who observes a dog wounding, killing, or pursuing in a manner that  
77.10 endangers big game may kill the dog:

77.11 (1) at any time, if the person is a peace officer or conservation officer; or

77.12 (2) between January 1 and July 14, if the person is not a peace officer or conservation  
77.13 officer and the discharge of firearms is allowed.

77.14 The officer or person is not liable for damages for killing the dog.

77.15 (b) Paragraph (a) does not apply to a dog used in compliance with section 97B.207.

77.16 Sec. 54. Minnesota Statutes 2018, section 97B.015, subdivision 6, is amended to read:

77.17 Subd. 6. **Provisional certificate for persons with permanent physical or**  
77.18 **developmental disability.** Upon the recommendation of a course instructor, the  
77.19 commissioner may issue a provisional firearms safety certificate to a person who satisfactorily  
77.20 completes the classroom portion of the firearms safety course but is unable to pass the  
77.21 written or an alternate format exam portion of the course because of a permanent physical  
77.22 disability or developmental disability as defined in section 97B.1055, subdivision 1. The  
77.23 certificate is valid only when used according to section 97B.1055.

77.24 Sec. 55. Minnesota Statutes 2018, section 97B.081, subdivision 3, is amended to read:

77.25 Subd. 3. **Exceptions.** (a) It is not a violation of this section for a person to:

77.26 (1) cast the rays of a spotlight, headlight, or other artificial light to take raccoons  
77.27 according to section 97B.621, subdivision 3, or tend traps according to section 97B.931;

77.28 (2) hunt fox or coyote from January 1 to March 15 while using a handheld artificial  
77.29 light, provided that the person is:

- 78.1 (i) on foot;
- 78.2 (ii) using a shotgun;
- 78.3 (iii) not within a public road right-of-way;
- 78.4 (iv) using a handheld or electronic calling device; and
- 78.5 (v) not within 200 feet of a motor vehicle; or
- 78.6 (3) cast the rays of a handheld artificial light to retrieve wounded or dead big game
- 78.7 animals, provided that the person is:
- 78.8 (i) on foot; and
- 78.9 (ii) not in possession of a firearm or bow.
- 78.10 (b) It is not a violation of subdivision 2 for a person to cast the rays of a spotlight,
- 78.11 headlight, or other artificial light to:
- 78.12 (1) carry out any agricultural, safety, emergency response, normal vehicle operation, or
- 78.13 occupation-related activities that do not involve taking wild animals; or
- 78.14 (2) carry out outdoor recreation as defined in section 97B.001 that is not related to
- 78.15 spotting, locating, or taking a wild animal.
- 78.16 (c) Except as otherwise provided by the game and fish laws, it is not a violation of this
- 78.17 section for a person to use an electronic range finder device from one-half hour before
- 78.18 sunrise until one-half hour after sunset while lawfully hunting wild animals.
- 78.19 (d) It is not a violation of this section for a licensed bear hunter to cast the rays of a
- 78.20 handheld artificial light to track or retrieve a wounded or dead bear while possessing a
- 78.21 firearm, ~~provided that:~~
- 78.22 (1) if the person:
- 78.23 ~~(1)~~ (i) has the person's valid bear-hunting license in possession;
- 78.24 ~~(2)~~ (ii) is on foot; and
- 78.25 ~~(3)~~ (iii) is following the blood trail of a bear that was shot during legal shooting hours;
- 78.26 or
- 78.27 (2) as provided in section 97B.207.
- 78.28 (e) It is not a violation of this section for a licensed deer hunter to cast the rays of a
- 78.29 handheld artificial light to track or retrieve a wounded deer as provided in section 97B.207.

79.1 (f) For purposes of this subdivision, "handheld artificial light" means an artificial light  
79.2 that is carried in the hand or attached to the person.

79.3 Sec. 56. Minnesota Statutes 2018, section 97B.1055, is amended to read:

79.4 **97B.1055 HUNTING BY PERSONS WITH A PERMANENT PHYSICAL OR**  
79.5 **DEVELOPMENTAL DISABILITY.**

79.6 Subdivision 1. **Definitions.** For purposes of this section and section 97B.015, subdivision  
79.7 6<sup>2</sup>:

79.8 (1) ~~"person with developmental disability" means a person who has been diagnosed as~~  
79.9 diagnosis of having substantial limitations in present functioning, manifested as significantly  
79.10 subaverage intellectual functioning, existing concurrently with demonstrated deficits in  
79.11 adaptive behavior, and who manifests when these conditions manifest before the person's  
79.12 22nd birthday. A person with a related condition means a person who meets the diagnostic  
79.13 definition under section 252.27, subdivision 1a.; and

79.14 (2) "permanent physical disability" means a physical disability that prevents a person  
79.15 from being able to navigate natural terrain or hold a firearm for a required field component  
79.16 for the firearms safety training program under section 97B.020.

79.17 Subd. 2. **Obtaining license.** (a) Notwithstanding section 97B.020, a person with a  
79.18 permanent physical disability or developmental disability may obtain a firearms hunting  
79.19 license with a provisional firearms safety certificate issued under section 97B.015,  
79.20 subdivision 6.

79.21 (b) Any person accompanying or assisting a person with a permanent physical disability  
79.22 or developmental disability under this section must possess a valid firearms safety certificate  
79.23 issued by the commissioner.

79.24 Subd. 3. **Assistance required.** A person who obtains a firearms hunting license under  
79.25 subdivision 2 must be accompanied and assisted by a parent, guardian, or other adult person  
79.26 designated by a parent or guardian when hunting. A person who is not hunting but is solely  
79.27 accompanying and assisting a person with a permanent physical disability or developmental  
79.28 disability need not obtain a hunting license.

79.29 Subd. 4. **Prohibited activities.** (a) This section does not entitle a person to possess a  
79.30 firearm if the person is otherwise prohibited from possessing a firearm under state or federal  
79.31 law or a court order.

80.1 (b) No person shall knowingly authorize or permit a person, who by reason of a permanent  
80.2 physical disability or developmental disability is incapable of safely possessing a firearm,  
80.3 to possess a firearm to hunt in the state or on any boundary water of the state.

