

**SENATE  
STATE OF MINNESOTA  
NINETY-SECOND SESSION**

**S.F. No. 4062**

(SENATE AUTHORS: INGEBRIGTSEN)

DATE	D-PG	OFFICIAL STATUS
03/16/2022	5365	Introduction and first reading Referred to Environment and Natural Resources Finance
03/31/2022	6051a	Comm report: To pass as amended and re-refer to Finance
04/05/2022		Comm report: To pass as amended Second reading

1.1 A bill for an act

1.2 relating to state government; appropriating money for environment and natural

1.3 resources and tourism; modifying previous appropriations; establishing new

1.4 programs and modifying existing programs; modifying fees; creating accounts;

1.5 authorizing sales and conveyances of certain land; modifying environmental laws;

1.6 modifying game and fish laws; modifying water laws; modifying natural resource

1.7 and environment laws; modifying mining laws; requiring reports; making technical

1.8 corrections; amending Minnesota Statutes 2020, sections 84.027, subdivision 14a,

1.9 by adding a subdivision; 84.632; 84.788, subdivision 5; 84.82, subdivision 2, by

1.10 adding a subdivision; 84.821, subdivision 2; 84.84; 84.86, subdivision 1; 84.922,

1.11 subdivision 4; 85.015, subdivision 10; 90.181, subdivision 2; 97A.015, subdivisions

1.12 29, 51; 97A.126, as amended; 97A.137, subdivisions 3, 5; 97A.405, subdivision

1.13 5; 97B.031, subdivision 1, by adding a subdivision; 97B.071; 97B.311; 97B.415;

1.14 97B.645, subdivision 9; 97B.668; 97C.211, subdivision 2a; 97C.315, subdivision

1.15 1; 97C.515, subdivision 2; 103G.201; 103G.211; 103G.223; 103G.271, subdivision

1.16 7, by adding a subdivision; 103G.285, by adding a subdivision; 103G.287,

1.17 subdivisions 4, 5, by adding subdivisions; 103G.289; 115.03, subdivision 1;

1.18 115.455; 115.55, by adding a subdivision; 115.77, subdivision 1; 115.84,

1.19 subdivisions 2, 3; 115A.03, subdivision 35, by adding subdivisions; 115B.52,

1.20 subdivision 4; 116.03, subdivision 2b; 116.07, subdivision 4d, by adding a

1.21 subdivision; 116B.03, subdivision 1; 116B.10, by adding a subdivision; 116D.04,

1.22 subdivision 2a; 116U.55, by adding a subdivision; 127A.353, subdivision 2; 282.04,

1.23 subdivision 1, by adding a subdivision; 282.08; 297A.94; Minnesota Statutes 2021

1.24 Supplement, sections 84.63; 84.631; 84.92, subdivision 8; 85.052, subdivision 6;

1.25 92.502; 103G.271, subdivision 4a; 127A.353, subdivision 4; Laws 2021, First

1.26 Special Session chapter 6, article 1, section 2, subdivision 2; proposing coding for

1.27 new law in Minnesota Statutes, chapters 93; 115A; repealing Minnesota Statutes

1.28 2020, sections 97B.318; 97C.515, subdivisions 4, 5; Laws 2012, chapter 236,

1.29 section 28, subdivision 9, as amended; Laws 2013, chapter 121, section 53;

1.30 Minnesota Rules, parts 6100.5000, subparts 3, 4, 5; 6100.5700, subpart 4;

1.31 6232.0350.

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

2.2 **ARTICLE 1**

2.3 **APPROPRIATIONS**

2.4 Section 1. **ENVIRONMENT AND NATURAL RESOURCES APPROPRIATIONS.**

2.5 The sums shown in the columns marked "Appropriations" are appropriated to the agencies  
2.6 and for the purposes specified in this article. The appropriations are from the general fund,  
2.7 or another named fund, and are available for the fiscal years indicated for each purpose.

2.8 The figures "2022" and "2023" used in this article mean that the appropriations listed under  
2.9 them are available for the fiscal year ending June 30, 2022, or June 30, 2023, respectively.

2.10 "The first year" is fiscal year 2022. "The second year" is fiscal year 2023. "The biennium"  
2.11 is fiscal years 2022 and 2023. Appropriations for the fiscal year ending June 30, 2022, are  
2.12 effective the day following final enactment.

<b><u>APPROPRIATIONS</u></b>	
<b><u>Available for the Year</u></b>	
<b><u>Ending June 30</u></b>	
<b><u>2022</u></b>	<b><u>2023</u></b>

2.17 **Sec. 2. POLLUTION CONTROL AGENCY**

<b><u>Subdivision 1. Total Appropriation</u></b>	<b><u>\$</u></b>	<b><u>-0-</u></b>	<b><u>\$</u></b>	<b><u>3,843,000</u></b>
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2.19 Appropriations by Fund

	<u>2022</u>		<u>2023</u>
<u>Environmental</u>	<u>-0-</u>		<u>2,343,000</u>
<u>Remediation</u>	<u>-0-</u>		<u>1,500,000</u>

2.23 The amounts that may be spent for each  
2.24 purpose are specified in the following  
2.25 subdivisions.

2.26 **Subd. 2. Agency Appropriations**

2.27 (a) \$86,000 the second year is from the  
2.28 environmental fund for a grant to Laketown  
2.29 Township in Carver County to prepare  
2.30 preliminary system design and cost estimates  
2.31 for connecting wastewater systems around  
2.32 Pierson Lake to municipal wastewater  
2.33 treatment systems. This is a onetime  
2.34 appropriation.

3.1 (b) \$700,000 the second year is from the  
3.2 environmental fund for additional SCORE  
3.3 block grants to counties.

3.4 (c) \$671,000 the second year is from the  
3.5 environmental fund for whole effluent toxicity  
3.6 rulemaking. This is a onetime appropriation.

3.7 (d) \$96,000 the second year is from the  
3.8 environmental fund for agency oversight of  
3.9 the mattress recycling program.

3.10 (e) \$50,000 the second year is from the  
3.11 environmental fund to conduct an analysis of  
3.12 how states within Environmental Protection  
3.13 Agency Region 5 fund their air permitting  
3.14 programs. By January 15, 2024, the  
3.15 commissioner must report the results of the  
3.16 analysis to the chairs and ranking minority  
3.17 members of the house of representatives and  
3.18 senate committees and divisions with  
3.19 jurisdiction over environment and natural  
3.20 resources. The report must include: (1)  
3.21 identification of all sources of funding for  
3.22 Minnesota's air permitting program and those  
3.23 of each of the other states within Region 5;  
3.24 (2) a summary of how the funding sources  
3.25 have changed during the last 20 years; (3) an  
3.26 analysis of the cost that Minnesota's air  
3.27 permitting program and those of each state  
3.28 within Region 5 imposes on permittees; (4) a  
3.29 summary of how the costs identified in clause  
3.30 (3) have changed in the last 20 years and how  
3.31 they relate to total permittee emissions; (5)  
3.32 identification of potential alternatives to  
3.33 Minnesota's current practice of increasing the  
3.34 per-ton air emission fee as emissions are  
3.35 reduced; and (6) an assessment of what policy

4.1 changes, legal changes, and funding changes  
4.2 would be required to successfully implement  
4.3 a program that did not increase permittee cost  
4.4 as air emissions are reduced. This is a onetime  
4.5 appropriation.

4.6 (f) \$1,500,000 the second year is from the  
4.7 remediation fund for a contamination cleanup  
4.8 grant to Lake of the Woods County to  
4.9 demolish the abandoned state-owned Williams  
4.10 School building in the city of Williams and to  
4.11 abate and remediate petroleum, pollutants, or  
4.12 contaminants at the school site. This is a  
4.13 onetime appropriation and is available until  
4.14 June 30, 2025.

4.15 **Subd. 3. Environmental Quality Board**  
4.16 **Appropriations**

4.17 \$740,000 the second year is from the  
4.18 environmental fund to develop and assemble  
4.19 the material required under Code of Federal  
4.20 Regulations, title 40, section 233.10, for the  
4.21 state to assume the section 404 permitting  
4.22 program of the federal Clean Water Act. The  
4.23 board must prepare the materials in  
4.24 cooperation with the commissioners of natural  
4.25 resources, the Board of Water and Soil  
4.26 Resources, and the Pollution Control Agency  
4.27 and may execute contracts or interagency  
4.28 agreements to facilitate developing the  
4.29 required materials. By December 31, 2024,  
4.30 the board must submit a report that includes  
4.31 a detailed summary of the necessary  
4.32 programmatic changes, drafts of pertinent  
4.33 application materials, the required statute  
4.34 changes, final cost estimates, the remaining  
4.35 steps necessary for the state to secure

5.1 assumption, and recommendations for  
 5.2 implementing a state-assumed program to the  
 5.3 chairs and ranking minority members of the  
 5.4 legislative committees and divisions with  
 5.5 jurisdiction over the environment and natural  
 5.6 resources. This is a onetime appropriation, is  
 5.7 available until June 30, 2025, and may be used  
 5.8 to match federal funding for a similar purpose.  
 5.9 The Board of Water and Soil Resources and  
 5.10 the commissioner of natural resources, in  
 5.11 consultation with the commissioner of the  
 5.12 Pollution Control Agency, must make  
 5.13 application for assumption to the United States  
 5.14 Environmental Protection Agency by June 30,  
 5.15 2025.

5.16 Sec. 3. **NATURAL RESOURCES**

5.17 **Subdivision 1. Total Appropriation**                 **\$**                 **-0-** **\$**                 **2,520,000**

5.18                     **Appropriations by Fund**

	<b><u>2022</u></b>	<b><u>2023</u></b>
5.19		
5.20	<b><u>-0-</u></b>	<b><u>1,487,000</u></b>
5.21	<b><u>-0-</u></b>	<b><u>1,033,000</u></b>

5.22 The amounts that may be spent for each  
 5.23 purpose are specified in the following  
 5.24 subdivisions.

5.25 **Subd. 2. Appropriations**

5.26 (a) \$447,000 the second year is from the  
 5.27 all-terrain vehicle account in the natural  
 5.28 resources fund for a grant to the Roseau Lake  
 5.29 of the Woods Sportsman's Club, in  
 5.30 cooperation with the Northstar Trail Alliance,  
 5.31 to resurface 13 miles of the former railroad  
 5.32 right-of-way between Roseau and Warroad.  
 5.33 This is a onetime appropriation and is  
 5.34 available until June 30, 2025.

6.1 (b) \$500,000 the second year is from the  
6.2 all-terrain vehicle account in the natural  
6.3 resources fund for a grant to St. Louis County  
6.4 to match other funding sources for design,  
6.5 right-of-way acquisition, permitting, and  
6.6 construction of trails within the Voyageur  
6.7 Country ATV trail system. This is a onetime  
6.8 appropriation and is available until June 30,  
6.9 2025. This appropriation may be used as a  
6.10 local match to a 2022 state bonding award.

6.11 (c) \$500,000 the second year is from the  
6.12 all-terrain vehicle account in the natural  
6.13 resources fund for a grant to St. Louis County  
6.14 to match other funding sources for design,  
6.15 right-of-way acquisition, permitting, and  
6.16 construction of a new trail within the  
6.17 Prospector trail system. This is a onetime  
6.18 appropriation and is available until June 30,  
6.19 2025. This appropriation may be used as a  
6.20 local match to a 2022 state bonding award.

6.21 (d) \$40,000 the second year is from the  
6.22 off-road vehicle account in the natural  
6.23 resources fund for grants to qualifying off-road  
6.24 vehicle organizations to assist in safety and  
6.25 environmental education and monitoring trails  
6.26 on public lands under Minnesota Statutes,  
6.27 section 84.9011. Grants issued under this  
6.28 paragraph must be issued through a formal  
6.29 agreement with the organization. By  
6.30 December 15 each year, an organization  
6.31 receiving a grant under this paragraph must  
6.32 report to the commissioner with details on  
6.33 expenditures and outcomes from the grant. Of  
6.34 this amount, \$4,000 is for administering the  
6.35 grants.

7.1 (e) \$150,000 the second year is from the  
 7.2 heritage enhancement account in the game and  
 7.3 fish fund for additional shooting sports facility  
 7.4 grants under Minnesota Statutes, section  
 7.5 87A.10. This is a onetime appropriation and  
 7.6 is available until June 30, 2024.

7.7 (f) Notwithstanding Minnesota Statutes,  
 7.8 section 297A.94, \$387,000 the second year is  
 7.9 from the heritage enhancement account in the  
 7.10 game and fish fund for additional costs  
 7.11 associated with hydrological analyses for  
 7.12 proposed water appropriation permit  
 7.13 applications that have been denied due to the  
 7.14 effects to a calcareous fen.

7.15 (g) Notwithstanding Minnesota Statutes,  
 7.16 section 297A.94, \$496,000 the second year is  
 7.17 from the heritage enhancement account in the  
 7.18 game and fish fund for costs associated with  
 7.19 citizen engagement and water supply  
 7.20 development engineering for ensuring  
 7.21 sustainable groundwater levels in White Bear  
 7.22 Lake. Of this amount, \$102,000 is transferred  
 7.23 to the commissioner of health. This is a  
 7.24 onetime appropriation and is available until  
 7.25 June 30, 2024.

7.26 Sec. 4. **EXPLORE MINNESOTA TOURISM**

7.27 **Subdivision 1. Total Appropriation**                     \$                     -0- \$                     1,450,000

7.28                     Appropriations by Fund

	<u>2022</u>	<u>2023</u>
7.30 <u>General</u>	<u>-0-</u>	<u>1,000,000</u>
7.31 <u>Natural Resources</u>	<u>-0-</u>	<u>450,000</u>

7.32 The amounts that may be spent for each  
 7.33 purpose are specified in the following  
 7.34 subdivisions.

8.1 **Subd. 2. Appropriations**

8.2 (a) \$1,000,000 the second year is from the  
8.3 general fund for a grant to Minnesota Sports  
8.4 and Events to attract and promote large-scale  
8.5 sporting and other events to the state of  
8.6 Minnesota. This is a onetime appropriation.

8.7 (b) \$450,000 the second year is from the  
8.8 events promotion account in the natural  
8.9 resources fund for a grant to Minnesota Sports  
8.10 and Events to attract and promote large-scale  
8.11 sporting and other events to the state of  
8.12 Minnesota. At least 50 percent of the money  
8.13 appropriated under this paragraph must be to  
8.14 attract and promote large-scale sporting and  
8.15 other events outside of the metropolitan area.

8.16 Sec. 5. Laws 2021, First Special Session chapter 6, article 1, section 2, subdivision 2, is  
8.17 amended to read:

8.18 **Subd. 2. Environmental Analysis and Outcomes** 14,962,000 14,140,000

8.19	Appropriations by Fund		
8.20		2022	2023
8.21	General	1,292,000	224,000
8.22	Environmental	13,469,000	13,715,000
8.23	Remediation	201,000	201,000

8.24 (a) \$99,000 the first year and \$109,000 the  
8.25 second year are from the general fund for:  
8.26 (1) a municipal liaison to assist municipalities  
8.27 in implementing and participating in the  
8.28 rulemaking process for water quality standards  
8.29 and navigating the NPDES/SDS permitting  
8.30 process;  
8.31 (2) enhanced economic analysis in the  
8.32 rulemaking process for water quality



9.1 standards, including more-specific analysis  
9.2 and identification of cost-effective permitting;  
9.3 (3) developing statewide economic analyses  
9.4 and templates to reduce the amount of  
9.5 information and time required for  
9.6 municipalities to apply for variances from  
9.7 water quality standards; and  
9.8 (4) coordinating with the Public Facilities  
9.9 Authority to identify and advocate for the  
9.10 resources needed for municipalities to achieve  
9.11 permit requirements.  
9.12 (b) \$205,000 the first year and \$205,000 the  
9.13 second year are from the environmental fund  
9.14 for a monitoring program under Minnesota  
9.15 Statutes, section 116.454.  
9.16 (c) \$115,000 the first year and \$115,000 the  
9.17 second year are for monitoring water quality  
9.18 and operating assistance programs.  
9.19 (d) \$347,000 the first year and \$347,000 the  
9.20 second year are from the environmental fund  
9.21 for monitoring ambient air for hazardous  
9.22 pollutants.  
9.23 (e) \$90,000 the first year and \$90,000 the  
9.24 second year are from the environmental fund  
9.25 for duties related to harmful chemicals in  
9.26 children's products under Minnesota Statutes,  
9.27 sections 116.9401 to 116.9407. Of this  
9.28 amount, \$57,000 each year is transferred to  
9.29 the commissioner of health.  
9.30 (f) \$109,000 the first year and \$109,000 the  
9.31 second year are from the environmental fund  
9.32 for registering wastewater laboratories.

10.1 (g) \$926,000 the first year and \$926,000 the  
10.2 second year are from the environmental fund  
10.3 to continue perfluorochemical biomonitoring  
10.4 in eastern metropolitan communities, as  
10.5 recommended by the Environmental Health  
10.6 Tracking and Biomonitoring Advisory Panel,  
10.7 and to address other environmental health  
10.8 risks, including air quality. The communities  
10.9 must include Hmong and other immigrant  
10.10 farming communities. Of this amount, up to  
10.11 \$689,000 the first year and \$689,000 the  
10.12 second year are for transfer to the Department  
10.13 of Health.

10.14 (h) \$51,000 the first year and \$51,000 the  
10.15 second year are from the environmental fund  
10.16 for the listing procedures for impaired waters  
10.17 required under this act.

10.18 (i) \$350,000 the first year is for completing  
10.19 the St. Louis River mercury total maximum  
10.20 daily load study. This is a onetime  
10.21 appropriation and is available until June 30,  
10.22 2023.

10.23 (j) \$141,000 the first year and \$141,000 the  
10.24 second year are from the environmental fund  
10.25 to implement and enforce Minnesota Statutes,  
10.26 section 325F.071. Of this amount, up to  
10.27 \$65,000 each year may be transferred to the  
10.28 commissioner of health.

10.29 (k) \$600,000 the first year is to develop and  
10.30 implement an initiative to reduce sources of  
10.31 perfluoroalkyl and polyfluoroalkyl substances  
10.32 (PFAS) in the environment that are eventually  
10.33 conveyed to municipal wastewater treatment  
10.34 facilities. In developing and implementing the  
10.35 initiative, the commissioner must work in

11.1 cooperation with the Department of Health  
11.2 and with an advisory group consisting of one  
11.3 representative designated by each of the  
11.4 following: the League of Minnesota Cities;  
11.5 the Coalition of Greater Minnesota Cities; the  
11.6 Minnesota Environmental Science and  
11.7 Economic Review Board; the Minnesota  
11.8 Municipal Utilities Association; Metropolitan  
11.9 Council Environmental Services; Minnesota  
11.10 Association of Small Cities; National Waste  
11.11 and Recycling Association; Minnesota Rural  
11.12 Water Association; Association of Minnesota  
11.13 Counties; Solid Waste Administrators  
11.14 Association; Partnership on Waste and Energy;  
11.15 Minnesota Resource Recovery Association;  
11.16 Minnesota InterCounty Association;  
11.17 Minnesota Manufacturer's Coalition; and the  
11.18 Association of Metropolitan Municipalities.  
11.19 In developing and implementing the municipal  
11.20 initiative, the commissioner must:

11.21 (1) identify sources of PFAS introduced into  
11.22 the environment that are eventually conveyed  
11.23 to municipal wastewater treatment facilities  
11.24 and contained in solid waste that are disposed  
11.25 at solid waste facilities;

11.26 (2) identify source reduction strategies that  
11.27 can effectively reduce the amount of PFAS  
11.28 entering the environment that are eventually  
11.29 conveyed to municipal wastewater treatment  
11.30 facilities or are disposed at solid waste  
11.31 facilities;

11.32 (3) publish and distribute throughout the state  
11.33 guidance documents for local governments  
11.34 that include education materials about  
11.35 effective strategies to reduce PFAS sources;

- 12.1 (4) identify issues for future study; and
- 12.2 (5) by January 31, 2023, report to the chairs
- 12.3 and ranking minority members of the house
- 12.4 of representatives and senate committees and
- 12.5 divisions with jurisdiction over the
- 12.6 environment and natural resources on the
- 12.7 development and implementation of the
- 12.8 initiative. This is a onetime appropriation.
- 12.9 (l) \$104,000 the second year is from the
- 12.10 environmental fund for the purposes of the
- 12.11 perfluoroalkyl and polyfluoroalkyl substances
- 12.12 food packaging provisions under Minnesota
- 12.13 Statutes, section 325F.075. The base for this
- 12.14 appropriation in fiscal year 2024 and later is
- 12.15 \$144,000.
- 12.16 (m) \$128,000 the first year is for an analysis
- 12.17 of the Green Tier program. This is a onetime
- 12.18 appropriation.
- 12.19 (n) \$250,000 the first year and \$250,000 the
- 12.20 second year are from the environmental fund
- 12.21 for identifying potential sources of per- and
- 12.22 poly-fluoroalkyl substances contamination.
- 12.23 This is a onetime appropriation.