80.4 Sec. 57. Minnesota Statutes 2018, section 97B.1115, is amended to read:

80.5 **97B.1115 USE OF MECHANICAL OR ELECTRONIC ASSISTANCE TO HOLD**  
80.6 **AND DISCHARGE FIREARMS OR BOWS BY ~~PHYSICALLY DISABLED~~ A**  
80.7 **PERSON WITH A PHYSICAL DISABILITY.**

80.8 (a) Notwithstanding sections 97B.035, subdivision 1, 97B.321, and 97B.701, subdivision  
80.9 2, the commissioner may ~~authorize a physically disabled hunter~~ issue a special permit to  
80.10 take big game and small game, without a fee, to a person with a physical disability who has  
80.11 a verified statement of the disability from a licensed physician or a certified nurse practitioner  
80.12 or certified physician assistant acting under the direction of a licensed physician to use a  
80.13 swivel or otherwise mounted firearm or bow or any electronic or mechanical device to  
80.14 discharge a firearm or bow as long as the participant is physically present at the site.

80.15 (b) A person using mechanical or electronic assistance under this section may be assisted  
80.16 by another person. The person assisting may take a wounded animal shot by the person  
80.17 using mechanical or electronic assistance under this section if the person with the disability  
80.18 is physically incapable of doing so. The person assisting must be licensed to take the animal.

80.19 Sec. 58. Minnesota Statutes 2018, section 97B.205, is amended to read:

80.20 **97B.205 ~~USE OF~~ USING DOGS AND HORSES TO TAKE BIG GAME**  
80.21 **PROHIBITED.**

80.22 A person may not use a dog or horse to take big game, except as provided under section  
80.23 97B.207.

80.24 Sec. 59. **97B.207] USING DOGS TO LOCATE WOUNDED DEER OR BEAR.**

80.25 Subdivision 1. **Using dogs allowed.** A person may use a dog to locate and retrieve a  
80.26 wounded deer or bear only as provided in this section.

80.27 Subd. 2. **Requirements for hunters and handlers.** (a) A person attempting to locate  
80.28 and retrieve a wounded deer or bear using a dog must have a valid license to take the deer  
80.29 or bear and have the license in possession. If the person is a dog handler that does not have  
80.30 a valid hunting license, the person must be accompanied by a licensed hunter with the license  
80.31 in possession.



81.1 (b) The licensed hunter, and any accompanying dog handler, must be on foot and must  
81.2 wear blaze orange or blaze pink as provided in section 97B.071, paragraph (a).

81.3 (c) Any light used must be a handheld artificial light, as defined under section 97B.081,  
81.4 subdivision 3, paragraph (f).

81.5 Subd. 3. **Requirements for dogs.** (a) A dog used to locate a wounded deer or bear must  
81.6 be accompanied by a licensed hunter and any dog handler until the wounded deer or bear  
81.7 is located. The dog must be leashed and the licensed hunter or dog handler must be in  
81.8 physical control of the leash at all times. The leash must not exceed 30 feet in length.

81.9 (b) The dog owner's information, including the owner's name and telephone number,  
81.10 must be on the dog while the dog is used to locate a wounded deer or bear under this section.

81.11 (c) The licensed hunter and any accompanying dog handler are jointly and severally  
81.12 responsible for a dog under this section. A violation of this subdivision is a misdemeanor  
81.13 under section 97A.301, subdivision 1, and section 97A.421 applies.

81.14 Subd. 4. **Additional requirements.** (a) The trespass provisions in section 97B.001 apply  
81.15 to activities under this section, including all requirements to gain permission to enter private  
81.16 or public property.

81.17 (b) Activities under this section may occur during legal shooting hours or outside legal  
81.18 shooting hours of the open season for the location and species. Any activity occurring under  
81.19 this section outside the open season for the location and species must be reported to the  
81.20 local conservation officer before locating or retrieving the wounded deer or bear.

81.21 Sec. 60. Minnesota Statutes 2018, section 97B.645, subdivision 9, is amended to read:

81.22 Subd. 9. **No open season.** There ~~shall be~~ is no open season for wolves ~~until after the~~  
81.23 ~~wolf is delisted under the federal Endangered Species Act of 1973. After that time, the~~  
81.24 ~~commissioner may prescribe open seasons and restrictions for taking wolves but must~~  
81.25 ~~provide opportunity for public comment.~~

81.26 Sec. 61. Minnesota Statutes 2018, section 97B.655, is amended to read:

81.27 **97B.655 TAKING ANIMALS CAUSING DAMAGE.**

81.28 Subdivision 1. **Owners and occupants may take certain animals.** (a) A person or the  
81.29 person's agent may take bats, snakes, salamanders, lizards, weasel, mink, squirrel, rabbit,  
81.30 hare, raccoon, bobcat, fox, opossum, muskrat, or beaver on land owned or occupied by the  
81.31 person where the animal is causing damage. The person or the person's agent may take the

82.1 animal without a license and in any manner except by artificial lights in the closed season  
82.2 or by poison. Raccoons may be taken under this subdivision with artificial lights during  
82.3 open season.

82.4 (b) Any traps used under this subdivision must be tagged as required under section  
82.5 97B.928 if placed by an agent of the landowner or occupant.

82.6 (c) A person or the person's agent who kills mink, raccoon, bobcat, fox, opossum,  
82.7 muskrat, or beaver under this subdivision must notify a conservation officer or employee  
82.8 of the Fish and Wildlife Division within 24 hours after the animal is killed.

82.9 Subd. 2. **Special permit for taking protected wild animals.** (a) The commissioner may  
82.10 issue special permits under section 97A.401, subdivision 5, to take protected wild animals  
82.11 that are damaging property or to remove or destroy their dens, nests, or houses, ~~or~~ dams.

82.12 (b) Removing or destroying a beaver dam associated with beavers causing damage must  
82.13 be according to section 97B.665.

82.14 Sec. 62. Minnesota Statutes 2018, section 97B.665, is amended by adding a subdivision  
82.15 to read:

82.16 Subd. 1a. **Removing beaver dams; agreement by landowner.** (a) Except as provided  
82.17 in paragraph (b), a beaver dam that is causing damage to property may be removed or  
82.18 destroyed by a person or the person's agent from property that is owned, occupied, or  
82.19 otherwise managed by the person.

82.20 (b) A person or a person's agent may not remove or destroy a beaver dam under this  
82.21 subdivision when a permit is required under section 103G.245 if removing or destroying  
82.22 the dam would change or diminish the historical water levels, course, current, or cross  
82.23 section of public waters.

82.24 (c) A person or a person's agent may not remove or destroy a beaver dam under this  
82.25 subdivision if the dam is on public property or another person's private property unless the  
82.26 person obtains the approval or permission of the landowner of the property where the beaver  
82.27 dam is located.

82.28 (d) If unable to obtain the approval or permission of the landowner under paragraph (c),  
82.29 a person may petition to district court for relief as provided in subdivision 2.

82.30 (e) For purposes of this subdivision:

82.31 (1) "landowner" means:

82.32 (i) the owner, lessee, or occupant of private property; or

83.1 (ii) an authorized manager of public property; and

83.2 (2) "person" includes a governmental entity in addition to the entities described under  
83.3 section 97A.015, subdivision 35.

83.4 Sec. 63. Minnesota Statutes 2018, section 97B.667, subdivision 2, is amended to read:

83.5 Subd. 2. ~~Local Government units.~~ (a) ~~Local~~ Government units may, as provided in this  
83.6 section, kill or arrange to have killed beaver that are causing damage, including damage to  
83.7 silvicultural projects and drainage ditches, on property owned or managed by the ~~local~~  
83.8 government unit. ~~Removal or destruction of~~ Removing or destroying any associated beaver  
83.9 lodge is subject to section 97A.401, subdivision 5, and removing or destroying any associated  
83.10 beaver dam is subject to section 97B.665.

83.11 (b) The ~~local~~ government unit may kill beaver associated with the lodge or damage in  
83.12 any manner, except by poison or artificial lights.

83.13 (c) The ~~local~~ government unit may arrange to have killed any beaver associated with  
83.14 the lodge or damage by trapping through a third-party contract or under subdivision 4.

83.15 Sec. 64. Minnesota Statutes 2018, section 97B.667, subdivision 3, is amended to read:

83.16 Subd. 3. **Permits and notice; requirements.** (a) Before killing or arranging to kill a  
83.17 beaver under this section, the road authority or ~~local~~ government unit must contact a  
83.18 conservation officer for a special beaver permit; if the beaver will be killed within two weeks  
83.19 before or after the trapping season for beaver, and the conservation officer must issue the  
83.20 permit for any beaver subject to this section. A permit is not required:

83.21 (1) for a licensed trapper during the open trapping season for beaver; or

83.22 (2) when the trapping season for beaver is closed and it is not within two weeks before  
83.23 or after the trapping season for beaver.

83.24 (b) A road authority or ~~local~~ government unit that kills or arranges to have killed a beaver  
83.25 under this section must notify a conservation officer or employee of the Fish and Wildlife  
83.26 Division within ten days after the animal is killed.

83.27 Sec. 65. Minnesota Statutes 2018, section 97B.667, subdivision 4, is amended to read:

83.28 Subd. 4. **Local Beaver control programs.** A road authority or ~~local~~ government unit  
83.29 may, after consultation with the Fish and Wildlife Division, implement a ~~local~~ beaver control  
83.30 program designed to reduce the number of incidents of beaver:

84.1 (1) interfering with or damaging a public road; or

84.2 (2) causing damage, including damage to silvicultural projects and drainage ditches, on  
84.3 property owned or managed by the ~~local~~ government unit.

84.4 The ~~local~~ control program may include ~~the offering of a bounty for the lawful taking of~~  
84.5 to lawfully take beaver.

84.6 Sec. 66. Minnesota Statutes 2018, section 97B.667, is amended by adding a subdivision  
84.7 to read:

84.8 Subd. 5. **Tagging requirements for traps.** Traps used under subdivision 1 or 2 must  
84.9 be identified with the name and telephone number of the government unit. Traps used for  
84.10 trapping under a third-party contract must be tagged with the contractor's information as  
84.11 provided in section 97B.928.

84.12 Sec. 67. **[97B.673] NONTOXIC SHOT REQUIRED FOR TAKING SMALL GAME**  
84.13 **IN CERTAIN AREAS.**

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

84.17 (1) steel shot;

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

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

84.21 Subd. 2. **Farmland zone.** For the purposes of this section, the farmland zone is the  
84.22 portion of the state that falls south and west of Minnesota Highway 70 westward from the  
84.23 Wisconsin border to Minnesota Highway 65 to Minnesota Highway 23 to U.S. Highway  
84.24 169 at Milaca to Minnesota Highway 18 at Garrison to Minnesota Highway 210 at Brainerd  
84.25 to U.S. Highway 10 at Motley to U.S. Highway 59 at Detroit Lakes northward to the  
84.26 Canadian border.

84.27 Sec. 68. Minnesota Statutes 2018, section 97C.391, subdivision 1, is amended to read:

84.28 Subdivision 1. **General restrictions.** A person may not buy or sell fish taken from the  
84.29 waters of this state, except:

84.30 (1) minnows;

- 85.1 (2) rough fish ~~excluding eiseoes~~;
- 85.2 (3) smelt taken from Lake Superior and rivers and streams that flow into Lake Superior;
- 85.3 (4) fish taken under licensed commercial fishing operations;
- 85.4 (5) fish that are private aquatic life; and
- 85.5 (6) fish lawfully taken and subject to sale from other states and countries.

85.6 Sec. 69. Minnesota Statutes 2018, section 97C.395, subdivision 2, is amended to read:

85.7 Subd. 2. **Continuous season for certain species.** For sunfish, white crappie, black  
85.8 crappie, yellow perch, catfish, rock bass, white bass, yellow bass, burbot, cisco (tullibee),  
85.9 lake whitefish, and rough fish, the open season is continuous.

85.10 Sec. 70. Minnesota Statutes 2018, section 97C.605, subdivision 1, is amended to read:

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

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

85.16 Sec. 71. Minnesota Statutes 2018, section 97C.605, subdivision 2c, is amended to read:

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

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

85.20 (2) ~~(1)~~ when buying a turtle at a retail outlet; or

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

85.26 (4) ~~(2)~~ to take, possess, and rent ~~or sell~~ up to 25 turtles greater than four inches in length  
85.27 for the purpose of providing the turtles to participants at a nonprofit turtle race, if the person  
85.28 is a resident under age 18. The person is responsible for the well-being of the turtles.