## 12.24 ARTICLE 2

### 12.25 ENVIRONMENT AND NATURAL RESOURCES POLICY

- 12.26 Section 1. Minnesota Statutes 2020, section 84.027, subdivision 14a, is amended to read:
- 12.27 Subd. 14a. **Permitting efficiency; public notice.** (a) It is the goal of the state that
- 12.28 environmental and resource management permits be issued or denied within 90 days for
- 12.29 tier 1 permits or 150 days for tier 2 permits following submission of a permit application.
- 12.30 The commissioner of natural resources shall establish management systems designed to
- 12.31 achieve the goal.
- 12.32 (b) The commissioner shall prepare an annual permitting efficiency report that includes
- 12.33 statistics on meeting the goal in paragraph (a) and the criteria for tier 2 by permit categories.

13.1 The report is due ~~August~~ October 1 each year. For permit applications that have not met  
13.2 the goal, the report must state the reasons for not meeting the goal. In stating the reasons  
13.3 for not meeting the goal, the commissioner shall separately identify delays caused by the  
13.4 responsiveness of the proposer, lack of staff, scientific or technical disagreements, or the  
13.5 level of public engagement. The report must specify the number of days from initial  
13.6 submission of the application to the day of determination that the application is complete.  
13.7 The report must aggregate the data for the year and assess whether program or system  
13.8 changes are necessary to achieve the goal. The report must be posted on the department's  
13.9 website and submitted to the governor and the chairs and ranking minority members of the  
13.10 house of representatives and senate committees having jurisdiction over natural resources  
13.11 policy and finance.

13.12 (c) The commissioner shall allow electronic submission of environmental review and  
13.13 permit documents to the department.

13.14 (d) Within 30 business days of application for a permit subject to paragraph (a), the  
13.15 commissioner of natural resources shall notify the permit applicant, in writing, whether the  
13.16 application is complete or incomplete. If the commissioner determines that an application  
13.17 is incomplete, the notice to the applicant must enumerate all deficiencies, citing specific  
13.18 provisions of the applicable rules and statutes, and advise the applicant on how the  
13.19 deficiencies can be remedied. If the commissioner determines that the application is complete,  
13.20 the notice must confirm the application's tier 1 or tier 2 permit status. If the commissioner  
13.21 believes that a complete application for a tier 2 construction permit cannot be issued within  
13.22 the 150-day goal, the commissioner must provide notice to the applicant with the  
13.23 commissioner's notice that the application is complete and, upon request of the applicant,  
13.24 provide the permit applicant with a schedule estimating when the agency will begin drafting  
13.25 the permit and issue the public notice of the draft permit. This paragraph does not apply to  
13.26 an application for a permit that is subject to a grant or loan agreement under chapter 446A.

13.27 (e) When public notice of a draft individual tier 2 permit is required, the commissioner  
13.28 must provide the applicant a draft permit for review by the applicant within 30 days after  
13.29 determining the proposal conforms to all federal and state laws and rules, unless the permit  
13.30 applicant and the commissioner mutually agree to a different date. The commissioner must  
13.31 consider all comments submitted by the applicant before issuing the permit.

14.1 Sec. 2. Minnesota Statutes 2020, section 84.027, is amended by adding a subdivision to  
14.2 read:

14.3 Subd. 14c. **Unadopted rules.** The commissioner of natural resources must not enforce  
14.4 or attempt to enforce an unadopted rule. For purposes of this subdivision, "unadopted rule"  
14.5 means a guideline, bulletin, criterion, manual standard, interpretive statement, policy plan,  
14.6 or similar pronouncement if the guideline, bulletin, criterion, manual standard, interpretive  
14.7 statement, policy plan, or similar pronouncement has not been adopted according to the  
14.8 rulemaking process provided under chapter 14. If an unadopted rule is challenged under  
14.9 section 14.381, the commissioner must cease enforcement of the unadopted rule and  
14.10 overcome a presumption that the unadopted rule must be adopted according to the rulemaking  
14.11 process provided under chapter 14.

14.12 Sec. 3. Minnesota Statutes 2020, section 84.788, subdivision 5, is amended to read:

14.13 Subd. 5. **Report of ownership transfers; fee.** (a) Application for transfer of ownership  
14.14 of an off-highway motorcycle registered under this section must be made to the commissioner  
14.15 within 15 days of the date of transfer.

14.16 (b) An application for transfer must be executed by the ~~registered~~ current owner and the  
14.17 purchaser using a bill of sale that includes the vehicle serial number.

14.18 (c) The purchaser is subject to the penalties imposed by section 84.774 if the purchaser  
14.19 fails to apply for transfer of ownership as provided under this subdivision.

14.20 Sec. 4. Minnesota Statutes 2020, section 84.82, subdivision 2, is amended to read:

14.21 Subd. 2. **Application, issuance, issuing fee.** (a) Application for registration or  
14.22 reregistration shall be made to the commissioner or an authorized deputy registrar of motor  
14.23 vehicles in a format prescribed by the commissioner and shall state the legal name and  
14.24 address of every owner of the snowmobile.

14.25 (b) A person who purchases a snowmobile from a retail dealer shall make application  
14.26 for registration to the dealer at the point of sale. The dealer shall issue a dealer temporary  
14.27 21-day registration permit to each purchaser who applies to the dealer for registration. The  
14.28 temporary permit must contain the dealer's identification number and phone number. Each  
14.29 retail dealer shall submit completed registration and fees to the deputy registrar at least once  
14.30 a week. No fee may be charged by a dealer to a purchaser for providing the temporary  
14.31 permit.

15.1 (c) Upon receipt of the application and the appropriate fee, the commissioner or deputy  
15.2 registrar shall issue to the applicant, or provide to the dealer, an assigned registration number  
15.3 or a commissioner or deputy registrar temporary 21-day permit. The registration number  
15.4 must be printed on a registration decal issued by the commissioner or deputy registrar. Once  
15.5 issued, the registration ~~number~~ decal must be affixed to the snowmobile in a clearly visible  
15.6 and permanent manner for enforcement purposes ~~as the commissioner of natural resources~~  
15.7 ~~shall prescribe~~ according to subdivision 3b. A dealer subject to paragraph (b) shall provide  
15.8 the registration materials or temporary permit to the purchaser within the temporary 21-day  
15.9 permit period. The registration is not valid unless signed by at least one owner.

15.10 (d) Each deputy registrar of motor vehicles acting pursuant to section 168.33 shall also  
15.11 be a deputy registrar of snowmobiles. The commissioner of natural resources in agreement  
15.12 with the commissioner of public safety may prescribe the accounting and procedural  
15.13 requirements necessary to ensure efficient handling of registrations and registration fees.  
15.14 Deputy registrars shall strictly comply with these accounting and procedural requirements.

15.15 (e) In addition to other fees prescribed by law, an issuing fee of \$4.50 is charged for  
15.16 each snowmobile registration renewal, duplicate or replacement registration card, and  
15.17 replacement decal, and an issuing fee of \$7 is charged for each snowmobile registration and  
15.18 registration transfer issued by:

15.19 (1) a registrar or a deputy registrar and must be deposited in the manner provided in  
15.20 section 168.33, subdivision 2; or

15.21 (2) the commissioner and must be deposited in the state treasury and credited to the  
15.22 snowmobile trails and enforcement account in the natural resources fund.

15.23 Sec. 5. Minnesota Statutes 2020, section 84.82, is amended by adding a subdivision to  
15.24 read:

15.25 Subd. 3b. **Display of registration decal.** (a) A person must not operate a snowmobile  
15.26 in the state or allow another to operate the person's snowmobile in the state unless the  
15.27 snowmobile has its unexpired registration decal affixed to each side of the snowmobile and  
15.28 the decal is legible.

15.29 (b) The registration decal must be affixed:

15.30 (1) for snowmobiles made after June 30, 1972, in the area provided by the manufacturer  
15.31 under section 84.821, subdivision 2; and

15.32 (2) for all other snowmobiles, on each side of the cowling on the upper half of the  
15.33 snowmobile.

16.1 (c) When any previously affixed registration decal is destroyed or lost, a duplicate must  
 16.2 be affixed in the same manner as provided in paragraph (b).

16.3 Sec. 6. Minnesota Statutes 2020, section 84.821, subdivision 2, is amended to read:

16.4 Subd. 2. **Area for registration number.** All snowmobiles made after June 30, 1972,  
 16.5 and sold in Minnesota, shall be designed and made to provide an area on which to affix the  
 16.6 registration number decal. ~~This area shall be at a location and of dimensions prescribed by~~  
 16.7 ~~rule of the commissioner.~~ A clear area must be provided on each side of the cowling with  
 16.8 a minimum size of 3-1/2 square inches and at least 12 inches from the ground when the  
 16.9 machine is resting on a hard surface.

16.10 Sec. 7. Minnesota Statutes 2020, section 84.84, is amended to read:

16.11 **84.84 TRANSFER OR TERMINATION OF SNOWMOBILE OWNERSHIP.**

16.12 (a) Within 15 days after the transfer of ownership, or any part thereof, other than a  
 16.13 security interest, or the destruction or abandonment of any snowmobile, written notice of  
 16.14 the transfer or destruction or abandonment shall be given to the commissioner in such form  
 16.15 as the commissioner shall prescribe.

16.16 (b) An application for transfer must be executed by the ~~registered~~ current owner and the  
 16.17 purchaser using a bill of sale that includes the vehicle serial number.

16.18 (c) The purchaser is subject to the penalties imposed by section 84.88 if the purchaser  
 16.19 fails to apply for transfer of ownership as provided under this subdivision. Every owner or  
 16.20 part owner of a snowmobile shall, upon failure to give notice of destruction or abandonment,  
 16.21 be subject to the penalties imposed by section 84.88.

16.22 Sec. 8. Minnesota Statutes 2020, section 84.86, subdivision 1, is amended to read:

16.23 Subdivision 1. **Required rules, fees, and reports.** (a) With a view of achieving maximum  
 16.24 use of snowmobiles consistent with protection of the environment the commissioner of  
 16.25 natural resources shall adopt rules in the manner provided by chapter 14, for the following  
 16.26 purposes:

16.27 (1) registration of snowmobiles ~~and display of registration numbers;~~

16.28 (2) use of snowmobiles insofar as game and fish resources are affected;

16.29 (3) use of snowmobiles on public lands and waters, or on grant-in-aid trails;



17.1 (4) uniform signs to be used by the state, counties, and cities, which are necessary or  
 17.2 desirable to control, direct, or regulate the operation and use of snowmobiles;

17.3 (5) specifications relating to snowmobile mufflers; and

17.4 (6) a comprehensive snowmobile information and safety education and training program;  
 17.5 ~~including that includes~~ but is not limited to ~~the preparation and dissemination of preparing~~  
 17.6 and disseminating snowmobile information and safety advice to the public, ~~the training of~~  
 17.7 snowmobile operators, and ~~the issuance of~~ issuing snowmobile safety certificates to  
 17.8 snowmobile operators who successfully complete the snowmobile safety education and  
 17.9 training course.

17.10 (b) For the purpose of administering ~~such~~ the program under paragraph (a), clause (6),  
 17.11 and to defray expenses of training and certifying snowmobile operators, the commissioner  
 17.12 shall collect a fee from each person who receives the youth or adult training. The  
 17.13 commissioner shall collect a fee, to include a \$1 issuing fee for licensing agents, for issuing  
 17.14 a duplicate snowmobile safety certificate. The commissioner shall establish both fees in a  
 17.15 manner that neither significantly overrecovers nor underrecovers costs, including overhead  
 17.16 costs, involved in providing the services. The fees are not subject to the rulemaking provisions  
 17.17 of chapter 14 and section 14.386 does not apply. The fees may be established by the  
 17.18 commissioner notwithstanding section 16A.1283. The fees, except for the issuing fee for  
 17.19 licensing agents under this subdivision, shall be deposited in the snowmobile trails and  
 17.20 enforcement account in the natural resources fund and the amount thereof, except for the  
 17.21 electronic licensing system commission established by the commissioner under section  
 17.22 84.027, subdivision 15, and issuing fees collected by the commissioner, is appropriated  
 17.23 annually to the Enforcement Division of the Department of Natural Resources for ~~the~~  
 17.24 ~~administration of such~~ administering the programs. In addition to the fee established by the  
 17.25 commissioner, instructors may charge each person any fee paid by the instructor for the  
 17.26 person's online training course and up to the established fee amount for class materials and  
 17.27 expenses. The commissioner shall cooperate with private organizations and associations,  
 17.28 private and public corporations, and local governmental units in furtherance of the program  
 17.29 established under ~~this~~ paragraph (a), clause (6). School districts may cooperate with the  
 17.30 commissioner and volunteer instructors to provide space for the classroom portion of the  
 17.31 training. The commissioner shall consult with the commissioner of public safety in regard  
 17.32 to training program subject matter and performance testing that leads to the certification of  
 17.33 snowmobile operators.

17.34 ~~(7)~~ (c) The operator of any snowmobile involved in an accident resulting in injury  
 17.35 requiring medical attention or hospitalization to or death of any person or total damage to

18.1 an extent of \$500 or more, shall forward a written report of the accident to the commissioner  
 18.2 on ~~such~~ a form as prescribed by the commissioner ~~shall prescribe~~. If the operator is killed  
 18.3 or is unable to file a report due to incapacitation, any peace officer investigating the accident  
 18.4 shall file the accident report within ten business days.

18.5 Sec. 9. Minnesota Statutes 2021 Supplement, section 84.92, subdivision 8, is amended to  
 18.6 read:

18.7 Subd. 8. **All-terrain vehicle or vehicle.** (a) "All-terrain vehicle" or "vehicle" means a  
 18.8 motorized vehicle with: (1) not less than three, but not more than six ~~low pressure or~~  
 18.9 ~~non-pneumatic~~ tires; (2) a total dry weight of ~~2,000~~ 3,000 pounds or less; and (3) a total  
 18.10 width from outside of tire rim to outside of tire rim that is 65 inches or less. All-terrain  
 18.11 vehicle includes a class 1 all-terrain vehicle and class 2 all-terrain vehicle.

18.12 (b) All-terrain vehicle does not include an electric-assisted bicycle as defined in section  
 18.13 169.011, subdivision 27, golf cart, mini-truck, dune buggy, or go-cart or a vehicle designed  
 18.14 and used specifically for lawn maintenance, agriculture, logging, or mining purposes.

18.15 Sec. 10. Minnesota Statutes 2020, section 84.922, subdivision 4, is amended to read:

18.16 Subd. 4. **Report of transfers.** (a) Application for transfer of ownership must be made  
 18.17 to the commissioner within 15 days of the date of transfer.

18.18 (b) An application for transfer must be executed by the ~~registered~~ current owner and the  
 18.19 purchaser using a bill of sale that includes the vehicle serial number.

18.20 (c) The purchaser is subject to the penalties imposed by section 84.774 if the purchaser  
 18.21 fails to apply for transfer of ownership as provided under this subdivision.

18.22 Sec. 11. Minnesota Statutes 2020, section 85.015, subdivision 10, is amended to read:

18.23 Subd. 10. **Luce Line Trail, Hennepin, McLeod, and Meeker Counties.** (a) The trail  
 18.24 shall originate at Gleason Lake in Plymouth Village, Hennepin County, ~~and shall~~ follow  
 18.25 the route of the Chicago Northwestern Railroad, and include a connection to Greenleaf Lake  
 18.26 State Recreation Area.

18.27 (b) The trail shall be developed for multiuse wherever feasible. The department shall  
 18.28 cooperate in maintaining its integrity for modes of use consistent with local ordinances.

18.29 (c) In establishing, developing, maintaining, and operating the trail, the commissioner  
 18.30 shall cooperate with local units of government and private individuals and groups. Before  
 18.31 acquiring any parcel of land for the trail, the commissioner of natural resources shall develop

19.1 a management program for the parcel and conduct a public hearing on the proposed  
 19.2 management program in the vicinity of the parcel to be acquired. The management program  
 19.3 of the commissioner shall include but not be limited to the following:

19.4 ~~(a) (1) fencing of~~ portions of the trail where necessary to protect adjoining landowners;  
 19.5 and

19.6 ~~(b) the maintenance of~~ (2) maintaining the trail in a ~~litter free~~ litter-free condition to the  
 19.7 extent practicable.

19.8 (d) The commissioner shall not acquire any of the right-of-way of the Chicago  
 19.9 Northwestern Railway Company until the abandonment of the line described in this  
 19.10 subdivision has been approved by the Surface Transportation Board or the former Interstate  
 19.11 Commerce Commission. Compensation, in addition to the value of the land, shall include  
 19.12 improvements made by the railroad, including but not limited to, bridges, trestles, public  
 19.13 road crossings, or any portion thereof, it being the desire of the railroad that such  
 19.14 improvements be included in the conveyance. The fair market value of the land and  
 19.15 improvements shall be recommended by two independent appraisers mutually agreed upon  
 19.16 by the parties. The fair market value thus recommended shall be reviewed by a review  
 19.17 appraiser agreed to by the parties, and the fair market value thus determined, and supported  
 19.18 by appraisals, may be the purchase price. The commissioner may exchange lands with  
 19.19 landowners abutting the right-of-way described in this section to eliminate diagonally shaped  
 19.20 separate fields.

19.21 Sec. 12. Minnesota Statutes 2021 Supplement, section 85.052, subdivision 6, is amended  
 19.22 to read:

19.23 Subd. 6. **State park reservation system.** (a) The commissioner may, by written order,  
 19.24 develop reasonable reservation policies for ~~campsites and other~~ using camping, lodging,  
 19.25 and day-use facilities and for tours, educational programs, seminars, events, and rentals.  
 19.26 The policies are exempt from the rulemaking provisions under chapter 14, and section  
 19.27 14.386 does not apply.

19.28 (b) The revenue collected from the state park reservation fee established under subdivision  
 19.29 5, including interest earned, ~~shall~~ must be deposited in the state park account in the natural  
 19.30 resources fund and is annually appropriated to the commissioner for the cost of operating  
 19.31 the state park reservation and point-of-sale system.

20.1 Sec. 13. Minnesota Statutes 2020, section 90.181, subdivision 2, is amended to read:

20.2 Subd. 2. **Deferred payments.** (a) If the amount of the statement is not paid or payment  
 20.3 is not postmarked within 30 days of the statement date ~~thereof, it shall bear, the amount~~  
 20.4 bears interest at the rate determined pursuant to section 16A.124, except that the purchaser  
 20.5 ~~shall not be~~ is not required to pay interest that totals \$1 or less. If the amount is not paid  
 20.6 within 60 days, the commissioner shall place the account in the hands of the commissioner  
 20.7 of revenue according to chapter 16D, who shall proceed to collect the ~~same~~ amount due.  
 20.8 When deemed in the best interests of the state, the commissioner shall take possession of  
 20.9 the timber for which an amount is due wherever it may be found and sell the ~~same~~ timber  
 20.10 informally or at public auction after giving reasonable notice.

20.11 (b) The proceeds of the sale ~~shall~~ must be applied, first, to the payment of the expenses  
 20.12 of seizure and sale; and, second, to the payment of the amount due for the timber, with  
 20.13 interest; ~~and~~. The surplus, if any, ~~shall belong~~ belongs to the state; ~~and~~. In case a sufficient  
 20.14 amount is not realized to pay these amounts in full, the balance ~~shall~~ must be collected by  
 20.15 the attorney general. ~~Neither~~ Payment of the amount, ~~nor~~ the recovery of judgment ~~therefor~~  
 20.16 for the amount, nor satisfaction of the judgment, ~~nor~~ the or seizure and sale of timber, ~~shall~~  
 20.17 does not:

20.18 (1) release the sureties on any security deposit given pursuant to this chapter; ~~or~~;

20.19 (2) preclude the state from afterwards claiming that the timber was cut or removed  
 20.20 contrary to law and recovering damages for the trespass thereby committed; or

20.21 (3) preclude the state from prosecuting the offender criminally.

20.22 Sec. 14. **[93.70] ENSURING TIMELY ENVIRONMENTAL REVIEW OF**  
 20.23 **METALLIC MINING PROJECTS.**

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

20.26 (b) "Commissioner" means the commissioner of natural resources.

20.27 (c) "Covered mining project" means a proposed metallic mineral mining project or a  
 20.28 modification to an existing metallic mining project for which an environmental assessment  
 20.29 worksheet or an environmental impact statement must be or is being prepared according to  
 20.30 chapter 116D.

21.1 (d) "Submission date" means the date on which a project proposer of a covered mining  
 21.2 project submits the completed data portion of an environmental assessment worksheet to  
 21.3 the responsible governmental unit for environmental review under chapter 116D.