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

86.5 Sec. 72. Minnesota Statutes 2018, section 97C.605, subdivision 3, is amended to read:

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

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

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

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

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

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

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

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

86.17 Sec. 73. **[103F.49] CONSERVATION MATERIALS CONTAINING PLASTICS.**

86.18 Subdivision 1. **Identifying and listing.** By January 1, 2021, the Board of Water and  
86.19 Soil Resources must:

86.20 (1) identify materials used in conservation and bioengineering projects that contain  
86.21 plastic that are used or are likely to be used in state-funded stream bank stabilization projects;

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

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

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

86.27 (1) purchase a material listed under subdivision 1, in whole or in part, with state funds;

86.28 or

87.1 (2) use a material listed under subdivision 1 as part of a project funded in whole or in  
87.2 part with state funds.

87.3 Sec. 74. Minnesota Statutes 2018, section 103G.241, subdivision 1, is amended to read:

87.4 Subdivision 1. **Conditions to affect public waters.** An agent or employee of another  
87.5 may not construct, reconstruct, remove, or make a change in a reservoir, dam, or waterway  
87.6 obstruction on a public water or in any manner change or diminish the course, current, or  
87.7 cross section of public waters unless the agent or employee has:

87.8 (1) obtained a signed statement from the property owner stating that the permits required  
87.9 for the work have been obtained or a permit is not required; and

87.10 (2) mailed or electronically transmitted a copy of the statement to the regional office of  
87.11 the Department of Natural Resources where the proposed work is located.

87.12 Sec. 75. Minnesota Statutes 2018, section 103G.241, subdivision 3, is amended to read:

87.13 Subd. 3. **Form for compliance.** The commissioner shall develop a form to be distributed  
87.14 to contractors' associations and county auditors to comply with this section. The form must  
87.15 include:

87.16 (1) a listing of the activities for which a permit is required;

87.17 (2) a description of the penalties for violating this chapter;

87.18 (3) the mailing addresses, electronic mail addresses, and telephone numbers of the  
87.19 regional offices of the Department of Natural Resources;

87.20 (4) a statement that water inventory maps completed according to section 103G.201 are  
87.21 on file with the auditors of the counties; and

87.22 (5) spaces for a description of the work and the names, mailing addresses, electronic  
87.23 mail addresses, and telephone numbers of the person authorizing the work and the agent or  
87.24 employee proposing to undertake it.

87.25 Sec. 76. Minnesota Statutes 2018, section 103G.287, subdivision 1, is amended to read:

87.26 Subdivision 1. **Applications for groundwater appropriations; preliminary**  
87.27 **well-construction approval.** (a) Groundwater use permit applications are not complete  
87.28 until the applicant has supplied:

87.29 (1) a water well record as required by section 103I.205, subdivision 9, information on  
87.30 the subsurface geologic formations penetrated by the well and the formation or aquifer that

88.1 will serve as the water source, and geologic information from test holes drilled to locate the  
88.2 site of the production well;

88.3 (2) the maximum daily, seasonal, and annual pumpage rates and volumes being requested;

88.4 (3) information on groundwater quality in terms of the measures of quality commonly  
88.5 specified for the proposed water use and details on water treatment necessary for the proposed  
88.6 use;

88.7 (4) the results of an aquifer test completed according to specifications approved by the  
88.8 commissioner. The test must be conducted at the maximum pumping rate requested in the  
88.9 application and for a length of time adequate to assess or predict impacts to other wells and  
88.10 surface water and groundwater resources. The permit applicant is responsible for all costs  
88.11 related to the aquifer test, including the construction of groundwater and surface water  
88.12 monitoring installations, and water level readings before, during, and after the aquifer test;  
88.13 and

88.14 (5) the results of any assessments conducted by the commissioner under paragraph (c).

88.15 (b) The commissioner may waive an application requirement in this subdivision if the  
88.16 information provided with the application is adequate to determine whether the proposed  
88.17 appropriation and use of water is sustainable and will protect ecosystems, water quality,  
88.18 and the ability of future generations to meet their own needs.

88.19 (c) The commissioner shall provide an assessment of a proposed well needing a  
88.20 groundwater appropriation permit. The commissioner shall evaluate the information submitted  
88.21 as required under section 103I.205, subdivision 1, paragraph (e), and determine whether  
88.22 the anticipated appropriation request is likely to meet the applicable requirements of this  
88.23 chapter. If the appropriation request is likely to meet applicable requirements, the  
88.24 commissioner shall provide the person submitting the information with a letter or  
88.25 electronically transmitted notice providing preliminary approval to construct the well and  
88.26 the requirements, including test-well information, that will be needed to obtain the permit.

88.27 (d) The commissioner must provide an applicant denied a groundwater use permit or  
88.28 issued a groundwater use permit that is reduced or restricted from the original request with  
88.29 all information the commissioner used in making the determination, including hydrographs,  
88.30 flow tests, aquifer tests, topographic maps, field reports, photographs, and proof of equipment  
88.31 calibration.



89.1 Sec. 77. Minnesota Statutes 2018, section 103G.301, subdivision 2, is amended to read:

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

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

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

89.18 Sec. 78. Minnesota Statutes 2018, section 103G.311, subdivision 2, is amended to read:

89.19 Subd. 2. **Hearing notice.** (a) The hearing notice on an application must include:

89.20 (1) the date, place, and time fixed by the commissioner for the hearing;

89.21 (2) the waters affected, the water levels sought to be established, or control structures  
89.22 proposed; and

89.23 (3) the matters prescribed by sections 14.57 to 14.59 and rules adopted thereunder.

89.24 (b) A summary of the hearing notice must be published by the commissioner at the  
89.25 expense of the applicant or, if the proceeding is initiated by the commissioner in the absence  
89.26 of an applicant, at the expense of the commissioner.

89.27 (c) The summary of the hearing notice must be:

89.28 (1) published once a week for two successive weeks before the day of hearing in a legal  
89.29 newspaper published in the county where any part of the affected waters is located; and

89.30 (2) mailed or electronically transmitted by the commissioner to the county auditor, the  
89.31 mayor of a municipality, the watershed district, and the soil and water conservation district  
89.32 affected by the application.

90.1 Sec. 79. Minnesota Statutes 2018, section 103G.311, subdivision 5, is amended to read:

90.2 Subd. 5. **Demand for hearing.** (a) If a hearing is waived and an order is made issuing  
90.3 or denying the permit, the applicant, the managers of the watershed district, the board of  
90.4 supervisors of the soil and water conservation district, or the governing body of the  
90.5 municipality may file a demand for hearing on the application. The demand for a hearing  
90.6 must be filed within 30 days after mailed or electronically transmitted notice of the order  
90.7 with the bond required by subdivision 6.

90.8 (b) The commissioner must give notice as provided in subdivision 2, hold a hearing on  
90.9 the application, and make a determination on issuing or denying the permit as though the  
90.10 previous order had not been made.

90.11 (c) The order issuing or denying the permit becomes final at the end of 30 days after  
90.12 mailed or electronically transmitted notice of the order to the applicant, the managers of the  
90.13 watershed district, the board of supervisors of the soil and water conservation district, or  
90.14 the governing body of the municipality, and an appeal of the order may not be taken if:

90.15 (1) the commissioner waives a hearing and a demand for a hearing is not made; or

90.16 (2) a hearing is demanded but a bond is not filed as required by subdivision 6.

90.17 Sec. 80. Minnesota Statutes 2018, section 103G.315, subdivision 8, is amended to read:

90.18 Subd. 8. **Notice of permit order.** Notice of orders made after hearing must be given by  
90.19 publication of the order once a week for two successive weeks in a legal newspaper in the  
90.20 county where the hearing was held and by mailing or electronically transmitting copies of  
90.21 the order to parties who entered an appearance at the hearing.

90.22 Sec. 81. Minnesota Statutes 2018, section 103G.408, is amended to read:

90.23 **103G.408 TEMPORARY DRAWDOWN OF PUBLIC WATERS.**

90.24 (a) The commissioner, upon consideration of recommendations and objections as provided  
90.25 in clause (2), item (iii), and paragraph (c), may issue a public-waters-work permit for the  
90.26 temporary drawdown of a public water when:

90.27 (1) the public water is a shallow lake to be managed for fish, wildlife, or ecological  
90.28 purposes by the commissioner and the commissioner has conducted a public hearing  
90.29 presenting a comprehensive management plan outlining how and when temporary drawdowns  
90.30 under this section will be conducted; or

90.31 (2) the permit applicant is a public entity and:

91.1 (i) the commissioner deems the project to be beneficial and makes findings of fact that  
91.2 the drawdown is in the public interest;

91.3 (ii) the permit applicant has obtained permission from at least 75 percent of the riparian  
91.4 landowners; and

91.5 (iii) the permit applicant has conducted a public hearing according to paragraph (d).

91.6 (b) In addition to the requirements in section 103G.301, subdivision 6, the permit  
91.7 applicant shall serve a copy of the application on each county, municipality, and watershed  
91.8 management organization, if one exists, within which any portion of the public water is  
91.9 located and on the lake improvement district, if one exists.

91.10 (c) A county, municipality, watershed district, watershed management organization, or  
91.11 lake improvement district required to be served under paragraph (b) or section 103G.301,  
91.12 subdivision 6, may file a written recommendation for the issuance of a permit or an objection  
91.13 to the issuance of a permit with the commissioner within 30 days after receiving a copy of  
91.14 the application.

91.15 (d) The hearing notice for a public hearing under paragraph (a), clause (2), item (iii),  
91.16 must:

91.17 (1) include the date, place, and time for the hearing;

91.18 (2) include the waters affected and a description of the proposed project;

91.19 (3) be mailed or electronically transmitted to the director, the county auditor, the clerk  
91.20 or mayor of a municipality, the lake improvement district if one exists, the watershed district  
91.21 or water management organization, the soil and water conservation district, and all riparian  
91.22 owners of record affected by the application; and

91.23 (4) be published in a newspaper of general circulation in the affected area.

91.24 (e) Periodic temporary drawdowns conducted under paragraph (a) ~~shall~~ are not be  
91.25 considered takings from riparian landowners.

91.26 (f) This section does not apply to public waters that have been designated for wildlife  
91.27 management under section 97A.101.

91.28 Sec. 82. Minnesota Statutes 2018, section 103G.615, subdivision 3a, is amended to read:

91.29 Subd. 3a. **Invasive aquatic plant management permit.** (a) "Invasive aquatic plant  
91.30 management permit" means an aquatic plant management permit as defined in rules of the

92.1 Department of Natural Resources that authorizes the selective control of invasive aquatic  
92.2 plants to cause a significant reduction in the abundance of the invasive aquatic plant.

92.3 (b) The commissioner may waive the dated signature of approval requirement in rules  
92.4 of the Department of Natural Resources for invasive aquatic plant management permits if  
92.5 obtaining signatures would create an undue burden on the permittee or if the commissioner  
92.6 determines that aquatic plant control is necessary to protect natural resources.

92.7 (c) If the signature requirement is waived under paragraph (b) because obtaining  
92.8 signatures would create an undue burden on the permittee, the commissioner shall require  
92.9 an alternate form of landowner notification, including news releases or public notices in a  
92.10 local newspaper, a public meeting, or a mailing or electronic transmission to the most recent  
92.11 permanent physical or electronic mailing address of affected landowners. The notification  
92.12 must be given annually and must include: the proposed date of treatment, the target species,  
92.13 the method of control or product being used, and instructions on how the landowner may  
92.14 request that control not occur adjacent to the landowner's property.

92.15 (d) The commissioner may allow dated signatures of approval obtained for an invasive  
92.16 aquatic plant management permit to satisfy rules of the Department of Natural Resources  
92.17 to remain valid for three years if property ownership remains unchanged.

92.18 Sec. 83. Minnesota Statutes 2018, section 115.03, is amended by adding a subdivision to  
92.19 read:

92.20 Subd. 5e. **Sugar beet storage.** The commissioner must not require a sugar beet company  
92.21 that has a current national pollutant discharge elimination system permit or state disposal  
92.22 system permit to install an engineered liner for a storm water runoff pond at a remote storage  
92.23 site for sugar beets unless a risk assessment confirms that there is significant impact on  
92.24 groundwater and that an engineered liner is necessary to prevent, control, or abate water  
92.25 pollution. For purposes of this subdivision, "remote storage site for sugar beets" means an  
92.26 area where sugar beets are temporarily stored before delivery to a sugar beet processing  
92.27 facility and that is not located on land adjacent to the processing facility.