21.4 Subd. 2. **Environmental review goals.** To ensure an environmental review process that  
 21.5 is both timely and environmentally responsible, the responsible governmental unit for a  
 21.6 covered mining project must attempt to ensure that all environmental reviews, permits, and  
 21.7 approvals, including those at the federal level to the extent practicable, are completed in  
 21.8 accordance with the following timelines:

21.9 (1) when an environmental assessment worksheet is prepared for a project for which an  
 21.10 environmental impact statement is not required, the decision on the need for an environmental  
 21.11 impact statement must be made no later than 18 months after the environmental assessment  
 21.12 worksheet submission date; and

21.13 (2) when an environmental impact statement is prepared for a project, the decision on  
 21.14 the adequacy of the final environmental impact statement must be made no later than three  
 21.15 years after the environmental assessment worksheet submission date.

21.16 Subd. 3. **Report.** If a responsible governmental unit fails to meet a goal set forth in  
 21.17 subdivision 2, it must within five days report to the project proposer and to the chairs and  
 21.18 ranking minority members of the legislative committees and divisions with jurisdiction over  
 21.19 mining to explain the reason for the failure and must provide an estimate of the additional  
 21.20 time that will be required to determine whether an environmental impact statement is required  
 21.21 or whether the final environmental impact statement is adequate, as applicable.

21.22 Sec. 15. Minnesota Statutes 2020, section 97A.015, subdivision 29, is amended to read:

21.23 Subd. 29. **Minnows.** "Minnows" means: (1) members of the minnow family, Cyprinidae,  
 21.24 except carp and goldfish; (2) members of the mudminnow family, Umbridae; (3) members  
 21.25 of the sucker family, Catostomidae, ~~not over 12 inches in length~~; (4) bullheads, ciscoes,  
 21.26 lake whitefish, goldeyes, and mooneyes, not over seven inches long; (5) leeches; and (6)  
 21.27 tadpole madtoms (willow cats) and stonecats.

21.28 Sec. 16. Minnesota Statutes 2020, section 97A.015, subdivision 51, is amended to read:

21.29 Subd. 51. **Unloaded.** "Unloaded" means, with reference to a firearm, without ammunition  
 21.30 in the barrels and magazine, if the magazine is in the firearm. A muzzle-loading firearm  
 21.31 with is unloaded if:

22.1 (1) for a flintlock ignition is unloaded if, it does not have priming powder in a pan. A  
 22.2 muzzle-loading firearm with;

22.3 (2) for a percussion ignition is unloaded if, it does not have a percussion cap on a nipple;

22.4 (3) for an electronic ignition system, the battery is removed and is disconnected from  
 22.5 the firearm; and

22.6 (4) for an encapsulated powder charge ignition system, the primer and powder charge  
 22.7 are removed from the firearm.

22.8 Sec. 17. Minnesota Statutes 2020, section 97A.126, as amended by Laws 2021, First  
 22.9 Special Session chapter 6, article 2, section 52, is amended to read:

22.10 **97A.126 WALK-IN ACCESS PROGRAM.**

22.11 Subdivision 1. **Establishment.** A walk-in access program is established to provide public  
 22.12 access to wildlife habitat on private land for hunting, bird-watching, nature photography,  
 22.13 and similar compatible uses, excluding trapping, as provided under this section. The  
 22.14 commissioner may enter into agreements with other units of government and landowners  
 22.15 to provide private land hunting access.

22.16 Subd. 2. **Use of enrolled lands.** (a) From September 1 to May 31, a person must have  
 22.17 a walk-in access ~~hunter~~ validation in possession to hunt, photograph, and watch wildlife on  
 22.18 private lands, including agricultural lands, that are posted as being enrolled in the walk-in  
 22.19 access program.

22.20 (b) Hunting, bird-watching, nature photography, and similar compatible uses on private  
 22.21 lands that are posted as enrolled in the walk-in access program is allowed from one-half  
 22.22 hour before sunrise to one-half hour after sunset.

22.23 (c) ~~Hunter~~ Access on private lands that are posted as enrolled in the walk-in access  
 22.24 program is restricted to nonmotorized use, except by ~~hunters~~ persons with disabilities  
 22.25 operating motor vehicles on established trails or field roads who possess a valid permit to  
 22.26 shoot from a stationary vehicle under section 97B.055, subdivision 3 provide credible  
 22.27 assurance to the commissioner that the device or motor boat is used because of a disability.

22.28 (d) The general provisions for use of wildlife management areas adopted under sections  
 22.29 86A.06 and 97A.137, relating to overnight use, alcoholic beverages, use of motorboats,  
 22.30 firearms and target shooting, hunting stands, abandonment of trash and property, destruction  
 22.31 or removal of property, introduction of plants or animals, and animal trespass, apply to  
 22.32 ~~hunters on~~ use of lands enrolled in the walk-in access program.

23.1 (e) Any use of enrolled lands other than ~~hunting according to~~ use authorized under this  
 23.2 section is prohibited, including:

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

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

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

23.7 Subd. 3. **Walk-in-access hunter validation; fee.** The fee for a walk-in-access hunter  
 23.8 validation is \$3.

23.9 Sec. 18. Minnesota Statutes 2020, section 97A.137, subdivision 3, is amended to read:

23.10 Subd. 3. **Use of motorized vehicles by disabled hunters** people with disabilities. The  
 23.11 commissioner may ~~issue~~ provide an accommodation by issuing a special permit, without a  
 23.12 fee, authorizing a ~~hunter~~ person with a ~~permanent physical~~ disability to use a ~~snowmobile,~~  
 23.13 ~~highway-licensed vehicle, all-terrain vehicle,~~ an other power-driven mobility device, as  
 23.14 defined under Code of Federal Regulations, title 28, section 35.104, or a motor boat in  
 23.15 wildlife management areas. To qualify for a permit under this subdivision, the ~~disabled~~  
 23.16 ~~person must possess:~~

23.17 ~~(1) the required hunting licenses; and~~

23.18 ~~(2) a permit to shoot from a stationary vehicle under section 97B.055, subdivision 3.~~  
 23.19 provide credible assurance to the commissioner that the device or motor boat is used because  
 23.20 of a disability.

23.21 Sec. 19. Minnesota Statutes 2020, section 97A.137, subdivision 5, is amended to read:

23.22 Subd. 5. **Portable stands.** (a) Prior to the Saturday on or nearest September 16, a portable  
 23.23 stand may be left overnight in a wildlife management area by a person with a valid bear  
 23.24 license who is hunting within 100 yards of a bear bait site that is legally tagged and registered  
 23.25 as prescribed under section 97B.425. Any person leaving a portable stand overnight under  
 23.26 this subdivision must affix a tag with: (1) the person's name and address; (2) the licensee's  
 23.27 driver's license number; or (3) the "MDNR#" license identification number issued to the  
 23.28 licensee. The tag must be affixed to the stand in a manner that it can be read from the ground.

23.29 (b) From November 1 through December 31, a portable stand may be left overnight by  
 23.30 a person possessing a license to take deer in a wildlife management area located in whole  
 23.31 or in part north and west of a line described as follows:

24.1 State Trunk Highway 1 from the west boundary of the state to State Trunk Highway 89;  
 24.2 then north along State Trunk Highway 89 to Fourtown; then north on County State-Aid  
 24.3 Highway 44, Beltrami County, to County Road 704, Beltrami County; then north on County  
 24.4 Road 704 to Dick's Parkway State Forest Road; then north on Dick's Parkway to County  
 24.5 State-Aid Highway 5, Roseau County; then north on County State-Aid Highway 5 to  
 24.6 Warroad; then north on State Trunk Highway 11 to State Trunk Highway 313; then north  
 24.7 on State Trunk Highway 313 to the north boundary of the state.

24.8 A person leaving a portable stand overnight under this paragraph must affix a tag with: (1)  
 24.9 the person's name and address; (2) the licensee's driver's license number; or (3) the "MDNR#"   
 24.10 license identification number issued to the licensee. The tag must be affixed to the stand so  
 24.11 that it can be read from the ground and must be made of a material sufficient to withstand  
 24.12 weather conditions. A person leaving a portable stand overnight in a wildlife management  
 24.13 area under this paragraph may not leave more than two portable stands in any one wildlife  
 24.14 management area. Unoccupied portable stands left overnight under this paragraph may be  
 24.15 used by any member of the public. ~~This paragraph expires December 31, 2019.~~

24.16 **EFFECTIVE DATE.** This section is effective retroactively from July 1, 2019, and  
 24.17 Minnesota Statutes, section 97A.137, subdivision 5, paragraph (b), is revived and reenacted  
 24.18 as of that date.

24.19 Sec. 20. Minnesota Statutes 2020, section 97A.405, subdivision 5, is amended to read:

24.20 Subd. 5. **Resident licenses.** (a) To obtain a resident license, a resident an individual 21  
 24.21 years of age or older must be a resident and:

24.22 (1) possess a current Minnesota driver's license or a valid application receipt for a driver's  
 24.23 license that is at least 60 days past the issuance date;

24.24 (2) possess a current identification card issued by the commissioner of public safety or  
 24.25 a valid application receipt for an identification card that is at least 60 days past the issuance  
 24.26 date; or

24.27 (3) present evidence showing proof of residency in cases when clause (1) or (2) would  
 24.28 violate the Religious Freedom Restoration Act of 1993, Public Law 103-141; or

24.29 (4) possess a Tribal identification card as provided in paragraph (b).

24.30 (b) For purposes of this subdivision, "Tribal identification card" means an unexpired  
 24.31 identification card as provided under section 171.072, paragraphs (b) and (c). The Tribal  
 24.32 identification card:



25.1 (1) must contain the enrolled Tribal member's Minnesota residence address; and

25.2 (2) may be used to obtain a resident license under paragraph (a) only if the Tribal member  
 25.3 does not have a current driver's license or state identification card in any state.

25.4 (c) A person must not have applied for, purchased, or accepted a resident hunting, fishing,  
 25.5 or trapping license issued by another state or foreign country within 60 days before applying  
 25.6 for a resident license under this section.

25.7 Sec. 21. Minnesota Statutes 2020, section 97B.031, subdivision 1, is amended to read:

25.8 Subdivision 1. **Permissible firearms and ammunition; big game and wolves.** A person  
 25.9 may take big game and wolves with a firearm only if:

25.10 (1) ~~the~~ any rifle, shotgun, ~~and~~ or handgun used is a caliber of at least .22 inches and ~~with~~  
 25.11 has centerfire ignition;

25.12 (2) the firearm is loaded only with single projectile ammunition;

25.13 (3) a projectile used is a caliber of at least .22 inches and has a soft point or is an  
 25.14 expanding bullet type;

25.15 (4) ~~the~~ any muzzleloader used ~~is incapable of being~~ has the projectile loaded only at the  
 25.16 breech muzzle;

25.17 (5) ~~the~~ any smooth-bore muzzleloader used is a caliber of at least .45 inches; and

25.18 (6) ~~the~~ any rifled muzzleloader used is a caliber of at least .40 inches.

25.19 Sec. 22. Minnesota Statutes 2020, section 97B.031, is amended by adding a subdivision  
 25.20 to read:

25.21 Subd. 7. **Regular firearms deer season.** During the regular firearms deer season, all  
 25.22 legal firearms may be used statewide.

25.23 Sec. 23. Minnesota Statutes 2020, section 97B.071, is amended to read:

25.24 **97B.071 CLOTHING AND GROUND BLIND REQUIREMENTS; BLAZE**  
 25.25 **ORANGE OR BLAZE PINK.**

25.26 (a) Except as provided in rules adopted under paragraph ~~(e)~~ (d), a person may not hunt  
 25.27 or trap during the open season where deer may be taken by firearms under applicable laws  
 25.28 and ordinances, unless the visible portion of the person's cap and outer clothing above the  
 25.29 waist, excluding sleeves and gloves, is blaze orange or blaze pink. Blaze orange or blaze  
 25.30 pink includes a camouflage pattern of at least 50 percent blaze orange or blaze pink within

26.1 each foot square. This section does not apply to migratory-waterfowl hunters on waters of  
 26.2 this state or in a stationary shooting location or to trappers on waters of this state.

26.3 (b) Except as provided in rules adopted under paragraph (d) and in addition to the  
 26.4 requirements under paragraph (a), during the open season where deer may be taken by  
 26.5 firearms under applicable laws and ordinances, a person in a fabric or synthetic ground  
 26.6 blind on public land must have:

26.7 (1) a blaze orange or blaze pink safety covering on the top of the blind visible for 360  
 26.8 degrees around the blind; or

26.9 (2) at least 144 square inches of blaze orange or blaze pink material on each side of the  
 26.10 blind.

26.11 ~~(b)~~ (c) Except as provided in rules adopted under paragraph ~~(e)~~ (d), and in addition to  
 26.12 the ~~requirement~~ requirements in ~~paragraph~~ paragraphs (a) and (b), a person may not take  
 26.13 small game other than turkey, migratory birds, raccoons, and predators, except while trapping,  
 26.14 unless a visible portion of at least one article of the person's clothing above the waist is  
 26.15 blaze orange or blaze pink. This paragraph does not apply to a person when in a stationary  
 26.16 location while hunting deer by archery or when hunting small game by falconry.

26.17 ~~(e)~~ (d) The commissioner may, by rule, prescribe an alternative color in cases where  
 26.18 ~~paragraph (a) or (b)~~ paragraphs (a) to (c) would violate the Religious Freedom Restoration  
 26.19 Act of 1993, Public Law 103-141.

26.20 ~~(d)~~ (e) A violation of paragraph ~~(b)~~ (c) ~~shall~~ does not result in a penalty, but is punishable  
 26.21 only by a safety warning.

26.22 Sec. 24. Minnesota Statutes 2020, section 97B.311, is amended to read:

26.23 **97B.311 DEER SEASONS AND RESTRICTIONS.**

26.24 (a) Except as provided under paragraph (c), the commissioner may, by rule, prescribe  
 26.25 restrictions and designate areas where deer may be taken, including hunter selection criteria  
 26.26 for special hunts established under section 97A.401, subdivision 4. The commissioner may,  
 26.27 by rule, prescribe the open seasons for deer within the following periods:

26.28 (1) taking with firearms, other than muzzle-loading firearms, between November 1 and  
 26.29 December 15;

26.30 (2) taking with muzzle-loading firearms between September 1 and December 31; and

26.31 (3) taking by archery between September 1 and December 31.

27.1 (b) Notwithstanding paragraph (a), the commissioner may establish special seasons  
27.2 within designated areas at any time of year.

27.3 (c) The commissioner may not impose an antler point restriction other than that imposed  
27.4 under Minnesota Rules, part 6232.0200, subpart 6.

27.5 Sec. 25. Minnesota Statutes 2020, section 97B.415, is amended to read:

27.6 **97B.415 TAKING BEAR TO PROTECT PROPERTY; SPECIAL PERMIT FOR**  
27.7 **TAKING NUISANCE BEAR.**

27.8 (a) A person may take a bear at any time to protect the person's property. The person  
27.9 must report the bear taken to a conservation officer within 48 hours. The bear may be  
27.10 disposed of as prescribed by the commissioner.

27.11 (b) The commissioner must issue a bear control special permit according to section  
27.12 97A.401 for wildlife control operators to take nuisance bear by live trapping and relocating  
27.13 the bear. When a bear is trapped and released, an enforcement officer or a wildlife manager  
27.14 must approve the release location. The commissioner must provide specific training to  
27.15 wildlife control operators who are issued a permit under this paragraph, including a refresher  
27.16 course every five years. The commissioner may not charge a fee for the bear control special  
27.17 permit or training. A wildlife control operator with a special permit issued under this  
27.18 paragraph may use remote surveillance equipment to monitor live traps.

27.19 Sec. 26. Minnesota Statutes 2020, section 97B.645, subdivision 9, is amended to read:

27.20 Subd. 9. **Open season.** There shall be no open season for wolves until after the wolf is  
27.21 delisted under the federal Endangered Species Act of 1973. After that time, the commissioner  
27.22 ~~may~~ must annually prescribe one or more open seasons and for taking wolves by hunting,  
27.23 trapping, and bow and arrow. The commissioner may also prescribe restrictions for taking  
27.24 wolves but must provide opportunity for public comment.

27.25 Sec. 27. Minnesota Statutes 2020, section 97B.668, is amended to read:

27.26 **97B.668 ~~GAME BIRDS~~ ANIMALS CAUSING DAMAGE.**

27.27 Subdivision 1. Game birds causing damage. Notwithstanding sections 97B.091 and  
27.28 97B.805, subdivisions 1 and 2, a person or agent of that person on lands and nonpublic  
27.29 waters owned or operated by the person may nonlethally scare, haze, chase, or harass game  
27.30 birds that are causing property damage or to protect a disease risk at any time or place that  
27.31 a hunting season for the game birds is not open. This section does not apply to public waters

28.1 as defined under section 103G.005, subdivision 15. This section does not apply to migratory  
 28.2 waterfowl on nests and other federally protected game birds on nests, except ducks and  
 28.3 geese on nests when a permit is obtained under section 97A.401.

28.4 Subd. 2. **Deer and elk causing damage.** (a) Notwithstanding section 97B.091, a property  
 28.5 owner, the property owner's immediate family member, or an agent of the property owner  
 28.6 may nonlethally scare, haze, chase, or harass deer or elk that are causing damage to  
 28.7 agricultural crops propagated under generally accepted agricultural practices.

28.8 (b) Paragraph (a) applies only:

28.9 (1) in the immediate area of the crop damage; and

28.10 (2) during the closed season for taking deer or elk.

28.11 (c) Paragraph (a) does not allow:

28.12 (1) using poisons;

28.13 (2) using dogs;

28.14 (3) conduct that drives a deer or elk to the point of exhaustion;

28.15 (4) activities requiring a permit under section 97A.401; or

28.16 (5) causing the death of a deer or elk or actions likely to cause the death of a deer or elk.

28.17 (d) A property owner or the owner's agent must report the death of any deer or elk to  
 28.18 Division of Fish and Wildlife staff within 24 hours of the death if the death resulted from  
 28.19 actions taken under paragraph (a).

28.20 Sec. 28. Minnesota Statutes 2020, section 97C.211, subdivision 2a, is amended to read:

28.21 Subd. 2a. **Acquiring fish.** (a) A private fish hatchery may not obtain fish outside of the  
 28.22 state unless the fish or the source of the fish are approved by the commissioner. The  
 28.23 commissioner may apply more stringent requirements to fish or a source of fish from outside  
 28.24 the state than are applied to fish and sources of fish from within the state. The commissioner  
 28.25 must either approve or deny the acquisition within 30 days after receiving a written request  
 28.26 for approval. ~~Minnows acquired must be processed and not released into public waters,~~  
 28.27 ~~except as provided in section 97C.515, subdivision 4.~~ A request may be for annual  
 28.28 acquisition.

28.29 (b) If the commissioner denies approval, a written notice must be submitted to the  
 28.30 applicant stating the reasons for the denial and the commissioner must:

28.31 (1) designate approved sources to obtain the desired fish or fish eggs; or

29.1 (2) sell the fish or fish eggs from state fish hatcheries at fair market value.

29.2 Sec. 29. Minnesota Statutes 2020, section 97C.315, subdivision 1, is amended to read:

29.3 Subdivision 1. **Lines.** An angler may not use more than one line except:

29.4 (1) two lines may be used to take fish through the ice; ~~and~~

29.5 (2) the commissioner may, by rule, authorize the use of two lines in areas designated by  
29.6 the commissioner in Lake Superior; and

29.7 (3) two lines may be used in the Minnesota River downstream of the Granite Falls dam  
29.8 and in the Mississippi River downstream of St. Anthony Falls.

29.9 Sec. 30. Minnesota Statutes 2020, section 97C.515, subdivision 2, is amended to read:

29.10 Subd. 2. **Permit for ~~transportation~~ importation.** (a) A person may ~~transport~~ import  
29.11 live minnows ~~through~~ into the state with a permit from the commissioner. ~~The permit must~~  
29.12 ~~state the name and address of the person, the number and species of minnows, the point of~~  
29.13 ~~entry into the state, the destination, and the route through the state. The permit is not valid~~  
29.14 ~~for more than 12 hours after it is issued. A person must not import minnows into the state~~  
29.15 except as provided in this section.

29.16 ~~(b) Minnows transported under this subdivision must be in a tagged container. The tag~~  
29.17 ~~number must correspond with tag numbers listed on the minnow transportation permit.~~

29.18 ~~(c) The commissioner may require the person transporting minnow species found on~~  
29.19 ~~the official list of viral hemorrhagic septicemia susceptible species published by the United~~  
29.20 ~~States Department of Agriculture, Animal and Plant Health Inspection Services, to provide~~  
29.21 ~~health certification for viral hemorrhagic septicemia. The certification must disclose any~~  
29.22 ~~incidentally isolated replicating viruses, and must be dated within the 12 months preceding~~  
29.23 ~~transport.~~

29.24 (b) Minnows must be certified as healthy according to standards of the World  
29.25 Organisation for Animal Health or the Fish Health Section Blue Book of the American  
29.26 Fisheries Society.