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

92.29 Sec. 84. **[115A.141] CARPET PRODUCTS; STEWARDSHIP PROGRAM;**  
92.30 **STEWARDSHIP PLAN.**

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

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

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

93.5 (3) "carpet" means a manufactured article that is affixed or placed on the floor or building  
93.6 walking surface or used as a decorative or functional building interior or exterior feature,  
93.7 and is primarily constructed of a top visible surface of synthetic face fibers or yarns or tufts  
93.8 attached to a backing system derived from synthetic or natural materials. Carpet includes,  
93.9 but is not limited to, blended carpet, nylon carpet, PET carpet, polypropylene carpet, PTT  
93.10 carpet, wool carpet, commercial or residential broadloom carpet, modular carpet tiles, and  
93.11 artificial turf. Carpet includes a pad or underlayment used in conjunction with a carpet.  
93.12 Carpet does not include handmade rugs, area rugs, or mats;

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

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

93.18 (6) "nylon carpet" means carpet made with a uniform face fiber made with either nylon  
93.19 6 or nylon 6,6;

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

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

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

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

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

93.26 or

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

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

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

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

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

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

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

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

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

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

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

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

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

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

94.28 (18) "stewardship organization" means a single organization exempt from taxation under  
94.29 Section 501(c)(3) of the federal Internal Revenue Code of 1986 (United States Code, title  
94.30 21, section 501(c)(3)) that is established by producers in accordance with this section to  
94.31 develop, implement, and administer a product stewardship program under this section;

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

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

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

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

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

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

95.22 (c) It is the responsibility of the stewardship organization to notify the agency within  
95.23 30 days of any significant changes or modifications to the plan or its implementation. Within  
95.24 30 days of the notification, a written plan revision must be submitted to the agency for  
95.25 review and approval.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

98.7 (b) The assessment must be added by the producer to the purchase price of all carpet  
98.8 sold by producers to a Minnesota retailer or distributor or otherwise sold for use in this  
98.9 state. The assessment must be clearly visible on all invoices or functionally equivalent  
98.10 billing documents as a separate line item and must be accompanied by a brief description  
98.11 of the assessment.

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

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

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

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

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

98.31 (b) The stewardship organization must invite comments from local governments,  
98.32 communities, and citizens to report their satisfaction with services, including education and  
98.33 outreach, provided by the product stewardship program. The information must be submitted

99.1 to the agency and used by the agency in reviewing proposed updates or changes to the  
99.2 stewardship plan.

99.3 Subd. 8. **Agency review and approval.** (a) Within 90 days after receiving a proposed  
99.4 stewardship plan, the agency must determine whether the plan complies with subdivision  
99.5 5 and is sufficient to achieve the goals and requirements of this section. If the agency  
99.6 approves a plan, the agency must notify the applicant of the plan approval in writing. If the  
99.7 agency rejects a plan, the agency must notify the applicant in writing of the reasons for  
99.8 rejecting the plan. An applicant whose plan is rejected by the agency must submit a revised  
99.9 plan to the agency within 60 days after receiving notice of rejection.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

101.32 Subd. 18. **Account created.** A carpet stewardship account is created as an account in  
101.33 the special revenue fund. All fees collected by the agency from the stewardship organization

102.1 under this section must be deposited in the account. Any earnings from assets of the account  
102.2 must be credited to the account. Money in the account is appropriated to the commissioner  
102.3 for the purposes of this section.

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

102.8 Sec. 85. Minnesota Statutes 2018, section 115A.142, is amended to read:

102.9 **115A.142 REPORT TO LEGISLATURE AND GOVERNOR.**

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

102.13 Sec. 86. Minnesota Statutes 2018, section 115A.51, is amended to read:

102.14 **115A.51 APPLICATION REQUIREMENTS.**

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

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

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

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

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

102.29 (5) that the applicant has identified:

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

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

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

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

103.10 (ii) consistency with the state's solid waste hierarchy and section 115A.46, subdivision  
103.11 2, paragraphs (e) and (f), or 473.149, subdivision 1; and

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

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

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

103.19 Sec. 87. **[115A.903] WASTE TIRE FACILITIES OPERATING OUTDOORS;**  
103.20 **FINANCIAL QUALIFICATIONS.**

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

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

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

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

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

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

- 104.1 (2) cost estimates for:
- 104.2 (i) site investigation;
- 104.3 (ii) land acquisition costs, including financing terms and costs;
- 104.4 (iii) project design;
- 104.5 (iv) construction;
- 104.6 (v) operations;
- 104.7 (vi) maintenance; and
- 104.8 (vii) facility closing.
- 104.9 (b) As part of the financial qualification review, an applicant must:
- 104.10 (1) provide a copy of its most recent audited or reviewed financial statements prepared
- 104.11 by a certified public accountant according to generally accepted accounting principles, if
- 104.12 the applicant is an operating business prior to application;
- 104.13 (2) provide a copy of its owners' personal financial statements, if the applicant is not an
- 104.14 operating business prior to application; and
- 104.15 (3) demonstrate its financial viability through one or a combination of assets including
- 104.16 cash, marketable securities or bonds, or letters of credit or loan commitments from a financial
- 104.17 institution that is a member of the Federal Deposit Insurance Corporation (FDIC) or the
- 104.18 National Credit Union Administration (NCUA) and is authorized to do business in the
- 104.19 United States.
- 104.20 (c) Any person whose assets are used as part of the financial qualification review must
- 104.21 be designated as a joint permittee with the applicant on the permit for the facility.
- 104.22 Subd. 3. **Financial qualification review.** The commissioner may provide to the state
- 104.23 auditor a copy of any filing that an applicant for a permit or a permit holder submits to the
- 104.24 commissioner to meet the financial qualification requirement under this section. The state
- 104.25 auditor must review the filing and provide the commissioner with a written opinion as to
- 104.26 the adequacy of the filing to meet the purposes of this section, including any recommended
- 104.27 changes.
- 104.28 Subd. 4. **Changes affecting financial qualification.** (a) To continue to hold a permit
- 104.29 for a waste tire facility, a permit holder must maintain financial qualification and must
- 104.30 provide any information requested by the commissioner to establish that the permit holder



105.1 continues to maintain financial qualification. A permit holder must notify the commissioner  
105.2 within 30 days of any significant change in:

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

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

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

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

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

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

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

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

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

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

105.21 Sec. 88. **[115B.172] NATURAL RESOURCES DAMAGES ACCOUNT.**

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

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

105.25 (1) revenue from actions taken to recover natural resources damages under section  
105.26 115B.17, subdivision 7, or any other law, unless otherwise specified in the settlement  
105.27 agreement;

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

105.29 (3) interest earned on the account; and

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

106.3 Subd. 3. **Expenditures.** (a) Money in the account is appropriated to the commissioner  
106.4 of natural resources for the purposes authorized in section 115B.20, subdivision 2, clause  
106.5 (4).

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

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

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

106.18 Sec. 89. Minnesota Statutes 2018, section 115B.421, is amended to read:

106.19 **115B.421 CLOSED LANDFILL INVESTMENT FUND.**

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

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

106.27 Sec. 90. Minnesota Statutes 2018, section 116.02, is amended to read:

106.28 **116.02 POLLUTION CONTROL AGENCY; CREATION AND POWERS.**

106.29 Subdivision 1. **Creation.** A pollution control agency, designated as the Minnesota  
106.30 Pollution Control Agency, is hereby created. The agency consists of the commissioner and  
106.31 eight members appointed by the governor, by and with the advice and consent of the senate.

107.1 One member must be a person knowledgeable in the field of agriculture, and one must be  
107.2 a representative of organized labor.

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

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

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

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

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

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

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

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

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

107.31 (iii) the commissioner is recommending preparation of an environmental impact  
107.32 statement;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

108.30 Subd. 9a. **Informing public.** The commissioner must inform interested persons as  
108.31 appropriate in public notices and other public documents of their right to request the agency

109.1 to make decisions in specific matters according to subdivision 6a and the right of agency  
109.2 members to request that decisions be made by the agency according to subdivision 8a. The  
109.3 commissioner must regularly inform the agency of activities that have broad policy  
109.4 implications or potential environmental significance and of activities in which the public  
109.5 has exhibited substantial interest.

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

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

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

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

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

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

109.17 Sec. 91. Minnesota Statutes 2018, section 116.03, subdivision 1, is amended to read:

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

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

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

109.25 Sec. 92. Minnesota Statutes 2018, section 116.03, subdivision 2a, is amended to read:

109.26 Subd. 2a. **Mission; efficiency.** It is part of the agency's mission that, within the agency's  
109.27 resources, the commissioner and the members of the agency shall endeavor to:

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

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

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

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

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

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

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

110.13 Sec. 93. Minnesota Statutes 2018, section 116.155, subdivision 1, is amended to read:

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

110.22 Sec. 94. Minnesota Statutes 2018, section 116.155, subdivision 3, is amended to read:

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

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

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

111.1 (3) money received in the form of gifts, grants, reimbursement, or appropriation from  
111.2 any source for any of the purposes provided in subdivision 2, except federal grants; and  
111.3 (4) interest accrued on the fund.

111.4 Sec. 95. Minnesota Statutes 2018, section 116.155, is amended by adding a subdivision  
111.5 to read:

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

111.8 Sec. 96. **[116.2025] SALT APPLICATORS; VOLUNTARY CERTIFICATION**  
111.9 **PROGRAM.**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



113.1 (3) copies of the winter maintenance assessment tool requirements developed by the  
113.2 commissioner;

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

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

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

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

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

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

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

113.18 Sec. 97. Minnesota Statutes 2018, section 116.993, subdivision 2, is amended to read:

113.19 Subd. 2. **Eligible borrower.** To be eligible for a loan under this section, a borrower  
113.20 must:

113.21 (1) be a small business corporation, sole proprietorship, partnership, or association;

113.22 (2) be a potential emitter of pollutants to the air, ground, or water;

113.23 (3) need capital for equipment purchases that will meet or exceed environmental  
113.24 regulations or need capital for site investigation and cleanup;

113.25 (4) have less than ~~50~~ 100 full-time equivalent employees; and

113.26 (5) have an after tax profit of less than \$500,000; ~~and~~ .

113.27 ~~(6) have a net worth of less than \$1,000,000.~~

113.28 Sec. 98. Minnesota Statutes 2018, section 116.993, subdivision 6, is amended to read:

113.29 Subd. 6. **Loan conditions.** A loan made under this section must include:

114.1 (1) an interest rate that is ~~four percent~~ or at or below one-half the prime rate, ~~whichever~~  
114.2 ~~is greater~~ not to exceed five percent;

114.3 (2) a term of payment of not more than seven years; and

114.4 (3) an amount not less than \$1,000 or exceeding ~~\$50,000~~ \$75,000.

114.5 Sec. 99. **[116U.60] MINNESOTA OUTDOOR RECREATION OFFICE.**

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

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

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

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

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

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

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

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

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

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

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

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

114.29 (11) recommending initiatives to increase access to outdoor recreational amenities and  
114.30 experiences.

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

115.6 Subd. 4. **Strategic plan.** By January 15, 2020, the director of the Minnesota Outdoor  
115.7 Recreation Office must submit a report to the chairs and ranking minority members of the  
115.8 house of representatives and senate committees and divisions with jurisdiction over Explore  
115.9 Minnesota Tourism and environment and natural resources policy and finance that contains  
115.10 a strategic plan for the Minnesota Outdoor Recreation Office. In developing the strategic  
115.11 plan, the director must consult with the Explore Minnesota Tourism Council; the  
115.12 commissioners of natural resources, health, transportation, and employment and economic  
115.13 development; and the chairs and ranking minority members or their designees of the house  
115.14 of representatives and senate committees and divisions with jurisdiction over Explore  
115.15 Minnesota Tourism and environment and natural resources policy and finance.

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

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

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

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

115.29 Sec. 100. Minnesota Statutes 2018, section 127A.353, subdivision 1, is amended to read:

115.30 Subdivision 1. **Appointment.** The school trust lands director shall be appointed by the  
115.31 governor. The commissioner of natural resources shall provide human resources, payroll,  
115.32 accounting, procurement, and other similar administrative services to the school trust lands  
115.33 director. The director's appointment is subject to the advice and consent of the senate.