29.27 (c) Minnows must be certified free of viral hemorrhagic septicemia, infectious  
29.28 hematopoietic necrosis, infectious pancreatic necrosis, spring viremia of carp virus, fathead  
29.29 minnow nidovirus, and Heterosporis within the past 12 months.

29.30 (d) Minnows must originate from a biosecure facility that has tested negative for invasive  
29.31 species in the past 12 months.

30.1 (e) Only a person that holds a minnow dealer's license issued under section 97C.501,  
 30.2 subdivision 2, may obtain a permit to import minnows.

30.3 (f) The following information must be available to the commissioner upon request for  
 30.4 each load of imported minnows:

30.5 (1) the date minnows were imported;

30.6 (2) the number of pounds or gallons imported;

30.7 (3) the facility name from which the minnows originated; and

30.8 (4) a fish health certificate for the minnows.

30.9 (g) Minnows may be imported to feed hatchery fish if the requirements in paragraphs  
 30.10 (a) to (f) are met.

30.11 Sec. 31. Minnesota Statutes 2020, section 103G.201, is amended to read:

30.12 **103G.201 PUBLIC WATERS INVENTORY.**

30.13 (a) The commissioner ~~shall~~ must maintain a public waters inventory map of each county  
 30.14 that shows the waters of this state that are designated as public waters under the public  
 30.15 waters inventory and classification procedures prescribed under Laws 1979, chapter 199,  
 30.16 and ~~shall~~ must provide access to a copy of the maps. As county public waters inventory  
 30.17 maps are revised according to this section, the commissioner ~~shall~~ must send a notification  
 30.18 or a copy of the maps to the auditor of each affected county.

30.19 (b) The commissioner is authorized to revise the map of public waters established under  
 30.20 Laws 1979, chapter 199, to reclassify those types 3, 4, and 5 wetlands previously identified  
 30.21 as public waters wetlands under Laws 1979, chapter 199, as public waters or as wetlands  
 30.22 under section 103G.005, subdivision 19. The commissioner may only reclassify public  
 30.23 waters wetlands as public waters if:

30.24 (1) they are assigned a shoreland management classification by the commissioner under  
 30.25 sections 103F.201 to 103F.221;

30.26 (2) they are classified as lacustrine wetlands or deepwater habitats according to  
 30.27 Classification of Wetlands and Deepwater Habitats of the United States (Cowardin, et al.,  
 30.28 1979 edition); or

30.29 (3) the state or federal government has become titleholder to any of the beds or shores  
 30.30 of the public waters wetlands, subsequent to the preparation of the public waters inventory  
 30.31 map filed with the auditor of the county, pursuant to paragraph (a), and the responsible state

31.1 or federal agency declares that the water is necessary for the purposes of the public  
31.2 ownership.

31.3 (c) The commissioner must provide notice of ~~the~~ a reclassification under paragraph (b)  
31.4 or a revision under paragraph (e) to the local government unit, the county board, the  
31.5 watershed district, if one exists for the area, and the soil and water conservation district.  
31.6 Within 60 days of receiving notice from the commissioner, a party required to receive the  
31.7 notice may provide a resolution stating objections to the reclassification or revision. If the  
31.8 commissioner receives an objection from a party required to receive the notice, the  
31.9 reclassification or revision is not effective. If the commissioner does not receive an objection  
31.10 from a party required to receive the notice, the reclassification of a wetland under paragraph  
31.11 (b) or revision under paragraph (e) is effective 60 days after the notice is received by all of  
31.12 the parties.

31.13 (d) The commissioner ~~shall~~ must give priority to the reclassification of public waters  
31.14 wetlands that are or have the potential to be affected by public works projects.

31.15 (e) The commissioner may revise the public waters inventory map of each county:

31.16 (1) to reflect the changes authorized in paragraph (b); and

31.17 (2) as needed, to:

31.18 (i) correct errors in the original inventory;

31.19 (ii) add or subtract trout stream tributaries within sections that contain a designated trout  
31.20 stream following written notice to the landowner;

31.21 (iii) add depleted quarries, and sand and gravel pits, when the body of water exceeds 50  
31.22 acres and the shoreland has been zoned for residential development; and

31.23 (iv) add or subtract public waters that have been created or eliminated as a requirement  
31.24 of a permit authorized by the commissioner under section 103G.245.

31.25 Sec. 32. Minnesota Statutes 2020, section 103G.211, is amended to read:

31.26 **103G.211 DRAINING PUBLIC WATERS PROHIBITED WITHOUT**  
31.27 **REPLACEMENT.**

31.28 (a) Except as provided in sections 103G.221 to 103G.235, public waters may not be  
31.29 drained, and a permit authorizing drainage of public waters may not be issued, unless the  
31.30 public waters to be drained are replaced by public waters that will have equal or greater  
31.31 public value.

32.1 (b) Nothing in this section shall be construed to prevent the commissioner from issuing  
 32.2 or amending a water-use permit for appropriation from groundwater where:

32.3 (1) the application is for a new groundwater well or to increase appropriation amounts  
 32.4 under an existing permit;

32.5 (2) the applicant is a municipality wholly or partially located within a five-mile radius  
 32.6 of White Bear Lake; and

32.7 (3) the amount of water to be appropriated under the proposal is consistent with the  
 32.8 amount anticipated to be needed by the applicant each year according to a water supply  
 32.9 plan approved by the commissioner under section 103G.291 before 2021.

32.10 (c) Paragraph (b) and this paragraph expire January 1, 2041.

32.11 **EFFECTIVE DATE.** This section is effective the day following final enactment and  
 32.12 applies to applications for new or modified permits filed on or after that date.

32.13 Sec. 33. Minnesota Statutes 2020, section 103G.223, is amended to read:

32.14 **103G.223 CALCAREOUS FENS.**

32.15 (a) Calcareous fens, as identified by the commissioner by written order published in the  
 32.16 State Register, may not be filled, drained, or otherwise degraded, wholly or partially, by  
 32.17 any activity, unless the commissioner, under an approved management plan, decides some  
 32.18 alteration is necessary or as provided in paragraph (b). Identifications made by the  
 32.19 commissioner are not subject to the rulemaking provisions of chapter 14 and section 14.386  
 32.20 does not apply.

32.21 (b) The commissioner may allow water appropriations that result in temporary reductions  
 32.22 in groundwater resources on a seasonal basis under an approved calcareous fen management  
 32.23 plan.

32.24 (c) If the commissioner determines that a water appropriation permit cannot be issued  
 32.25 or renewed because of this section, the commissioner must, within one year of the date of  
 32.26 denial and at no cost to the applicant, provide the applicant with a groundwater and surface  
 32.27 water hydrologic evaluation that demonstrates by a preponderance of the evidence the basis  
 32.28 for that conclusion.

32.29 (d) An applicant whose permit is denied under this section may file a written request  
 32.30 with the commissioner to designate a mutually agreed upon third-party expert to review the  
 32.31 evaluation provided under paragraph (c) at no cost to the applicant and to make  
 32.32 recommendations to the commissioner about whether the permit should be issued. The third



33.1 party expert must agree to provide the commissioner and applicant with the expert's  
 33.2 recommendations within 90 days of agreeing to review the evaluation.

33.3 (e) A permit applicant may file for a contested case hearing under chapter 14 within 30  
 33.4 days of the later of the following:

33.5 (1) the date by which the hydrologic evaluation was required to have been provided to  
 33.6 the applicant under paragraph (c);

33.7 (2) receiving the recommendations of the third party who is reviewing the evaluation  
 33.8 under paragraph (d); or

33.9 (3) determining that no mutually agreed upon third-party expert can be found.

33.10 (f) Any permit applicant who has had a water appropriation permit previously denied  
 33.11 under this section may resubmit a permit application under this section and is entitled to all  
 33.12 rights and reviews available under this section.

33.13 Sec. 34. Minnesota Statutes 2021 Supplement, section 103G.271, subdivision 4a, is  
 33.14 amended to read:

33.15 Subd. 4a. **Mt. Simon-Hinckley aquifer.** The commissioner may not issue new water-use  
 33.16 permits that will appropriate water from the Mt. Simon-Hinckley aquifer unless:

33.17 (1) the appropriation is for potable water use, there are no feasible or practical alternatives  
 33.18 to this source, and a water conservation plan is incorporated with the permit; or

33.19 (2) the appropriation is for less than 4,000,000 gallons per year and is to facilitate the  
 33.20 growth of trees.

33.21 Sec. 35. Minnesota Statutes 2020, section 103G.271, subdivision 7, is amended to read:

33.22 Subd. 7. **Transferring permit.** (a) A water-use permit may be transferred to a successive  
 33.23 owner of real property if the permittee conveys the real property where the source of water  
 33.24 is located. The new owner must notify the commissioner immediately after the conveyance  
 33.25 and request transfer of the permit. The commissioner must not deny the transfer of a permit  
 33.26 if the permittee is in compliance with all permit conditions and the permit meets the  
 33.27 requirements of sections 103G.255 to 103G.301.

33.28 (b) When transferring a permit, the commissioner must not require additional conditions  
 33.29 on the permit, reduce the appropriation, reduce the term, or require any testing.

34.1 Sec. 36. Minnesota Statutes 2020, section 103G.271, is amended by adding a subdivision  
34.2 to read:

34.3 Subd. 8. **Management plans; effect on land values.** Before a management plan for  
34.4 appropriating water is prepared, the commissioner must provide estimates of the impact of  
34.5 any new restriction or policy on land values in the affected area. Strategies to address adverse  
34.6 impacts to land values must be included in the plan.

34.7 Sec. 37. Minnesota Statutes 2020, section 103G.285, is amended by adding a subdivision  
34.8 to read:

34.9 Subd. 7. **Application.** (a) Nothing in this section shall be construed to prevent the  
34.10 commissioner from issuing or amending a water-use permit for appropriation from  
34.11 groundwater where:

34.12 (1) the application is for a new groundwater well or to increase appropriation amounts  
34.13 under an existing permit;

34.14 (2) the applicant is a municipality wholly or partially located within a five-mile radius  
34.15 of White Bear Lake; and

34.16 (3) the amount of water to be appropriated under the proposal is consistent with the  
34.17 amount anticipated to be needed by the applicant each year according to a water supply  
34.18 plan approved by the commissioner under section 103G.291 before 2021.

34.19 (b) This subdivision expires January 1, 2041.

34.20 **EFFECTIVE DATE.** This section is effective the day following final enactment and  
34.21 applies to applications for new or modified permits filed on or after that date.

34.22 Sec. 38. Minnesota Statutes 2020, section 103G.287, subdivision 4, is amended to read:

34.23 **Subd. 4. **Groundwater management areas.**** (a) The commissioner may designate  
34.24 groundwater management areas and limit total annual water appropriations and uses within  
34.25 a designated area to ensure sustainable use of groundwater that protects ecosystems, water  
34.26 quality, and the ability of future generations to meet their own needs. Water appropriations  
34.27 and uses within a designated management area must be consistent with a groundwater  
34.28 management area plan approved by the commissioner that addresses water conservation  
34.29 requirements and water allocation priorities established in section 103G.261. During  
34.30 development of a groundwater management area plan, the commissioner and employees  
34.31 and agents of the department may disseminate information related to the timing, location,  
34.32 and agendas of meetings related to the plan, but must otherwise limit public information

35.1 related to the groundwater management area plan to direct factual responses to public and  
35.2 media inquiries. At least 30 days prior to implementing or modifying a groundwater  
35.3 management area plan under this subdivision, the commissioner shall consult with the  
35.4 advisory team established in paragraph (c).

35.5 (b) Notwithstanding section 103G.271, subdivision 1, paragraph (b), and Minnesota  
35.6 Rules, within designated groundwater management areas, the commissioner may require  
35.7 general permits as specified in section 103G.271, subdivision 1, paragraph (c), for water  
35.8 users using less than 10,000 gallons per day or 1,000,000 gallons per year and water suppliers  
35.9 serving less than 25 persons for domestic purposes. The commissioner may waive the  
35.10 requirements under section 103G.281 for general permits issued under this paragraph, and  
35.11 the fee specified in section 103G.301, subdivision 2, paragraph (c), does not apply to general  
35.12 permits issued under this paragraph.

35.13 (c) When designating a groundwater management area, the commissioner shall assemble  
35.14 an advisory team to assist in developing a groundwater management area plan for the area.  
35.15 The advisory team members shall be selected from public and private entities that have an  
35.16 interest in the water resources affected by the groundwater management area. A majority  
35.17 of the advisory team members shall be public and private entities that currently hold water-use  
35.18 permits for water appropriations from the affected water resources. The commissioner shall  
35.19 consult with the League of Minnesota Cities, the Association of Minnesota Counties, the  
35.20 Minnesota Association of Watershed Districts, and the Minnesota Association of Townships  
35.21 in appointing the local government representatives to the advisory team. The advisory team  
35.22 may also include representatives from the University of Minnesota, the Minnesota State  
35.23 Colleges and Universities, other institutions of higher learning in Minnesota, political  
35.24 subdivisions with jurisdiction over water issues, nonprofits with expertise in water, and  
35.25 federal agencies.

35.26 (d) Before designating a groundwater management area, the commissioner must provide  
35.27 estimates of the impact of any new restriction or policy on land values in the affected area.  
35.28 Strategies to address adverse impacts to land values must be included in any plan.

35.29 Sec. 39. Minnesota Statutes 2020, section 103G.287, subdivision 5, is amended to read:

35.30 Subd. 5. **Sustainability standard.** (a) The commissioner may issue water-use permits  
35.31 for appropriation from groundwater only if the commissioner determines that the groundwater  
35.32 use is sustainable to supply the needs of future generations and the proposed use will not  
35.33 harm ecosystems, degrade water, or reduce water levels beyond the reach of public water  
35.34 supply and private domestic wells constructed according to Minnesota Rules, chapter 4725.

36.1 (b) For the purposes of this subdivision and subdivision 4, "sustainable" means a change  
 36.2 in hydrologic regime of 20 percent or less relative to the August median stream flow.

36.3 Sec. 40. Minnesota Statutes 2020, section 103G.287, is amended by adding a subdivision  
 36.4 to read:

36.5 Subd. 6. **Application.** (a) Nothing in this section shall be construed to prevent the  
 36.6 commissioner from issuing or amending a water-use permit for appropriation from  
 36.7 groundwater where:

36.8 (1) the application is for a new groundwater well or to increase appropriation amounts  
 36.9 under an existing permit;

36.10 (2) the applicant is a municipality wholly or partially located within a five-mile radius  
 36.11 of White Bear Lake; and

36.12 (3) the amount of water to be appropriated under the proposal is consistent with the  
 36.13 amount anticipated to be needed by the applicant each year according to a water supply  
 36.14 plan approved by the commissioner under section 103G.291 before 2021.

36.15 (b) This subdivision expires January 1, 2041.

36.16 **EFFECTIVE DATE.** This section is effective the day following final enactment and  
 36.17 applies to applications for new or modified permits filed on or after that date.

36.18 Sec. 41. Minnesota Statutes 2020, section 103G.287, is amended by adding a subdivision  
 36.19 to read:

36.20 Subd. 7. **Issuance of certain permits.** (a) Notwithstanding any other provision of law,  
 36.21 the commissioner must issue a water-use permit for appropriation from groundwater that  
 36.22 meets the criteria of subdivision 6. Nothing in this subdivision shall be construed to prohibit  
 36.23 the commissioner from imposing conditions on the permit so long as the conditions do not  
 36.24 prevent the applicant from appropriating the amount of groundwater applied for.

36.25 (b) This subdivision expires January 1, 2041.

36.26 **EFFECTIVE DATE.** This section is effective the day following final enactment and  
 36.27 applies to applications for new or modified permits filed on or after that date.

37.1 Sec. 42. Minnesota Statutes 2020, section 103G.289, is amended to read:

37.2 **103G.289 WELL INTERFERENCE; ~~WELL SEALING VALIDATION;~~**

37.3 **CONTESTED CASE.**

37.4 (a) The commissioner shall not validate a claim for well interference claim if the affected  
37.5 well has been sealed prior to the completion of the commissioner's investigation of the  
37.6 complaint. If the well is sealed prior to completion of the investigation, the commissioner  
37.7 must dismiss the complaint.

37.8 (b) When validating a claim for well interference, the commissioner must take into  
37.9 account the condition of the affected well.

37.10 (c) Within 30 days after the commissioner's decision on a claim for well interference, a  
37.11 party ordered by the commissioner to contribute to an affected well owner may petition for  
37.12 a contested case hearing under sections 14.57 to 14.62. The commissioner must grant the  
37.13 petitioner a contested case hearing on the commissioner's decision.

37.14 Sec. 43. Minnesota Statutes 2020, section 115.03, subdivision 1, is amended to read:

37.15 Subdivision 1. **Generally.** (a) The agency is hereby given and charged with the following  
37.16 powers and duties:

37.17 ~~(a)~~ (1) to administer and enforce all laws relating to the pollution of any of the waters  
37.18 of the state;

37.19 ~~(b)~~ (2) to investigate the extent, character, and effect of the pollution of the waters of  
37.20 this state and to gather data and information necessary or desirable in the administration or  
37.21 enforcement of pollution laws, and to make such classification of the waters of the state as  
37.22 it may deem advisable;

37.23 ~~(c)~~ (3) to establish and alter such reasonable pollution standards for any waters of the  
37.24 state in relation to the public use to which they are or may be put as it ~~shall~~ must deem  
37.25 necessary for the purposes of this chapter and, with respect to the pollution of waters of the  
37.26 state, chapter 116;

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

37.29 ~~(e)~~ (5) to adopt, issue, reissue, modify, deny, or revoke, enter into or enforce reasonable  
37.30 orders, permits, variances, standards, rules, schedules of compliance, and stipulation  
37.31 agreements, under such conditions as it may prescribe, in order to prevent, control or abate

38.1 water pollution, or for the installation or operation of disposal systems or parts thereof, or  
38.2 for other equipment and facilities:

38.3 ~~(1)~~ (i) requiring the discontinuance of the discharge of sewage, industrial waste or other  
38.4 wastes into any waters of the state resulting in pollution in excess of the applicable pollution  
38.5 standard established under this chapter;

38.6 ~~(2)~~ (ii) prohibiting or directing the abatement of any discharge of sewage, industrial  
38.7 waste, or other wastes, into any waters of the state or the deposit thereof or the discharge  
38.8 into any municipal disposal system where the same is likely to get into any waters of the  
38.9 state in violation of this chapter and, with respect to the pollution of waters of the state,  
38.10 chapter 116, or standards or rules promulgated or permits issued pursuant thereto, and  
38.11 specifying the schedule of compliance within which such prohibition or abatement must be  
38.12 accomplished;

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

38.16 ~~(4)~~ (iv) requiring the construction, installation, maintenance, and operation by any person  
38.17 of any disposal system or any part thereof, or other equipment and facilities, or the  
38.18 reconstruction, alteration, or enlargement of its existing disposal system or any part thereof,  
38.19 or the adoption of other remedial measures to prevent, control or abate any discharge or  
38.20 deposit of sewage, industrial waste or other wastes by any person;

38.21 ~~(5)~~ (v) establishing, and from time to time revising, standards of performance for new  
38.22 sources taking into consideration, among other things, classes, types, sizes, and categories  
38.23 of sources, processes, pollution control technology, cost of achieving such effluent reduction,  
38.24 and any nonwater quality environmental impact and energy requirements. Said standards  
38.25 of performance for new sources ~~shall~~ must encompass those standards for the control of the  
38.26 discharge of pollutants which reflect the greatest degree of effluent reduction which the  
38.27 agency determines to be achievable through application of the best available demonstrated  
38.28 control technology, processes, operating methods, or other alternatives, including, where  
38.29 practicable, a standard permitting no discharge of pollutants. New sources ~~shall~~ must  
38.30 encompass buildings, structures, facilities, or installations from which there is or may be  
38.31 the discharge of pollutants, the construction of which is commenced after the publication  
38.32 by the agency of proposed rules prescribing a standard of performance which will be  
38.33 applicable to such source. Notwithstanding any other provision of the law of this state, any  
38.34 point source the construction of which is commenced after May 20, 1973, and which is so

39.1 constructed as to meet all applicable standards of performance for new sources ~~shall~~ must,  
39.2 consistent with and subject to the provisions of section 306(d) of the Amendments of 1972  
39.3 to the Federal Water Pollution Control Act, not be subject to any more stringent standard  
39.4 of performance for new sources during a ten-year period beginning on the date of completion  
39.5 of such construction or during the period of depreciation or amortization of such facility  
39.6 for the purposes of section 167 or 169, or both, of the Federal Internal Revenue Code of  
39.7 1954, whichever period ends first. Construction ~~shall~~ must encompass any placement,  
39.8 assembly, or installation of facilities or equipment, including contractual obligations to  
39.9 purchase such facilities or equipment, at the premises where such equipment will be used,  
39.10 including preparation work at such premises;

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

39.14 ~~(7)~~ (vii) requiring the owner or operator of any disposal system or any point source to  
39.15 establish and maintain such records, make such reports, install, use, and maintain such  
39.16 monitoring equipment or methods, including where appropriate biological monitoring  
39.17 methods, sample such effluents in accordance with such methods, at such locations, at such  
39.18 intervals, and in such a manner as the agency ~~shall~~ must prescribe, and providing such other  
39.19 information as the agency may reasonably require;

39.20 ~~(8)~~ (viii) notwithstanding any other provision of this chapter, and with respect to the  
39.21 pollution of waters of the state, chapter 116, requiring the achievement of more stringent  
39.22 limitations than otherwise imposed by effluent limitations in order to meet any applicable  
39.23 water quality standard by establishing new effluent limitations, based upon section 115.01,  
39.24 subdivision 13, clause (b), including alternative effluent control strategies for any point  
39.25 source or group of point sources to insure the integrity of water quality classifications,  
39.26 whenever the agency determines that discharges of pollutants from such point source or  
39.27 sources, with the application of effluent limitations required to comply with any standard  
39.28 of best available technology, would interfere with the attainment or maintenance of the  
39.29 water quality classification in a specific portion of the waters of the state. Prior to  
39.30 establishment of any such effluent limitation, the agency ~~shall~~ must hold a public hearing  
39.31 to determine the relationship of the economic and social costs of achieving such limitation  
39.32 or limitations, including any economic or social dislocation in the affected community or  
39.33 communities, to the social and economic benefits to be obtained and to determine whether  
39.34 or not such effluent limitation can be implemented with available technology or other  
39.35 alternative control strategies. If a person affected by such limitation demonstrates at such

40.1 hearing that, whether or not such technology or other alternative control strategies are  
40.2 available, there is no reasonable relationship between the economic and social costs and  
40.3 the benefits to be obtained, such limitation ~~shall~~ must not become effective and ~~shall~~ must  
40.4 be adjusted as it applies to such person;

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

40.11 ~~(10)~~ (x) requiring that applicants for wastewater discharge permits evaluate in their  
40.12 applications the potential reuses of the discharged wastewater;

40.13 ~~(f)~~ (6) to require to be submitted and to approve plans and specifications for disposal  
40.14 systems or point sources, or any part thereof and to inspect the construction thereof for  
40.15 compliance with the approved plans and specifications thereof;

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

40.21 ~~(h)~~ (8) to conduct such investigations, issue such notices, public and otherwise, and hold  
40.22 such hearings as are necessary or which it may deem advisable for the discharge of its duties  
40.23 under this chapter and, with respect to the pollution of waters of the state, under chapter  
40.24 116, including, but not limited to, the issuance of permits, and to authorize any member,  
40.25 employee, or agent appointed by it to conduct such investigations or, issue such notices and  
40.26 hold such hearings;

40.27 ~~(i)~~ (9) for the purpose of water pollution control planning by the state and pursuant to  
40.28 the Federal Water Pollution Control Act, as amended, to establish and revise planning areas,  
40.29 adopt plans and programs and continuing planning processes, including, but not limited to,  
40.30 basin plans and areawide waste treatment management plans, and to provide for the  
40.31 implementation of any such plans by means of, including, but not limited to, standards, plan  
40.32 elements, procedures for revision, intergovernmental cooperation, residual treatment process  
40.33 waste controls, and needs inventory and ranking for construction of disposal systems;



41.1 ~~(j)~~ (10) to train water pollution control personnel; and charge ~~such fees therefor as are~~  
 41.2 for the training as necessary to cover the agency's costs. The fees under this clause are  
 41.3 subject to legislative approval under section 16A.1283. All such fees received shall must  
 41.4 be paid into the state treasury and credited to the Pollution Control Agency training account;

41.5 ~~(k)~~ (11) to impose as additional conditions in permits to publicly owned disposal systems  
 41.6 appropriate measures to insure compliance by industrial and other users with any pretreatment  
 41.7 standard, including, but not limited to, those related to toxic pollutants, and any system of  
 41.8 user charges ratably as is hereby required under state law or said Federal Water Pollution  
 41.9 Control Act, as amended, or any regulations or guidelines promulgated thereunder;

41.10 ~~(l)~~ (12) to set a period not to exceed five years for the duration of any national pollutant  
 41.11 discharge elimination system permit or not to exceed ten years for any permit issued as a  
 41.12 state disposal system permit only;

41.13 ~~(m)~~ (13) to require each governmental subdivision identified as a permittee for a  
 41.14 wastewater treatment works to evaluate in every odd-numbered year the condition of its  
 41.15 existing system and identify future capital improvements that will be needed to attain or  
 41.16 maintain compliance with a national pollutant discharge elimination system or state disposal  
 41.17 system permit; and

41.18 ~~(n)~~ (14) to train subsurface sewage treatment system personnel, including persons who  
 41.19 design, construct, install, inspect, service, and operate subsurface sewage treatment systems,  
 41.20 and charge fees for the training as necessary to pay the agency's costs. The fees under this  
 41.21 clause are subject to legislative approval under section 16A.1283. All fees received must  
 41.22 be paid into the state treasury and credited to the agency's training account. Money in the  
 41.23 account is appropriated to the agency to pay expenses related to training.

41.24 (b) The information required in paragraph (a), clause ~~(m)~~ (13), must be submitted in  
 41.25 every odd-numbered year to the commissioner on a form provided by the commissioner.  
 41.26 The commissioner ~~shall~~ must provide technical assistance if requested by the governmental  
 41.27 subdivision.

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

41.30 Sec. 44. Minnesota Statutes 2020, section 115.455, is amended to read:

41.31 **115.455 EFFLUENT LIMITATIONS; COMPLIANCE.**

41.32 To the extent allowable under federal law, for a municipality that constructs a publicly  
 41.33 owned treatment works or for an industrial national pollutant discharge elimination system

42.1 and state disposal system permit holder that constructs a treatment works to comply with a  
 42.2 new or modified effluent limitation, compliance with any new or modified effluent limitation  
 42.3 adopted after construction begins that would require additional capital investment is required  
 42.4 no sooner than 16 years after the date the facility begins operating.

42.5 Sec. 45. Minnesota Statutes 2020, section 115.55, is amended by adding a subdivision to  
 42.6 read:

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

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

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

42.12 Sec. 46. Minnesota Statutes 2020, section 115.77, subdivision 1, is amended to read:

42.13 Subdivision 1. **Fees.** The agency ~~shall~~ must collect fees in amounts necessary, but no  
 42.14 greater than the amounts necessary, to cover the reasonable costs of reviewing applications  
 42.15 and issuing certifications. The fees under this subdivision are subject to legislative approval  
 42.16 under section 16A.1283.

42.17 Sec. 47. Minnesota Statutes 2020, section 115.84, subdivision 2, is amended to read:

42.18 Subd. 2. **Rules.** The agency may adopt rules to govern certification of laboratories  
 42.19 according to this section. ~~Notwithstanding section 16A.1283, the agency may adopt rules~~  
 42.20 ~~establishing fees.~~

42.21 Sec. 48. Minnesota Statutes 2020, section 115.84, subdivision 3, is amended to read:

42.22 Subd. 3. **Fees.** (a) Until the agency adopts a rule establishing fees for certification, the  
 42.23 agency ~~shall~~ must collect fees from laboratories registering with the agency, but not  
 42.24 accredited by the commissioner of health under sections 144.97 to 144.99, in amounts  
 42.25 necessary to cover the reasonable costs of the certification program, including reviewing  
 42.26 applications, issuing certifications, and conducting audits and compliance assistance. The  
 42.27 fees under this paragraph are subject to legislative approval under section 16A.1283.

42.28 (b) Fees under this section must be based on the number, type, and complexity of  
 42.29 analytical methods that laboratories are certified to perform.

43.1 (c) Revenue from fees charged by the agency for certification ~~shall~~ must be credited to  
43.2 the environmental fund.

43.3 Sec. 49. Minnesota Statutes 2020, section 115A.03, is amended by adding a subdivision  
43.4 to read:

43.5 Subd. 3b. **Chemical plastic recycling.** "Chemical plastic recycling" means a  
43.6 manufacturing process for converting post-use polymers into products, such as monomers,  
43.7 oligomers, plastics, basic and unfinished chemicals, and other raw materials. Chemical  
43.8 plastic recycling is not processing, treatment, incineration, disposal, or waste management,  
43.9 as those terms are defined or used pursuant to chapters 115, 115A, and 116.

43.10 Sec. 50. Minnesota Statutes 2020, section 115A.03, is amended by adding a subdivision  
43.11 to read:

43.12 Subd. 3c. **Chemical plastic recycling facility.** "Chemical plastic recycling facility"  
43.13 means a manufacturing facility that receives, stores, and converts post-use polymers it  
43.14 receives using chemical plastic recycling. A chemical plastic recycling facility is not a  
43.15 disposal facility, resource recovery facility, solid waste facility, or waste facility as those  
43.16 terms are defined and regulated pursuant to chapters 115, 115A, and 116.

43.17 Sec. 51. Minnesota Statutes 2020, section 115A.03, is amended by adding a subdivision  
43.18 to read:

43.19 Subd. 24c. **Post-use polymers.** "Post-use polymers" means plastic that:

43.20 (1) is derived from any industrial, commercial, agricultural, or domestic activities;

43.21 (2) is used as feedstock for chemical plastic recycling;

43.22 (3) is processed at a chemical plastic recycling facility or held at a chemical plastic  
43.23 recycling facility before processing;

43.24 (4) is not stored at any one location for more than three years without being utilized for  
43.25 chemical plastic recycling; and

43.26 (5) has been sorted from solid waste and regulated waste but may contain residual  
43.27 amounts of solid waste such as organic materials and individual contaminants or impurities,  
43.28 such as paper labels and metal rings.

44.1 Sec. 52. Minnesota Statutes 2020, section 115A.03, subdivision 35, is amended to read:

44.2 Subd. 35. **Waste facility.** "Waste facility" means all property, real or personal, including  
44.3 negative and positive easements and water and air rights, which is or may be needed or  
44.4 useful for the processing or disposal of waste, except property for the collection of the waste  
44.5 and property used primarily for the manufacture of scrap metal or paper, or post-use  
44.6 polymers. Waste facility includes but is not limited to transfer stations, processing facilities,  
44.7 and disposal sites and facilities.

44.8 Sec. 53. **[115A.143] MATTRESS RECYCLING.**

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

44.11 (b) "Brand" means a name, symbol, word, or mark that attributes a mattress to the  
44.12 producer of the mattress.

44.13 (c) "Commissioner" means the commissioner of the Minnesota Pollution Control Agency.

44.14 (d) "Consumer" means an owner of a mattress, including a person, business, corporation,  
44.15 limited partnership, nonprofit organization, or governmental entity, and including the ultimate  
44.16 purchaser, owner, or lessee of a mattress. Consumer does not include a government  
44.17 organization or other party that obtains one or more discarded mattresses in the course of  
44.18 collecting used mattresses for recycling for purposes of this chapter, or through the ordinary  
44.19 collection and handling of municipal solid waste.

44.20 (e) "Covered entity" means a commercial, institutional, governmental, or industrial  
44.21 generator of mattresses that were used and discarded in the state, such as a health care  
44.22 facility, educational facility, military base, or commercial or nonprofit lodging establishment.  
44.23 Covered entity does not include a renovator, refurbisher, or person that only transports a  
44.24 discarded mattress. Covered entities may engage in mattress collection or mattress drop-off  
44.25 activities for mattresses that will be managed in the mattress stewardship program.

44.26 (f) "Discarded mattress" means a mattress that a consumer discarded, intends to discard,  
44.27 or abandoned in the state.

44.28 (g) "Foundation" means any ticking-covered structure that is used to support a mattress  
44.29 and that is composed of one or more of a constructed frame, foam, or a box spring whether  
44.30 stationary, adjustable, or foldable.

44.31 (h) "Mattress" means any resilient material or combination of materials that is enclosed  
44.32 by ticking, used alone or in combination with other products, and that is intended or promoted

45.1 for sleeping upon. Mattress includes any foundation and any used or renovated mattress.

45.2 Mattress does not include any mattress pad; mattress topper; sleeping bag; pillow; car bed;

45.3 carriage; basket; dressing table; stroller; playpen; infant carrier; lounge pad; crib or bassinet

45.4 mattress; crib bumper; liquid or gaseous filled ticking, including any water bed and any air

45.5 mattress that does not contain upholstery material between the ticking and the mattress core;

45.6 or upholstered furniture, including a sleeper sofa.

45.7 (i) "Mattress core" means the principal support system that is present in a mattress,

45.8 including but not limited to springs, foam, air bladder, water bladder, or resilient filling.

45.9 (j) "Mattress recycling council" or "council" means the nonprofit organization created

45.10 by producers or created by any trade association that represents producers who account for

45.11 a majority of mattress production in the United States to design, submit, and implement the

45.12 mattress stewardship program. Retailers may participate in the council.

45.13 (k) "Mattress stewardship fee" means the amount added to the purchase price of a mattress

45.14 sold to a consumer or to an ultimate end user in this state that is necessary to cover the cost

45.15 of accepting, transporting, and processing discarded mattresses according to the mattress

45.16 stewardship program established in this section.

45.17 (l) "Mattress stewardship program" or "program" means the statewide program and

45.18 implemented according to the mattress stewardship plan.

45.19 (m) "Mattress topper" means an item that contains resilient filling, with or without

45.20 ticking, that is intended to be used with or on top of a mattress.

45.21 (n) "Performance goal" means a metric proposed by the council to annually measure the

45.22 performance of the mattress stewardship program, taking into consideration technical and

45.23 economic feasibilities in achieving continuous, meaningful improvement in the rate of

45.24 mattress recycling in the state and any other specified goal of the program.

45.25 (o) "Producer" means a person who manufactures or renovates a mattress that is sold,

45.26 offered for sale, or distributed in the state under the producer's own name or brand. Producer

45.27 includes:

45.28 (1) the owner of a trademark or brand under which a mattress is sold, offered for sale,

45.29 or distributed in this state, whether or not the trademark or brand is registered in this state;

45.30 and

45.31 (2) a person who imports a mattress into the state that is sold or offered for sale in this

45.32 state, and that is manufactured or renovated by a person who does not have a presence in

45.33 the United States.

46.1 (p) "Qualified processor" means a recycling entity that recycles mattresses discarded in  
46.2 the state under a contract with the council that meets the requirements set forth in subdivision  
46.3 7.

46.4 (q) "Recyclable mattress" means a mattress that a consumer discarded, intends to discard,  
46.5 or abandoned in the state, but does not include a mattress that cannot be safely recycled  
46.6 because it is contaminated by putrescible solid waste or is substantially soiled, is infested  
46.7 with bedbugs, or poses a risk to worker health or equipment, which should be disposed of  
46.8 through the existing solid waste system.

46.9 (r) "Recycling" means a process in which discarded mattresses, components, and  
46.10 by-products may lose their original identity or form as they are transformed into new, usable,  
46.11 or marketable materials. Recycling does not include using destructive incineration.

46.12 (s) "Renovate" or "renovation" means altering a mattress for resale, including any one  
46.13 or a combination of replacing the ticking or filling, adding additional filling, or replacing  
46.14 components with new or recycled materials. Renovate or renovation does not include:

46.15 (1) stripping a mattress of its ticking or filling without adding new material;

46.16 (2) sanitizing or sterilizing a mattress without otherwise altering the mattress; or

46.17 (3) a renovator altering a mattress for a person who retains the altered mattress for  
46.18 personal use, in accordance with chapter 325F.

46.19 (t) "Renovator" means a person who renovates discarded mattresses to resell the  
46.20 mattresses to consumers.

46.21 (u) "Retailer" means a person who sells or offers to sell mattresses to a consumer or to  
46.22 an ultimate end user in this state.

46.23 (v) "Sale" means transfer of title of a mattress for consideration to a consumer or an  
46.24 ultimate end user in the state, including but not limited to by means of a sales outlet, catalog,  
46.25 website, or similar electronic means.

46.26 (w) "Sanitizing" means directly applying chemicals to a mattress to kill human  
46.27 disease-causing pathogens.

46.28 (x) "Sterilizing" means mitigating deleterious substances or organisms, including human  
46.29 disease-causing pathogens, fungi, and insects from a mattress or filling material using a  
46.30 chemical or heat process.

47.1 (y) "Ticking" means the outermost layer of fabric or material of a mattress. Ticking does  
47.2 not include any layer of fabric or material quilted together with, or otherwise attached to,  
47.3 the outermost layer of fabric or material of a mattress.

47.4 (z) "Unrecyclable mattress" means a mattress that a consumer discarded, intends to  
47.5 discard, or abandoned in the state that is contaminated by putrescible solid waste or is  
47.6 substantially soiled, is infested with bedbugs, or poses a risk to worker health or equipment,  
47.7 which should be disposed of through the existing solid waste system.

47.8 (aa) "Upholstery material" means all material, loose or attached, between the ticking  
47.9 and the core of a mattress.

47.10 Subd. 2. **Mattress recycling council; required plan.** (a) Within 180 days after the  
47.11 effective date of this section, producers must establish a mattress recycling council in the  
47.12 state.

47.13 (b) Within the later of 180 days after the effective date of this section or 30 days after  
47.14 becoming a producer thereafter, each producer or the producer's designee must join the  
47.15 mattress recycling council.

47.16 (c) Within 365 days after the effective date of this section, the council must submit a  
47.17 plan for approval by the commissioner to establish a statewide mattress stewardship program,  
47.18 as described in this subdivision.

47.19 (d) At least once every five years after the plan identified in paragraph (c) is approved,  
47.20 the mattress recycling council shall review the plan and determine whether amendments to  
47.21 the plan are necessary. If the council determines amendments to the plan are necessary, it  
47.22 shall amend the plan. If the council determines that no amendments to the plan are necessary,  
47.23 it shall send a letter to the commissioner explaining that the council has reviewed the plan  
47.24 and determined no revisions are needed. The commissioner may disapprove the council's  
47.25 determination within 30 days of that determination if it concludes that the council cannot  
47.26 implement the objectives of this chapter without amending the plan. If the commissioner  
47.27 disapproves the determination, the commissioner shall explain, in writing, why amendments  
47.28 to the plan are necessary to comply with this section, and the mattress recycling council  
47.29 shall resubmit an amended plan. If the commissioner finds that the amended plan resubmitted  
47.30 by the council does not comply with the requirements of paragraph (e), the mattress recycling  
47.31 council shall not be deemed in compliance until the council submits an amended plan that  
47.32 the commissioner finds complies with the requirements of paragraph (e).