116.1 Sec. 101. Minnesota Statutes 2018, section 325F.071, is amended to read:

116.2 **325F.071 FLAME-RETARDANT CHEMICALS; PROHIBITION.**

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

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

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

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

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

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

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

116.26 ~~(1) TDCPP (tris(1,3-dichloro-2-propyl)phosphate), Chemical Abstracts Service number~~  
116.27 ~~13674-87-8;~~

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

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

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

116.31 (b) On and after July 1, 2019, no retailer may sell or offer for sale or use in this state a  
116.32 children's product or upholstered residential furniture, a residential or business textile, or

117.1 a mattress containing in amounts greater than 1,000 parts per million in any product  
117.2 component the flame retardant chemicals listed in paragraph (a).

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

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

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

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

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

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

117.15 Subd. 4. **Firefighting foam.** Beginning July 1, 2020, a manufacturer or wholesaler may  
117.16 not manufacture, sell, offer for sale, distribute for sale, or distribute for use in this state class  
117.17 B firefighting foam that contains intentionally added PFAS except for use at oil refineries,  
117.18 oil and petroleum terminals, airports, or Camp Ripley.

117.19 Subd. 5. **Training exercises.** Class B firefighting foam that contains intentionally added  
117.20 PFAS must not be used in training exercises, including at oil refineries, oil and petroleum  
117.21 terminals, and airports. This subdivision does not apply to training exercises at Camp Ripley.

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

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

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

118.1 Sec. 102. Laws 2013, chapter 114, article 4, section 105, as amended by Laws 2017,  
118.2 chapter 93, article 2, section 148, is amended to read:

118.3 Sec. 105. **RULES; SILICA SAND.**

118.4 (a) The commissioner of the Pollution Control Agency may adopt rules pertaining to  
118.5 the control of particulate emissions from silica sand projects. The rulemaking is exempt  
118.6 from Minnesota Statutes, section 14.125.

118.7 (b) The commissioner of natural resources shall ~~adopt rules~~ develop a model ordinance  
118.8 pertaining to the reclamation of silica sand mines. The rulemaking is exempt from Minnesota  
118.9 Statutes, section 14.125 commissioner shall publish the model ordinance in the State Register.

118.10 (c) By January 1, 2014, the Department of Health shall adopt an air quality health-based  
118.11 value for silica sand.

118.12 (d) The Environmental Quality Board may amend its rules for environmental review,  
118.13 adopted under Minnesota Statutes, chapter 116D, for silica sand mining and processing to  
118.14 take into account the increased activity in the state and concerns over the size of specific  
118.15 operations. The Environmental Quality Board shall consider whether the requirements of  
118.16 Minnesota Statutes, section 116C.991, should remain part of the environmental review  
118.17 requirements for silica sand and whether the requirements should be different for different  
118.18 geographic areas of the state. The rulemaking is exempt from Minnesota Statutes, section  
118.19 14.125.

118.20 Sec. 103. **LAKE DESIGNATION; CITY OF THE FIRST CLASS.**

118.21 Any lake located in a city of the first class that (1) has an area of at least 375 acres but  
118.22 less than 500 acres, and (2) is included as part of the Grand Rounds National Scenic Byway  
118.23 is named and designated Bde Maka Ska.

118.24 Sec. 104. **STAMP DESIGN; RULE AMENDMENT.**

118.25 (a) The commissioner of natural resources shall amend Minnesota Rules, part 6290.0400,  
118.26 subpart 3, to:

118.27 (1) allow a contest entry to be created using nonphotographic digital media; and

118.28 (2) require a person submitting a contest entry to list all media used in the creation of  
118.29 the entry.

118.30 (b) The commissioner may use the good cause exemption under Minnesota Statutes,  
118.31 section 14.388, subdivision 1, clause (3), to adopt rules under this section, and Minnesota

119.1 Statutes, section 14.386, does not apply except as provided under Minnesota Statutes, section  
119.2 14.388.

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

119.4 Sec. 105. **TURTLE SELLER'S LICENSES; TRANSFER AND RENEWAL.**

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

119.7 Sec. 106. **CHRONIC WASTING DISEASE ADOPT-A-DUMPSTER PROGRAM;**  
119.8 **DEER CARCASS HANDLING GUIDELINES.**

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

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

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

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

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

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

120.1 Sec. 107. **NAMING OF STATE PARK FACILITIES AFTER WALTER F.**  
120.2 **MONDALE.**

120.3 Subdivision 1. **Wild River State Park; visitor center.** The visitor center at Wild River  
120.4 State Park is designated as the Walter F. Mondale Visitor Center.

120.5 Subd. 2. **St. Croix State Park; visitor center.** The visitor center at St. Croix State Park  
120.6 is designated as the Walter F. Mondale Visitor Center.

120.7 Subd. 3. **Interstate State Park; scenic overlook and trail.** The scenic overlook and  
120.8 trail at Interstate State Park is designated as the Walter F. Mondale Scenic Overlook and  
120.9 Trail.

120.10 Subd. 4. **William O'Brien State Park; day use area.** The day use area at William  
120.11 O'Brien State Park, currently referred to as the Lake Alice Day Use Area, is designated as  
120.12 the Walter F. Mondale Day Use Area.

120.13 Sec. 108. **REVISOR INSTRUCTION.**

120.14 (a) The revisor must assign the priority order for the metropolitan landfill contingency  
120.15 action trust account established in section 3 to follow any amendment to Minnesota Statutes,  
120.16 section 16A.152, subdivision 2, for special education aid enacted during the 2019 legislative  
120.17 session.

120.18 (b) The revisor of statutes must change the reference in Minnesota Statutes, sections  
120.19 127A.30, subdivision 2, and 287.22, from "section 92.121" to "section 92.122."

120.20 Sec. 109. **REPEALER.**

120.21 (a) Minnesota Statutes 2018, sections 92.121; and 97C.605, subdivisions 2, 2a, 2b, and  
120.22 5, are repealed.

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

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



**92.121 PERMANENT SCHOOL FUND LANDS.**

The commissioner of natural resources shall exchange permanent school fund land as defined in the Minnesota Constitution, article XI, section 8, located in state parks, state recreation areas, wildlife management areas, scientific and natural areas, or state waysides or on lands managed by the commissioner as old growth stands, for other lands as allowed by the Minnesota Constitution, article XI, section 10, and section 94.343, subdivision 1, that are compatible with the goal of the permanent school fund lands in section 127A.31 when, as a result of management practices applied to the permanent school fund lands and associated resources, revenue generation has been diminished or is prohibited and no alternative has been put into effect to compensate the permanent school fund for the income losses.

**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

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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.