47.33 (e) The mattress stewardship program plan submitted pursuant to this subdivision must,  
47.34 in an economically efficient and practical manner:

48.1 (1) provide for a statewide network of convenient and accessible locations to receive  
48.2 discarded mattresses at no charge to any person in the state with a discarded mattress that  
48.3 was used and discarded in the state, including but not limited to participating covered entities  
48.4 that accumulate and segregate a minimum of 100 recyclable mattresses for collection at one  
48.5 time;

48.6 (2) may establish requirements for other minimum counts of accumulated mattresses  
48.7 suitable to the operational constraints of covered entities' collection sites, and shall provide  
48.8 for the transfer of collected recyclable mattresses from the premises of covered entities to  
48.9 qualified processors;

48.10 (3) provide for end-of-life management of discarded mattresses collected according to  
48.11 clauses (1) and (2) through negotiated agreements with public covered entities that accept  
48.12 discarded mattresses at no charge to the public that pay the covered entity a fee for its  
48.13 reasonable actual costs for the proper and cost-effective accepting, storing, transporting,  
48.14 and handling of discarded mattresses for recycling or disposal. The council and any covered  
48.15 entity are obligated to negotiate in good faith;

48.16 (4) provide for recycling of recyclable mattresses by a qualified processor;

48.17 (5) describe how the council will coordinate the program with existing consolidation,  
48.18 transportation, and recycling programs for discarded mattresses;

48.19 (6) provide suitable storage containers at or make other mutually agreeable storage and  
48.20 transport arrangements for covered entities for segregated, recyclable mattresses, at no cost  
48.21 to the covered entity, provided the covered entity can accumulate and store at least 50  
48.22 recyclable mattress, makes space available for the purpose, and imposes no fee for placement  
48.23 of the storage container on the covered entity premises;

48.24 (7) provide that the council will conduct research as needed related to improving discarded  
48.25 mattress collection, dismantling, and recycling operations, including pilot programs to test  
48.26 new processes, methods, or equipment on a local, regional, or otherwise limited basis;

48.27 (8) include a mattress stewardship fee set in accordance with paragraph (f) that is  
48.28 sufficient to cover but not exceed the costs of operating and administering the program;

48.29 (9) identify each producer and retailer participating in the program as a member of the  
48.30 council participating in the program;

48.31 (10) describe the roles and responsibilities of producers and retailers participating in the  
48.32 program;

48.33 (11) describe the mattress stewardship fee for the program and a proposed budget;



49.1 (12) describe the mattress stewardship fee collection procedures and how producers and  
49.2 retailers are notified of the procedures;

49.3 (13) establish program performance goals for the first two years of the program and  
49.4 annual diversion targets and recycling rates of mattresses based on estimated or actual sales  
49.5 and estimated discarded mattresses;

49.6 (14) describe how the program will, to the extent economically efficient and practical,  
49.7 achieve continuous meaningful improvement in the mattress diversion targets, mattress  
49.8 collection rates, mattress recycling rates, mattress material recovery rates, and any other  
49.9 approved performance goals of the program;

49.10 (15) identify proposed consolidation and recycling facilities to be used by the program;

49.11 (16) describe the action for implementing and achieving convenient, statewide access  
49.12 to the program;

49.13 (17) detail how the program will promote recycling discarded mattresses consistent with  
49.14 the state's solid waste management hierarchy;

49.15 (18) describe how the council will coordinate the program with existing consolidation,  
49.16 transportation, and recycling programs for discarded mattresses;

49.17 (19) establish program performance goals for the material recovery rate from mattresses  
49.18 collected for recycling and utilize these criteria when evaluating vendor performance;

49.19 (20) describe how the program will set and implement convenience goals and a timeline  
49.20 for implementing and achieving convenient access to the program;

49.21 (21) identify program expenditure categories that will be reported each year in the annual  
49.22 report;

49.23 (22) describe how the council will notify the commissioner in a timely manner of events  
49.24 or circumstances that materially alter or disrupt program operations as approved in the  
49.25 stewardship plan; and

49.26 (23) include a description of public education regarding the program.

49.27 (f) The council must set the amount of the mattress stewardship fee that is added to the  
49.28 purchase price of a mattress at the point of sale. The council must establish and implement  
49.29 a mattress stewardship fee structure that covers but does not exceed the costs of developing  
49.30 the plan described in paragraph (b), operating and administering the program described in  
49.31 paragraph (a), and maintaining a financial reserve sufficient to operate the program over  
49.32 multiple years in a fiscally prudent and responsible manner. The council must set the mattress

50.1 stewardship fee as a flat rate and not as a percentage of the purchase price. The council must  
50.2 maintain all records relating to the program for not less than three years.

50.3 (g) Under the program, recycling is preferred over any other disposal method for  
50.4 mattresses, to the extent that recycling is economically efficient and practical.

50.5 (h) The commissioner must approve the plan for establishing the mattress stewardship  
50.6 program or any amendment if the plan or amendment meets the requirements of paragraphs  
50.7 (e) to (g). No later than 90 days after the council submits the plan or amendment according  
50.8 to this section, the commissioner must make a determination whether to approve the plan  
50.9 or amendment. Before making the determination, the commissioner must post the plan on  
50.10 the agency's website and offer a 30-day public comment period on the plan. Before approving  
50.11 or disapproving the plan or amendment, the commissioner may solicit public comments on  
50.12 the plan or amendment in a manner determined by the commissioner. If the commissioner  
50.13 disapproves the plan or amendment because the plan or amendment does not meet the  
50.14 requirements of paragraphs (e) to (g), the commissioner must describe the reasons for the  
50.15 disapproval in a notice of determination that the commissioner provides to the council. The  
50.16 council must revise and resubmit the plan to the commissioner within 45 days, or prepare  
50.17 an amended plan within 180 days, after receiving notice of the commissioner's disapproval.  
50.18 Within 45 days after receiving the revised plan or amendment, the commissioner must  
50.19 review and approve or disapprove the plan or amendment and provide a notice of  
50.20 determination to the council. The council may resubmit a revised plan or amendment to the  
50.21 commissioner for approval no more than twice. If the council fails to submit a plan or  
50.22 amendment that is acceptable to the commissioner because it does not meet the requirements  
50.23 of paragraphs (e) to (g), the commissioner must modify a submitted plan or amendment to  
50.24 make it conform to the requirements of paragraphs (e) to (g) and approve it. Within 180  
50.25 days after approval of a plan or amendment according to this paragraph, the council must  
50.26 implement the mattress stewardship program. Regardless of when the program begins, the  
50.27 program's fiscal year begins January 1.

50.28 (i) The council must submit any proposed substantial change to the program to the  
50.29 commissioner for review and approval, but without resubmitting the plan to the commissioner  
50.30 for approval. If the commissioner does not disapprove a proposed substantial change within  
50.31 90 days of receiving notice of the proposed substantial change, the proposed substantial  
50.32 change is deemed approved. For purposes of this paragraph, "substantial change" means:

50.33 (1) a change in the processing facilities to be used for a discarded mattress collected  
50.34 under the program; or

51.1 (2) a material change to the system for collecting mattresses.

51.2 (j) The council must notify the commissioner of other material changes to the program  
51.3 on an ongoing basis, without submitting the change to the commissioner for approval.

51.4 Material changes include but are not limited to a change in the composition, officers, or  
51.5 contact information of the council.

51.6 (k) Within 90 days after the end of the program's second fiscal year, and every five years  
51.7 thereafter, the council must submit updated program performance and convenience goals  
51.8 and associated implementation timelines to the commissioner that are based on the experience  
51.9 of the program during the first two years of the program, and every subsequent five-year  
51.10 term for review and approval according to the procedure in paragraph (h).

51.11 (l) The council must notify the commissioner in a timely manner of any temporary  
51.12 disruptions in the program as approved, and the council's planned response to the disruption.

51.13 Subd. 3. **Mattress stewardship fee review; prudent reserves.** (a) Within 90 days after  
51.14 the end of the program's second fiscal year and every two years thereafter, the council must  
51.15 propose a mattress stewardship fee for all mattresses sold in this state.

51.16 (b) The council may propose a change to the mattress stewardship fee more frequently  
51.17 than once every two years if the council determines the change is needed to avoid funding  
51.18 shortfalls or excesses for the mattress stewardship program.

51.19 (c) Any mattress stewardship fee proposed after the end of the program's second fiscal  
51.20 year must be reviewed by an independent auditor to ensure that the fee does not exceed the  
51.21 cost to fund the mattress stewardship program described in subdivision 2, paragraph (f),  
51.22 and to maintain financial reserves sufficient to operate the program over multiple years in  
51.23 a fiscally prudent and responsible manner. After the first three fiscal years of program  
51.24 implementation, the mattress recycling organization shall not maintain total reserves  
51.25 exceeding 75 percent of its annual operating expenses, consistent with the requirements of  
51.26 the Financial Accounting Standards Board's Accounting Standards Update 2016-14,  
51.27 Not-for-Profit Entities (Topic 958), and any future updates to that standard. The commissioner  
51.28 may authorize the total reserves to be increased up to 100 percent of the organization's  
51.29 annual operating expenses if the commissioner determines the increase is necessary to  
51.30 implement the requirements of this section.

51.31 (d) Within 60 days after the council proposes a mattress stewardship fee, the auditor  
51.32 must render an opinion to the commissioner as to whether the proposed mattress stewardship  
51.33 fee is reasonable to achieve the goals set forth in this section. If the auditor concludes that  
51.34 the mattress stewardship fee is reasonable, then the proposed mattress stewardship fee goes

52.1 into effect within 180 days. If the auditor concludes that the mattress stewardship fee is not  
52.2 reasonable, the auditor must provide the council with written notice explaining the auditor's  
52.3 opinion. Within 60 days after the council receives the auditor's opinion, the council may  
52.4 either propose a new mattress stewardship fee or provide written comments on the auditor's  
52.5 opinion. If the auditor concludes that the mattress stewardship fee is not reasonable, the  
52.6 commissioner must decide, based on the auditor's opinion and any comments provided by  
52.7 the council, whether to approve the proposed mattress stewardship fee.

52.8 (e) The auditor, selected by the council, must be approved by the commissioner. The  
52.9 cost of any work performed by the auditor under this paragraph must be paid by the mattress  
52.10 stewardship fee.

52.11 (f) Two years after the program is implemented and every five years thereafter, the  
52.12 council must cause a program audit to be conducted by an independent auditor. The audit  
52.13 must review the accuracy of the council's data concerning the program and provide any  
52.14 other information requested by the commissioner, consistent with the requirements of this  
52.15 section, provided the request does not require the disclosure of proprietary information or  
52.16 trade or business secrets. The council must pay for the audit. The council must maintain all  
52.17 records relating to the program for at least three years.

52.18 Subd. 4. **Annual report.** Not later than July 1 each year, the council must submit an  
52.19 annual report to the commissioner for the most recently completed calendar year. The council  
52.20 must post the annual report on the council's website. The commissioner must post a link to  
52.21 the annual report on the agency's website. The report must include:

52.22 (1) the tonnage and estimated number of mattresses collected under the program from  
52.23 participating covered entities;

52.24 (2) the tonnage and estimated number of mattresses diverted for recycling;

52.25 (3) the tonnage and estimated number of discarded mattresses for the reporting period  
52.26 as compiled by the participating covered entities and reported to the council;

52.27 (4) the weight of mattress materials recycled, as indicated by the weight of each of the  
52.28 commodities sold to secondary markets and reported by qualified processors to the council;

52.29 (5) the weight of mattress materials sent for disposal and reported by qualified processors  
52.30 to the council;

52.31 (6) a summary of the public education that supports the program and an evaluation of  
52.32 its effectiveness;

- 53.1 (7) an evaluation of the effectiveness of methods and processes used to achieve statewide  
 53.2 convenience and accessibility performance goals of the program;
- 53.3 (8) recommendations for any changes to the program;
- 53.4 (9) total annual mattress sales and mattress stewardship fee revenues;
- 53.5 (10) an assessment of program performance for the reporting period compared to the  
 53.6 program performance goals in the approved plan;
- 53.7 (11) an assessment of the effectiveness of different types of mattress collection and  
 53.8 consolidation programs used throughout the state;
- 53.9 (12) annual program expenditures by program expenditure category;
- 53.10 (13) audited financial statements required by subdivision 3, paragraph (f); and
- 53.11 (14) other information consistent with this section and economically efficient and practical  
 53.12 to provide, requested by the commissioner.

53.13 **Subd. 5. Charging mattress stewardship fee; retailer and producer**  
 53.14 **participation.** Upon implementation of the mattress stewardship program, each manufacturer,  
 53.15 renovator, retailer, or distributor that sells a mattress to a consumer or to an ultimate end  
 53.16 user in the state must add the mattress stewardship fee to the purchase price for the mattress  
 53.17 and must remit the mattress stewardship fee collected to the council. In each transaction,  
 53.18 the mattress stewardship fee must appear on the invoice and may be accompanied by a brief  
 53.19 description of the mattress stewardship fee. The council must determine the rules and  
 53.20 procedures necessary to implement collection of the mattress stewardship fee in a fair,  
 53.21 efficient, and lawful manner. Any producer or retailer who fails to participate in the program  
 53.22 must not sell mattresses in this state.

53.23 **Subd. 6. Receipt of discarded mattresses.** Upon implementation of the mattress  
 53.24 stewardship program and when the mattress stewardship fee goes into effect, a covered  
 53.25 entity that participates in the program must not charge for the receipt of discarded mattresses  
 53.26 that are discarded in this state, except that a person or entity may charge a fee for providing  
 53.27 a pickup service, including residential or commercial pickup services. A covered entity may  
 53.28 restrict the acceptance of mattresses by number or source.

53.29 **Subd. 7. Qualified processor.** (a) The council shall collect from each qualified recycler  
 53.30 the name, address, telephone number, and location of all mattress recycling facilities under  
 53.31 the direct control of the processor that may receive mattresses.

54.1 (b) The council's contract with each of its qualified processors must require that the  
54.2 processor:

54.3 (1) comply with the requirements of this section;

54.4 (2) comply with all applicable health, environmental, safety, and financial responsibility  
54.5 regulations;

54.6 (3) be licensed by all applicable governmental authorities; and

54.7 (4) possess commercial general liability insurance of not less than \$1,000,000 per  
54.8 occurrence.

54.9 (c) By March 1 of each year, each qualified processor shall submit an annual report to  
54.10 the council in a format prescribed by the council, indicating the name and address of the  
54.11 recycling facility, the fiscal year covered by the report, the quantity and weight of the  
54.12 mattresses processed at the facility, and the amount by weight of each category of material  
54.13 removed from discarded mattresses shipped to brokers, processors, manufacturers, solid  
54.14 waste facilities, or other destinations.

54.15 Subd. 8. **Consultation required.** The mattress recycling council must consult with  
54.16 stakeholders which may include retailers, collectors, recyclers, local governments, and  
54.17 consumers during the development of the plan and any amendment of the plan.

54.18 Subd. 9. **Plan availability.** All draft and approved stewardship plans shall be placed on  
54.19 the council and agency's websites for at least 30 days and made available at the agency's  
54.20 headquarters for public review and comment.

54.21 Subd. 10. **Data classification.** Data submitted to the council or agency under this section  
54.22 are trade secret, private, or nonpublic data under section 13.37. Trade secret, sales information  
54.23 as defined under section 13.37, and contracts submitted to the agency under this section are  
54.24 private or nonpublic data under section 13.37.

54.25 Subd. 11. **Regional collaboration.** In the event that another state implements a mattress  
54.26 recycling program, the council may collaborate with that state to conserve efforts and  
54.27 resources used in carrying out the mattress stewardship program, provided the collaboration  
54.28 is consistent with the requirements of this section.

54.29 Subd. 12. **Local government participation.** (a) Cities, counties, public agencies, or  
54.30 other political subdivisions may choose to participate in the stewardship program.

55.1 (b) Cities, counties, public agencies, or other political subdivisions are encouraged to  
 55.2 work with producers and the council to assist in meeting program goals and obligations by  
 55.3 providing education, outreach, or other strategies.

55.4 Subd. 13. **Producer and retailer participation.** A producer must join the council as  
 55.5 required in subdivision 2, paragraph (b). A retailer or other person selling a mattress to the  
 55.6 final consumer in the state must remit the mattress stewardship fee to the council for  
 55.7 mattresses sold to consumers in the state. A producer may not sell or distribute for sale or  
 55.8 use a mattress in the state if it has not joined the council. A retailer may not sell or distribute  
 55.9 for use mattresses of a producer that has not joined the council, except for inventory acquired  
 55.10 before the start date of the program or acquired during a time when the producer was  
 55.11 participating in the council.

55.12 Subd. 14. **Prohibited uses.** Stewardship assessment funds must not be used for any  
 55.13 penalties assessed under this section.

55.14 Subd. 15. **Duty to provide information.** Any producer, retailer, participating covered  
 55.15 entity, or qualified processor must furnish to the agency any information which that person  
 55.16 may have or may reasonably obtain that the agency requests for the sole purpose of  
 55.17 determining compliance under this section.

55.18 **EFFECTIVE DATE.** This section is effective January 1, 2023.

55.19 Sec. 54. **[115A.571] CHEMICAL PLASTIC RECYCLING.**

55.20 Subdivision 1. **Chemical plastic recycling facility.** A chemical plastic recycling facility  
 55.21 and chemical plastic recycling are subject to all applicable federal, state, and local laws,  
 55.22 except chapters 115, 115A, and 116, and the rules adopted pursuant to those chapters.

55.23 Subd. 2. **Solid waste management exemption requirements.** (a) The solid waste  
 55.24 management exemption in subdivision 1 does not apply:

55.25 (1) if any solid waste other than or in addition to a post-use polymer or residual amounts  
 55.26 of organic material and incidental contaminants are treated, stored, processed, transferred,  
 55.27 or disposed of at a chemical plastic recycling facility; or

55.28 (2) to management of post-use polymers at any location other than a chemical plastic  
 55.29 recycling facility.

55.30 (b) To qualify for the solid waste management facility permit exemption in subdivision  
 55.31 1, a chemical plastic recycling facility must only treat, store, or process post-use polymers  
 55.32 in a fully enclosed building.

56.1 (c) The commissioner may enter and inspect any chemical plastic recycling facility to  
 56.2 determine whether the storage of materials prior to chemical plastic recycling is a nuisance  
 56.3 or poses a threat to human health or the environment. The commissioner may use the  
 56.4 enforcement authority under section 116.072 and Minnesota Rules, chapter 7035, to require  
 56.5 abatement of the nuisance or threat if found.

56.6 Subd. 3. **Duty to report.** The owner or operator of a chemical plastic recycling facility  
 56.7 must submit an annual report to the commissioner in a form and manner prescribed by the  
 56.8 commissioner that must include:

56.9 (1) the amount of post-use polymers accepted, stored, and managed at the facility;

56.10 (2) annual chemical plastic recycling throughput at the facility, including beginning and  
 56.11 ending volumes stored in a calendar year;

56.12 (3) to the extent known, the source and county of origin of the post-use polymers and  
 56.13 the amount and type of material collected from each source; and

56.14 (4) the amount, type, and destination of products and by-products produced through the  
 56.15 chemical plastic recycling, such as what weight of post-use polymers received went to an  
 56.16 end market, a broker, a processor, or a manufacturer or was managed as a waste.

56.17 Subd. 4. **Duty to provide information.** Any person must furnish to the commissioner  
 56.18 any information that the person may have or may reasonably obtain that the commissioner  
 56.19 requests for the purposes of determining compliance with statutes or rules pertaining to  
 56.20 chemical plastic recycling.

56.21 Sec. 55. Minnesota Statutes 2020, section 115B.52, subdivision 4, is amended to read:

56.22 Subd. 4. **Reporting.** The commissioner of the Pollution Control Agency and the  
 56.23 commissioner of natural resources must jointly submit:

56.24 (1) by April 1, 2019, an implementation plan detailing how the commissioners will:

56.25 (i) determine how the priorities in the settlement will be met and how the spending will  
 56.26 move from the first priority to the second priority and the second priority to the third priority  
 56.27 outlined in the settlement; and

56.28 (ii) evaluate and determine what projects receive funding;

56.29 (2) by ~~February 1 and August~~ October 1 each year, a ~~biannual~~ report to the chairs and  
 56.30 ranking minority members of the legislative policy and finance committees with jurisdiction  
 56.31 over environment and natural resources on expenditures from the water quality and  
 56.32 sustainability account during the previous ~~six months~~ fiscal year; and



57.1 (3) by ~~August 1, 2019, and~~ October 1 each year ~~thereafter~~, a report to the legislature on  
 57.2 expenditures from the water quality and sustainability account during the previous fiscal  
 57.3 year and a spending plan for anticipated expenditures from the account during the current  
 57.4 fiscal year.

57.5 Sec. 56. Minnesota Statutes 2020, section 116.03, subdivision 2b, is amended to read:

57.6 Subd. 2b. **Permitting efficiency.** (a) It is the goal of the state that environmental and  
 57.7 resource management permits be issued or denied within 90 days for tier 1 permits or 150  
 57.8 days for tier 2 permits following submission of a permit application. The commissioner of  
 57.9 the Pollution Control Agency ~~shall~~ must establish management systems designed to achieve  
 57.10 the goal. For the purposes of this section, "tier 1 permits" are permits that do not require  
 57.11 individualized actions or public comment periods, and "tier 2 permits" are permits that  
 57.12 require individualized actions or public comment periods.

57.13 (b) The commissioner ~~shall~~ must prepare ~~an annual~~ semiannual permitting efficiency  
 57.14 ~~report~~ reports that ~~includes~~ include statistics on meeting the tier 2 goal in paragraph (a) and  
 57.15 the criteria for tier 2 by permit categories. ~~The report is~~ reports are due on February 1 and  
 57.16 August 1 each year. For permit applications that have not met the goal, ~~the~~ each report must  
 57.17 state the reasons for not meeting the goal. In stating the reasons for not meeting the goal,  
 57.18 the commissioner ~~shall~~ must separately identify delays caused by the responsiveness of the  
 57.19 proposer, ~~lack of staff~~, scientific or technical disagreements, or the level of public  
 57.20 engagement. ~~The~~ Each report must specify the number of days from initial submission of  
 57.21 the application to the day of determination that the application is complete. ~~The~~ Each report  
 57.22 must aggregate the data for the year reporting period and assess whether program or system  
 57.23 changes are necessary to achieve the goal. Whenever a report required by this subdivision  
 57.24 states the number of permits completed within a particular period, the report must,  
 57.25 immediately after the number and in parentheses, state the percentage of total applications  
 57.26 received for that permit category that the number represents. Whenever a report required  
 57.27 by this subdivision states the number of permits completed within a particular period, the  
 57.28 report must separately state completion data for industrial and municipal permits. ~~The report~~  
 57.29 reports must be posted on the agency's website and submitted to the governor and the chairs  
 57.30 and ranking minority members of the house of representatives and senate committees having  
 57.31 jurisdiction over environment policy and finance.

57.32 (c) The commissioner ~~shall~~ must allow electronic submission of environmental review  
 57.33 and permit documents to the agency.

58.1 (d) Within 30 business days of application for a permit subject to paragraph (a), the  
58.2 commissioner of the Pollution Control Agency ~~shall~~ must notify the permit applicant, in  
58.3 writing, whether the application is complete or incomplete. If the commissioner determines  
58.4 that an application is incomplete, the notice to the applicant must enumerate all deficiencies,  
58.5 citing specific provisions of the applicable rules and statutes, and advise the applicant on  
58.6 how the deficiencies can be remedied. If the commissioner determines that the application  
58.7 is complete, the notice must confirm the application's tier 1 or tier 2 permit status. If the  
58.8 commissioner believes that a complete application for a tier 2 construction permit cannot  
58.9 be issued within the 150-day goal, the commissioner must provide notice to the applicant  
58.10 with the commissioner's notice that the application is complete and, upon request of the  
58.11 applicant, provide the permit applicant with a schedule estimating when the agency will  
58.12 begin drafting the permit and issue the public notice of the draft permit. This paragraph  
58.13 does not apply to an application for a permit that is subject to a grant or loan agreement  
58.14 under chapter 446A.

58.15 (e) For purposes of this subdivision, "permit professional" means an individual not  
58.16 employed by the Pollution Control Agency who:

58.17 (1) has a professional license issued by the state of Minnesota in the subject area of the  
58.18 permit;

58.19 (2) has at least ten years of experience in the subject area of the permit; and

58.20 (3) abides by the duty of candor applicable to employees of the Pollution Control Agency  
58.21 under agency rules and complies with all applicable requirements under chapter 326.

58.22 (f) Upon the agency's request, an applicant relying on a permit professional must  
58.23 participate in a meeting with the agency before submitting an application:

58.24 (1) at least two weeks prior to the preapplication meeting, the applicant must submit at  
58.25 least the following:

58.26 (i) project description, including, but not limited to, scope of work, primary emissions  
58.27 points, discharge outfalls, and water intake points;

58.28 (ii) location of the project, including county, municipality, and location on the site;

58.29 (iii) business schedule for project completion; and

58.30 (iv) other information requested by the agency at least four weeks prior to the scheduled  
58.31 meeting; and

- 59.1 (2) during the preapplication meeting, the agency ~~shall~~ must provide for the applicant  
59.2 at least the following:
- 59.3 (i) an overview of the permit review program;
- 59.4 (ii) a determination of which specific application or applications will be necessary to  
59.5 complete the project;
- 59.6 (iii) a statement notifying the applicant if the specific permit being sought requires a  
59.7 mandatory public hearing or comment period;
- 59.8 (iv) a review of the timetable established in the permit review program for the specific  
59.9 permit being sought; and
- 59.10 (v) a determination of what information must be included in the application, including  
59.11 a description of any required modeling or testing.
- 59.12 (g) The applicant may select a permit professional to undertake the preparation of the  
59.13 permit application and draft permit.
- 59.14 (h) If a preapplication meeting was held, the agency ~~shall~~ must, within seven business  
59.15 days of receipt of an application, notify the applicant and submitting permit professional  
59.16 that the application is complete or is denied, specifying the deficiencies of the application.
- 59.17 (i) Upon receipt of notice that the application is complete, the permit professional ~~shall~~  
59.18 must submit to the agency a timetable for submitting a draft permit. The permit professional  
59.19 ~~shall~~ must submit a draft permit on or before the date provided in the timetable. Within 60  
59.20 days after the close of the public comment period, the commissioner ~~shall~~ must notify the  
59.21 applicant whether the permit can be issued.
- 59.22 (j) Nothing in this section ~~shall~~ must be construed to modify:
- 59.23 (1) any requirement of law that is necessary to retain federal delegation to or assumption  
59.24 by the state; or
- 59.25 (2) the authority to implement a federal law or program.
- 59.26 (k) The permit application and draft permit ~~shall~~ must identify or include as an appendix  
59.27 all studies and other sources of information used to substantiate the analysis contained in  
59.28 the permit application and draft permit. The commissioner ~~shall~~ must request additional  
59.29 studies, if needed, and the permit applicant ~~shall~~ must submit all additional studies and  
59.30 information necessary for the commissioner to perform the commissioner's responsibility  
59.31 to review, modify, and determine the completeness of the application and approve the draft  
59.32 permit.

60.1 Sec. 57. Minnesota Statutes 2020, section 116.07, subdivision 4d, is amended to read:

60.2 Subd. 4d. **Permit fees.** (a) The agency may collect permit fees in amounts not greater  
60.3 than those necessary to cover the reasonable costs of developing, reviewing, and acting  
60.4 upon applications for agency permits and implementing and enforcing the conditions of the  
60.5 permits pursuant to agency rules. Permit fees ~~shall~~ must not include the costs of litigation.  
60.6 The fee schedule must reflect reasonable and routine direct and indirect costs associated  
60.7 with permitting, implementation, and enforcement. The agency may impose an additional  
60.8 enforcement fee to be collected for ~~a period of~~ up to two years to cover the reasonable costs  
60.9 of implementing and enforcing the conditions of a permit under the rules of the agency.  
60.10 Water fees under this paragraph are subject to legislative approval under section 16A.1283.  
60.11 Any money collected under this paragraph ~~shall~~ must be deposited in the environmental  
60.12 fund.

60.13 (b) Notwithstanding paragraph (a), the agency ~~shall~~ must collect an annual fee from the  
60.14 owner or operator of all stationary sources, emission facilities, emissions units, air  
60.15 contaminant treatment facilities, treatment facilities, potential air contaminant storage  
60.16 facilities, or storage facilities subject to a notification, permit, or license requirement under  
60.17 this chapter, subchapters I and V of the federal Clean Air Act, United States Code, title 42,  
60.18 section 7401 et seq., or rules adopted thereunder. The annual fee ~~shall~~ must be used to pay  
60.19 for all direct and indirect reasonable costs, including legal costs, required to develop and  
60.20 administer the notification, permit, or license program requirements of this chapter,  
60.21 subchapters I and V of the federal Clean Air Act, United States Code, title 42, section 7401  
60.22 et seq., or rules adopted thereunder. Those costs include the reasonable costs of reviewing  
60.23 and acting upon an application for a permit; implementing and enforcing statutes, rules, and  
60.24 the terms and conditions of a permit; emissions, ambient, and deposition monitoring;  
60.25 preparing generally applicable regulations; responding to federal guidance; modeling,  
60.26 analyses, and demonstrations; preparing inventories and tracking emissions; and providing  
60.27 information to the public about these activities.

60.28 (c) The agency ~~shall~~ must set fees that:

60.29 (1) will result in the collection, in the aggregate, from the sources listed in paragraph  
60.30 (b), of an amount not less than \$25 per ton of each volatile organic compound; pollutant  
60.31 regulated under United States Code, title 42, section 7411 or 7412 (section 111 or 112 of  
60.32 the federal Clean Air Act); and each pollutant, except carbon monoxide, for which a national  
60.33 primary ambient air quality standard has been promulgated;

61.1 (2) may result in the collection, in the aggregate, from the sources listed in paragraph  
61.2 (b), of an amount not less than \$25 per ton of each pollutant not listed in clause (1) that is  
61.3 regulated under this chapter or air quality rules adopted under this chapter; and

61.4 (3) ~~shall~~ must collect, in the aggregate, from the sources listed in paragraph (b), the  
61.5 amount needed to match grant funds received by the state under United States Code, title  
61.6 42, section 7405 (section 105 of the federal Clean Air Act).

61.7 The agency must not include in the calculation of the aggregate amount to be collected  
61.8 under clauses (1) and (2) any amount in excess of 4,000 tons per year of each air pollutant  
61.9 from a source. The increase in air permit fees to match federal grant funds ~~shall be~~ is a  
61.10 surcharge on existing fees. The commissioner may not collect the surcharge after the grant  
61.11 funds become unavailable. In addition, the commissioner ~~shall~~ must use nonfee funds to  
61.12 the extent practical to match the grant funds so that the fee surcharge is minimized.

61.13 (d) To cover the reasonable costs described in paragraph (b), the agency ~~shall~~ must  
61.14 provide in the rules promulgated under paragraph (c) for an increase in the fee collected in  
61.15 each year by the percentage, if any, by which the Consumer Price Index for the most recent  
61.16 calendar year ending before the beginning of the year the fee is collected exceeds the  
61.17 Consumer Price Index for the calendar year 1989. For purposes of this paragraph, the  
61.18 Consumer Price Index for any calendar year is the average of the Consumer Price Index for  
61.19 all-urban consumers published by the United States Department of Labor, as of the close  
61.20 of the 12-month period ending on August 31 of each calendar year. The revision of the  
61.21 Consumer Price Index that is most consistent with the Consumer Price Index for calendar  
61.22 year 1989 ~~shall~~ must be used.

61.23 (e) Any money collected under paragraphs (b) to (d) must be deposited in the  
61.24 environmental fund and must be used solely for the activities listed in paragraph (b).

61.25 (f) Permit applicants who wish to construct, reconstruct, or modify a project may offer  
61.26 to reimburse the agency for the costs of staff time or consultant services needed to expedite  
61.27 the preapplication process and permit development process through the final decision on  
61.28 the permit, including the analysis of environmental review documents. The reimbursement  
61.29 ~~shall be~~ is in addition to permit application fees imposed by law. When the agency determines  
61.30 that it needs additional resources to develop the permit application in an expedited manner,  
61.31 and that expediting the development is consistent with permitting program priorities, the  
61.32 agency may accept the reimbursement. The commissioner must give the applicant an estimate  
61.33 of costs to be incurred by the commissioner. The estimate must include a brief description  
61.34 of the tasks to be performed, a schedule for completing the tasks, and the estimated cost for

62.1 each task. The applicant and the commissioner must enter into a written agreement detailing  
 62.2 the estimated costs for the expedited permit decision-making process to be incurred by the  
 62.3 agency. The agreement must also identify staff anticipated to be assigned to the project.  
 62.4 The commissioner must not issue a permit until the applicant has paid all fees in full. The  
 62.5 commissioner must refund any unobligated balance of fees paid. Reimbursements accepted  
 62.6 by the agency are appropriated to the agency for the purpose of developing the permit or  
 62.7 analyzing environmental review documents. Reimbursement by a permit applicant ~~shall~~  
 62.8 must precede and not be contingent upon issuance of a permit; ~~shall~~ must not affect the  
 62.9 agency's decision on whether to issue or deny a permit, what conditions are included in a  
 62.10 permit, or the application of state and federal statutes and rules governing permit  
 62.11 determinations; and ~~shall~~ must not affect final decisions regarding environmental review.

62.12 (g) The fees under this subdivision are exempt from section 16A.1285.

62.13 Sec. 58. Minnesota Statutes 2020, section 116.07, is amended by adding a subdivision to  
 62.14 read:

62.15 Subd. 13. **Unadopted rules.** The commissioner of the Pollution Control Agency must  
 62.16 not enforce or attempt to enforce an unadopted rule. For purposes of this subdivision,  
 62.17 "unadopted rule" means a guideline, bulletin, criterion, manual standard, interpretive  
 62.18 statement, policy plan, or similar pronouncement if the guideline, bulletin, criterion, manual  
 62.19 standard, interpretive statement, policy plan, or similar pronouncement has not been adopted  
 62.20 according to the rulemaking process provided under chapter 14. If an unadopted rule is  
 62.21 challenged under section 14.381, the commissioner must cease enforcement of the unadopted  
 62.22 rule and overcome a presumption that the unadopted rule must be adopted according to the  
 62.23 rulemaking process provided under chapter 14.

62.24 Sec. 59. Minnesota Statutes 2020, section 116B.03, subdivision 1, is amended to read:

62.25 Subdivision 1. **Parties.** Any person residing within the state; the attorney general; any  
 62.26 political subdivision of the state; any instrumentality or agency of the state or of a political  
 62.27 subdivision thereof; or any partnership, corporation, association, organization, or other  
 62.28 entity having shareholders, members, partners or employees residing within the state may  
 62.29 maintain a civil action in the district court for declaratory or equitable relief in the name of  
 62.30 the state of Minnesota against any person, for the protection of the air, water, land, or other  
 62.31 natural resources located within the state, whether publicly or privately owned, from  
 62.32 pollution, impairment, or destruction; provided, however, that no action ~~shall be~~ is allowable  
 62.33 ~~hereunder~~ under this section for:

63.1 (1) acts taken by a person on land leased or owned by said person pursuant to a permit  
 63.2 or license issued by the owner of the land to said person which do not and can not reasonably  
 63.3 be expected to pollute, impair, or destroy any other air, water, land, or other natural resources  
 63.4 located within the state; ~~provided further that no action shall be allowable under this section~~  
 63.5 ~~for~~

63.6 (2) conduct taken by a person pursuant to any environmental quality standard, limitation,  
 63.7 rule, order, license, stipulation agreement or permit issued by the Pollution Control Agency,  
 63.8 Department of Natural Resources, Department of Health or Department of Agriculture; or

63.9 (3) issuance of a groundwater appropriation permit that meets the criteria under section  
 63.10 103G.287, subdivision 6, by the Department of Natural Resources. This clause expires  
 63.11 January 1, 2041.

63.12 **EFFECTIVE DATE.** This section is effective the day following final enactment and  
 63.13 applies to applications for new or modified permits filed on or after that date.

63.14 Sec. 60. Minnesota Statutes 2020, section 116B.10, is amended by adding a subdivision  
 63.15 to read:

63.16 Subd. 6. **Application.** No action is allowable under this section for issuance of a  
 63.17 groundwater appropriation permit that meets the criteria under section 103G.287, subdivision  
 63.18 6, by the Department of Natural Resources. This subdivision expires January 1, 2041.

63.19 **EFFECTIVE DATE.** This section is effective the day following final enactment and  
 63.20 applies to applications for new or modified permits filed on or after that date.

63.21 Sec. 61. Minnesota Statutes 2020, section 116D.04, subdivision 2a, is amended to read:

63.22 Subd. 2a. **When prepared.** (a) Where there is potential for significant environmental  
 63.23 effects resulting from any major governmental action, the action must be preceded by a  
 63.24 detailed environmental impact statement prepared by the responsible governmental unit.  
 63.25 The environmental impact statement must be an analytical rather than an encyclopedic  
 63.26 document that describes the proposed action in detail, analyzes its significant environmental  
 63.27 impacts, discusses appropriate alternatives to the proposed action and their impacts, and  
 63.28 explores methods by which adverse environmental impacts of an action could be mitigated.  
 63.29 The environmental impact statement must also analyze those economic, employment, and  
 63.30 sociological effects that cannot be avoided should the action be implemented. To ensure its  
 63.31 use in the decision-making process, the environmental impact statement must be prepared  
 63.32 as early as practical in the formulation of an action.

64.1 (b) The board ~~shall~~ must by rule establish categories of actions for which environmental  
64.2 impact statements and for which environmental assessment worksheets must be prepared  
64.3 as well as categories of actions for which no environmental review is required under this  
64.4 section. A mandatory environmental assessment worksheet is not required for the expansion  
64.5 of an ethanol plant, as defined in section 41A.09, subdivision 2a, paragraph (b), or the  
64.6 conversion of an ethanol plant to a biobutanol facility or the expansion of a biobutanol  
64.7 facility as defined in section 41A.15, subdivision 2d, based on the capacity of the expanded  
64.8 or converted facility to produce alcohol fuel, but must be required if the ethanol plant or  
64.9 biobutanol facility meets or exceeds thresholds of other categories of actions for which  
64.10 environmental assessment worksheets must be prepared. The responsible governmental unit  
64.11 for an ethanol plant or biobutanol facility project for which an environmental assessment  
64.12 worksheet is prepared is the state agency with the greatest responsibility for supervising or  
64.13 approving the project as a whole.

64.14 (c) A mandatory environmental impact statement is not required for a facility or plant  
64.15 located outside the seven-county metropolitan area that produces less than 125,000,000  
64.16 gallons of ethanol, biobutanol, or cellulosic biofuel annually, or produces less than 400,000  
64.17 tons of chemicals annually, if the facility or plant is: an ethanol plant, as defined in section  
64.18 41A.09, subdivision 2a, paragraph (b); a biobutanol facility, as defined in section 41A.15,  
64.19 subdivision 2d; or a cellulosic biofuel facility. A facility or plant that only uses a cellulosic  
64.20 feedstock to produce chemical products for use by another facility as a feedstock is not  
64.21 considered a fuel conversion facility as used in rules adopted under this chapter.

64.22 (d) The responsible governmental unit ~~shall~~ must promptly publish notice of the  
64.23 completion of an environmental assessment worksheet by publishing the notice in at least  
64.24 one newspaper of general circulation in the geographic area where the project is proposed,  
64.25 by posting the notice on a website that has been designated as the official publication site  
64.26 for publication of proceedings, public notices, and summaries of a political subdivision in  
64.27 which the project is proposed, or in any other manner determined by the board and ~~shall~~  
64.28 must provide copies of the environmental assessment worksheet to the board and its member  
64.29 agencies. Comments on the need for an environmental impact statement may be submitted  
64.30 to the responsible governmental unit during a 30-day period following publication of the  
64.31 notice that an environmental assessment worksheet has been completed. The responsible  
64.32 governmental unit may extend the 30-day comment period for an additional 30 days one  
64.33 time. Further extensions of the comment period may not be made unless approved by the  
64.34 project's proposer. The responsible governmental unit's decision on the need for an  
64.35 environmental impact statement must be based on the environmental assessment worksheet



65.1 and the comments received during the comment period, and must be made within 15 days  
65.2 after the close of the comment period. The board's chair may extend the 15-day period by  
65.3 not more than 15 additional days upon the request of the responsible governmental unit.

65.4 (e) An environmental assessment worksheet must also be prepared for a proposed action  
65.5 whenever material evidence accompanying a petition by not less than 100 individuals who  
65.6 reside or own property in ~~the state~~ a county where the proposed action will be undertaken  
65.7 or in one or more adjoining counties, submitted before the proposed project has received  
65.8 final approval by the appropriate governmental units, demonstrates that, because of the  
65.9 nature or location of a proposed action, there may be potential for significant environmental  
65.10 effects. Petitions requesting the preparation of an environmental assessment worksheet must  
65.11 be submitted to the board. The chair of the board ~~shall~~ must determine the appropriate  
65.12 responsible governmental unit and forward the petition to it. A decision on the need for an  
65.13 environmental assessment worksheet must be made by the responsible governmental unit  
65.14 within 15 days after the petition is received by the responsible governmental unit. The  
65.15 board's chair may extend the 15-day period by not more than 15 additional days upon request  
65.16 of the responsible governmental unit.

65.17 (f) Except in an environmentally sensitive location where Minnesota Rules, part  
65.18 4410.4300, subpart 29, item B, applies, the proposed action is exempt from environmental  
65.19 review under this chapter and rules of the board, if:

65.20 (1) the proposed action is:

65.21 (i) an animal feedlot facility with a capacity of less than 1,000 animal units; or

65.22 (ii) an expansion of an existing animal feedlot facility with a total cumulative capacity  
65.23 of less than 1,000 animal units;

65.24 (2) the application for the animal feedlot facility includes a written commitment by the  
65.25 proposer to design, construct, and operate the facility in full compliance with Pollution  
65.26 Control Agency feedlot rules; and

65.27 (3) the county board holds a public meeting for citizen input at least ten business days  
65.28 before the Pollution Control Agency or county issuing a feedlot permit for the animal feedlot  
65.29 facility unless another public meeting for citizen input has been held with regard to the  
65.30 feedlot facility to be permitted. The exemption in this paragraph is in addition to other  
65.31 exemptions provided under other law and rules of the board.

65.32 (g) The board may, before final approval of a proposed project, require preparation of  
65.33 an environmental assessment worksheet by a responsible governmental unit selected by the

66.1 board for any action where environmental review under this section has not been specifically  
66.2 provided for by rule or otherwise initiated.

66.3 (h) An early and open process must be used to limit the scope of the environmental  
66.4 impact statement to a discussion of those impacts that, because of the nature or location of  
66.5 the project, have the potential for significant environmental effects. The same process must  
66.6 be used to determine the form, content, and level of detail of the statement as well as the  
66.7 alternatives that are appropriate for consideration in the statement. In addition, the permits  
66.8 that will be required for the proposed action must be identified during the scoping process.  
66.9 Further, the process must identify those permits for which information will be developed  
66.10 concurrently with the environmental impact statement. The board ~~shall~~ must provide in its  
66.11 rules for the expeditious completion of the scoping process. The determinations reached in  
66.12 the process must be incorporated into the order requiring the preparation of an environmental  
66.13 impact statement.

66.14 (i) The responsible governmental unit ~~shall~~ must, to the extent practicable, avoid  
66.15 duplication and ensure coordination between state and federal environmental review and  
66.16 between environmental review and environmental permitting. Whenever practical,  
66.17 information needed by a governmental unit for making final decisions on permits or other  
66.18 actions required for a proposed project must be developed in conjunction with the preparation  
66.19 of an environmental impact statement. When an environmental impact statement is prepared  
66.20 for a project requiring multiple permits for which two or more agencies' decision processes  
66.21 include either mandatory or discretionary hearings before a hearing officer before the  
66.22 agencies' decision on the permit, the agencies may, notwithstanding any law or rule to the  
66.23 contrary, conduct the hearings in a single consolidated hearing process if requested by the  
66.24 proposer. All agencies having jurisdiction over a permit that is included in the consolidated  
66.25 hearing ~~shall~~ must participate. The responsible governmental unit ~~shall~~ must establish  
66.26 appropriate procedures for the consolidated hearing process, including procedures to ensure  
66.27 that the consolidated hearing process is consistent with the applicable requirements for each  
66.28 permit regarding the rights and duties of parties to the hearing, and ~~shall~~ must use the earliest  
66.29 applicable hearing procedure to initiate the hearing. All agencies having jurisdiction over  
66.30 a permit identified in the draft environmental assessment worksheet scoping document must  
66.31 begin reviewing any permit application upon publication of the notice of preparation of the  
66.32 environmental impact statement.

66.33 (j) An environmental impact statement must be prepared and its adequacy determined  
66.34 within 280 days after notice of its preparation unless the time is extended by consent of the  
66.35 parties or by the governor for good cause. The responsible governmental unit ~~shall~~ must

67.1 determine the adequacy of an environmental impact statement, unless within 60 days after  
 67.2 notice is published that an environmental impact statement will be prepared, the board  
 67.3 chooses to determine the adequacy of an environmental impact statement. If an environmental  
 67.4 impact statement is found to be inadequate, the responsible governmental unit has 60 days  
 67.5 to prepare an adequate environmental impact statement.

67.6 (k) The proposer of a specific action may include in the information submitted to the  
 67.7 responsible governmental unit a preliminary draft environmental impact statement under  
 67.8 this section on that action for review, modification, and determination of completeness and  
 67.9 adequacy by the responsible governmental unit. A preliminary draft environmental impact  
 67.10 statement prepared by the project proposer and submitted to the responsible governmental  
 67.11 unit must identify or include as an appendix all studies and other sources of information  
 67.12 used to substantiate the analysis contained in the preliminary draft environmental impact  
 67.13 statement. The responsible governmental unit ~~shall~~ must require additional studies, if needed,  
 67.14 and obtain from the project proposer all additional studies and information necessary for  
 67.15 the responsible governmental unit to perform its responsibility to review, modify, and  
 67.16 determine the completeness and adequacy of the environmental impact statement.

67.17 (l) A mandatory environmental assessment worksheet is not required for a project that  
 67.18 will diminish the course, current, or cross-section of one acre or more of any water unless  
 67.19 the affected water is on the public waters inventory described in section 103G.201. A  
 67.20 discretionary environmental assessment worksheet is not required for a project that will  
 67.21 diminish the course, current, or cross-section of one acre or more of any water that is not  
 67.22 on the public waters inventory described in section 103G.201 unless the governmental unit  
 67.23 with jurisdiction determines that the project is likely to have catastrophic environmental  
 67.24 effects. Paragraph (e) does not apply to a project that will diminish the course, current, or  
 67.25 cross-section of one acre or more of any water unless the affected water is on the public  
 67.26 waters inventory described in section 103G.201.

67.27 Sec. 62. Minnesota Statutes 2020, section 116U.55, is amended by adding a subdivision  
 67.28 to read:

67.29 Subd. 3. **Events promotion account.** The events promotion account is established as a  
 67.30 separate account in the natural resources fund. Money received under section 297A.94,  
 67.31 paragraph (l), must be deposited into the events promotion account for promoting special  
 67.32 events in the state. At least 50 percent of the money appropriated under this subdivision  
 67.33 must be for promoting special events outside of the metropolitan area.

68.1 Sec. 63. Minnesota Statutes 2020, section 127A.353, subdivision 2, is amended to read:

68.2 Subd. 2. **Qualifications.** The governor shall select the school trust lands director on the  
68.3 basis of outstanding professional qualifications and knowledge of finance, business practices,  
68.4 minerals, forest and real estate management, and the fiduciary responsibilities of a trustee  
68.5 to the beneficiaries of a trust. The school trust lands director serves in the unclassified service  
68.6 for a term of four years. ~~The first term shall end on December 31, 2020.~~ The governor may  
68.7 remove the school trust lands director for cause. If a director resigns or is removed for cause,  
68.8 the governor shall appoint a director for the remainder of the term.

68.9 Sec. 64. Minnesota Statutes 2021 Supplement, section 127A.353, subdivision 4, is amended  
68.10 to read:

68.11 Subd. 4. **Duties; powers.** (a) The school trust lands director shall:

68.12 (1) ~~take an oath of office before assuming any duties as the director~~ act in a fiduciary  
68.13 capacity for trust beneficiaries in accordance with the principles under section 127A.351;

68.14 (2) evaluate the school trust land asset position;

68.15 (3) determine the estimated current and potential market value of school trust lands;

68.16 (4) advise and provide recommendations to the governor, Executive Council,  
68.17 commissioner of natural resources, and the Legislative Permanent School Fund Commission  
68.18 on the management of school trust lands, including: on school trust land management policies  
68.19 and other policies that may affect the goal of the permanent school fund under section  
68.20 127A.31;

68.21 (5) advise and provide recommendations to the Executive Council and Land Exchange  
68.22 Board on all matters regarding school trust lands presented to either body;

68.23 (6) advise and provide recommendations to the commissioner of natural resources on  
68.24 managing school trust lands, including but not limited to advice and recommendations on:

68.25 (i) Department of Natural Resources school trust land management plans;

68.26 (ii) leases of school trust lands;

68.27 (iii) royalty agreements on school trust lands;

68.28 (iv) land sales and exchanges;

68.29 (v) cost certification; and

68.30 (vi) revenue generating options;

69.1 (7) serve as temporary trustee of school trust lands for school trust lands subject to  
 69.2 proposed or active eminent domain proceedings;

69.3 (8) serve as temporary trustee of school trust lands pursuant to section 94.342, subdivision  
 69.4 5;

69.5 ~~(5) propose~~ (9) submit to the Legislative Permanent School Fund Commission for review  
 69.6 an annual budget and management plan for the director that includes proposed legislative  
 69.7 changes that will improve the asset allocation of the school trust lands;

69.8 ~~(6)~~ (10) develop and implement a ten-year strategic plan and a 25-year framework for  
 69.9 management of school trust lands, in conjunction with the commissioner of natural resources,  
 69.10 that is updated every five years ~~and implemented by the commissioner~~, with goals to:

69.11 (i) retain core real estate assets;

69.12 (ii) increase the value of the real estate assets and the cash flow from those assets;

69.13 (iii) rebalance the portfolio in assets with high performance potential and the strategic  
 69.14 disposal of selected assets;

69.15 (iv) establish priorities for management actions;

69.16 (v) balance revenue enhancement and resource stewardship; and

69.17 (vi) advance strategies on school trust lands to capitalize on ecosystem services markets;  
 69.18 and

69.19 ~~(7) submit to the Legislative Permanent School Fund Commission for review an annual~~  
 69.20 ~~budget and management plan for the director; and~~

69.21 ~~(8)~~ (11) keep the beneficiaries, governor, legislature, and the public informed about the  
 69.22 work of the director by reporting to the Legislative Permanent School Fund Commission  
 69.23 in a public meeting at least once during each calendar quarter.

69.24 (b) In carrying out the duties under paragraph (a), the school trust lands director ~~shall~~  
 69.25 ~~have the authority to~~ may:

69.26 (1) direct and control money appropriated to the director;

69.27 (2) establish job descriptions and employ ~~up to five employees in the unclassified service,~~  
 69.28 staff within the limitations of money appropriated to the director;

69.29 (3) enter into interdepartmental agreements with any other state agency;

69.30 (4) enter into joint powers agreements under chapter 471;

70.1 (5) evaluate and initiate real estate development projects on school trust lands in  
 70.2 conjunction with the commissioner of natural resources and with the advice of the Legislative  
 70.3 Permanent School Fund Commission in order to generate long-term economic return to the  
 70.4 permanent school fund; and

70.5 ~~(6) serve as temporary trustee of school trust land for school trust lands subject to~~  
 70.6 ~~proposed or active eminent domain proceedings; and~~

70.7 ~~(7)~~ (6) submit recommendations on strategies for school trust land leases, sales, or  
 70.8 exchanges to the commissioner of natural resources and the Legislative Permanent School  
 70.9 Fund Commission.

70.10 Sec. 65. Minnesota Statutes 2020, section 282.08, is amended to read:

70.11 **282.08 APPORTIONMENT OF PROCEEDS TO TAXING DISTRICTS.**

70.12 The net proceeds from the sale or rental of any parcel of forfeited land, or from the sale  
 70.13 of products from the forfeited land, must be apportioned by the county auditor to the taxing  
 70.14 districts interested in the land, as follows:

70.15 (1) the portion required to pay any amounts included in the appraised value under section  
 70.16 282.01, subdivision 3, as representing increased value due to any public improvement made  
 70.17 after forfeiture of the parcel to the state, but not exceeding the amount certified by the  
 70.18 appropriate governmental authority must be apportioned to the governmental subdivision  
 70.19 entitled to it;

70.20 (2) the portion required to pay any amount included in the appraised value under section  
 70.21 282.019, subdivision 5, representing increased value due to response actions taken after  
 70.22 forfeiture of the parcel to the state, but not exceeding the amount of expenses certified by  
 70.23 the Pollution Control Agency or the commissioner of agriculture, must be apportioned to  
 70.24 the agency or the commissioner of agriculture and deposited in the fund from which the  
 70.25 expenses were paid;

70.26 (3) the portion of the remainder required to discharge any special assessment chargeable  
 70.27 against the parcel for drainage or other purpose whether due or deferred at the time of  
 70.28 forfeiture, must be apportioned to the governmental subdivision entitled to it; and

70.29 (4) any balance must be apportioned as follows:

70.30 (i) The county board may annually by resolution set aside no more than 30 percent of  
 70.31 the receipts remaining to be used for forest development on tax-forfeited land and dedicated

71.1 memorial forests, to be expended under the supervision of the county board. It must be  
 71.2 expended only on projects improving the health and management of the forest resource.

71.3 (ii) The county board may annually by resolution set aside no more than 20 percent of  
 71.4 the receipts remaining to be used for the acquisition and maintenance of county parks or  
 71.5 recreational areas as defined in sections 398.31 to 398.36, to be expended under the  
 71.6 supervision of the county board.

71.7 (iii) The county board may by resolution set aside up to 100 percent of the receipts  
 71.8 remaining to be used:

71.9 (A) according to section 282.09, subdivision 2;

71.10 (B) for remediating contamination at tax-forfeited properties; or

71.11 (C) for correcting blighted conditions at tax-forfeited properties.

71.12 An election made under this item is effective for a minimum of five years, unless the county  
 71.13 board specifies a shorter duration.

71.14 (iv) Any balance remaining must be apportioned as follows: county, 40 percent; town  
 71.15 or city, 20 percent; and school district, 40 percent, provided, however, that in unorganized  
 71.16 territory that portion which would have accrued to the township must be administered by  
 71.17 the county board of commissioners.

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

71.19 Sec. 66. Minnesota Statutes 2020, section 297A.94, is amended to read:

71.20 **297A.94 DEPOSIT OF REVENUES.**

71.21 (a) Except as provided in this section, the commissioner shall deposit the revenues,  
 71.22 including interest and penalties, derived from the taxes imposed by this chapter in the state  
 71.23 treasury and credit them to the general fund.

71.24 (b) The commissioner shall deposit taxes in the Minnesota agricultural and economic  
 71.25 account in the special revenue fund if:

71.26 (1) the taxes are derived from sales and use of property and services purchased for the  
 71.27 construction and operation of an agricultural resource project; and

71.28 (2) the purchase was made on or after the date on which a conditional commitment was  
 71.29 made for a loan guaranty for the project under section 41A.04, subdivision 3.

71.30 The commissioner of management and budget shall certify to the commissioner the date on  
 71.31 which the project received the conditional commitment. The amount deposited in the loan

72.1 guaranty account must be reduced by any refunds and by the costs incurred by the Department  
72.2 of Revenue to administer and enforce the assessment and collection of the taxes.

72.3 (c) The commissioner shall deposit the revenues, including interest and penalties, derived  
72.4 from the taxes imposed on sales and purchases included in section 297A.61, subdivision 3,  
72.5 paragraph (g), clauses (1) and (4), in the state treasury, and credit them as follows:

72.6 (1) first to the general obligation special tax bond debt service account in each fiscal  
72.7 year the amount required by section 16A.661, subdivision 3, paragraph (b); and

72.8 (2) after the requirements of clause (1) have been met, the balance to the general fund.

72.9 (d) Beginning with sales taxes remitted after July 1, 2017, the commissioner shall deposit  
72.10 in the state treasury the revenues collected under section 297A.64, subdivision 1, including  
72.11 interest and penalties and minus refunds, and credit them to the highway user tax distribution  
72.12 fund.

72.13 (e) The commissioner shall deposit the revenues, including interest and penalties,  
72.14 collected under section 297A.64, subdivision 5, in the state treasury and credit them to the  
72.15 general fund. By July 15 of each year the commissioner shall transfer to the highway user  
72.16 tax distribution fund an amount equal to the excess fees collected under section 297A.64,  
72.17 subdivision 5, for the previous calendar year.

72.18 (f) Beginning with sales taxes remitted after July 1, 2017, in conjunction with the deposit  
72.19 of revenues under paragraph (d), the commissioner shall deposit into the state treasury and  
72.20 credit to the highway user tax distribution fund an amount equal to the estimated revenues  
72.21 derived from the tax rate imposed under section 297A.62, subdivision 1, on the lease or  
72.22 rental for not more than 28 days of rental motor vehicles subject to section 297A.64. The  
72.23 commissioner shall estimate the amount of sales tax revenue deposited under this paragraph  
72.24 based on the amount of revenue deposited under paragraph (d).

72.25 (g) Starting after July 1, 2017, the commissioner shall deposit an amount of the  
72.26 remittances monthly into the state treasury and credit them to the highway user tax  
72.27 distribution fund as a portion of the estimated amount of taxes collected from the sale and  
72.28 purchase of motor vehicle repair parts in that month. For the remittances between July 1,  
72.29 2017, and June 30, 2019, the monthly deposit amount is \$2,628,000. For remittances in  
72.30 each subsequent fiscal year, the monthly deposit amount is \$12,137,000. For purposes of  
72.31 this paragraph, "motor vehicle" has the meaning given in section 297B.01, subdivision 11,  
72.32 and "motor vehicle repair and replacement parts" includes (i) all parts, tires, accessories,  
72.33 and equipment incorporated into or affixed to the motor vehicle as part of the motor vehicle  
72.34 maintenance and repair, and (ii) paint, oil, and other fluids that remain on or in the motor



73.1 vehicle as part of the motor vehicle maintenance or repair. For purposes of this paragraph,  
73.2 "tire" means any tire of the type used on highway vehicles, if wholly or partially made of  
73.3 rubber and if marked according to federal regulations for highway use.

73.4 (h) 72.43 percent of the revenues, including interest and penalties, transmitted to the  
73.5 commissioner under section 297A.65, must be deposited by the commissioner in the state  
73.6 treasury as follows:

73.7 (1) 50 percent of the receipts must be deposited in the heritage enhancement account in  
73.8 the game and fish fund, and may be spent only on activities that improve, enhance, or protect  
73.9 fish and wildlife resources, including conservation, restoration, and enhancement of land,  
73.10 water, and other natural resources of the state;

73.11 (2) 22.5 percent of the receipts must be deposited in the natural resources fund, and may  
73.12 be spent only for state parks and trails;

73.13 (3) 22.5 percent of the receipts must be deposited in the natural resources fund, and may  
73.14 be spent only on metropolitan park and trail grants;

73.15 (4) three percent of the receipts must be deposited in the natural resources fund, and  
73.16 may be spent only on local trail grants; and

73.17 (5) two percent of the receipts must be deposited in the natural resources fund, and may  
73.18 be spent only for the Minnesota Zoological Garden, the Como Park Zoo and Conservatory,  
73.19 and the Duluth Zoo.

73.20 (i) The revenue dedicated under paragraph (h) may not be used as a substitute for  
73.21 traditional sources of funding for the purposes specified, but the dedicated revenue shall  
73.22 supplement traditional sources of funding for those purposes. Land acquired with money  
73.23 deposited in the game and fish fund under paragraph (h) must be open to public hunting  
73.24 and fishing during the open season, except that in aquatic management areas or on lands  
73.25 where angling easements have been acquired, fishing may be prohibited during certain times  
73.26 of the year and hunting may be prohibited. At least 87 percent of the money deposited in  
73.27 the game and fish fund for improvement, enhancement, or protection of fish and wildlife  
73.28 resources under paragraph (h) must be allocated for field operations.

73.29 (j) The commissioner must deposit the revenues, including interest and penalties minus  
73.30 any refunds, derived from the sale of items regulated under section 624.20, subdivision 1,  
73.31 that may be sold to persons 18 years old or older and that are not prohibited from use by  
73.32 the general public under section 624.21, in the state treasury and credit:

74.1 (1) 25 percent to the volunteer fire assistance grant account established under section  
74.2 88.068;

74.3 (2) 25 percent to the fire safety account established under section 297I.06, subdivision  
74.4 3; and

74.5 (3) the remainder to the general fund.

74.6 For purposes of this paragraph, the percentage of total sales and use tax revenue derived  
74.7 from the sale of items regulated under section 624.20, subdivision 1, that are allowed to be  
74.8 sold to persons 18 years old or older and are not prohibited from use by the general public  
74.9 under section 624.21, is a set percentage of the total sales and use tax revenues collected in  
74.10 the state, with the percentage determined under Laws 2017, First Special Session chapter  
74.11 1, article 3, section 39.

74.12 (k) The revenues deposited under paragraphs (a) to (j) do not include the revenues,  
74.13 including interest and penalties, generated by the sales tax imposed under section 297A.62,  
74.14 subdivision 1a, which must be deposited as provided under the Minnesota Constitution,  
74.15 article XI, section 15.

74.16 (l) One percent of the revenues, including interest and penalties, transmitted to the  
74.17 commissioner under section 297A.65, must be deposited in the state treasury and credited  
74.18 to the events promotion account under section 116U.55, subdivision 3.

74.19 **Sec. 67. CONTINUATION OF OTHER WATER APPROPRIATION PERMITS.**

74.20 Prior to additional rulemaking or legislative action in response to the findings and  
74.21 recommendations submitted pursuant to section 69, the commissioner of natural resources  
74.22 shall not reduce appropriations under a groundwater appropriations permit, terminate  
74.23 groundwater appropriations authorized by a permit, or decline to renew a groundwater  
74.24 appropriations permit where:

74.25 (1) the permit was in effect as of December 31, 2021;

74.26 (2) the permit authorized appropriation of groundwater from a site located wholly or  
74.27 partially within a five-mile radius of White Bear Lake;

74.28 (3) the permittee is in compliance with applicable permit terms; and

74.29 (4) the permittee is not a municipality.

75.1 **Sec. 68. DEPARTMENT OF NATURAL RESOURCES REGISTRATION SYSTEM.**

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

75.4 (b) "Commissioner" means the commissioner of natural resources.

75.5 (c) "DNR" means the Department of Natural Resources.

75.6 (d) "DNR registration system" means the current Department of Natural Resources  
75.7 system for boat, all-terrain vehicle, and snowmobile registrations.

75.8 **Subd. 2. Request for proposals; scoring preference.** When the commissioner issues  
75.9 a request for proposals to replace the DNR registration system and scores the responses to  
75.10 the request for proposals, the commissioner may give a preference to a software vendor that  
75.11 currently provides vehicle registration software to the state in an amount commensurate  
75.12 with the commissioner's assessments of the benefits of using an existing software vendor.

75.13 **Subd. 3. Report to legislature.** Within 45 days after a vendor has been selected to  
75.14 provide software to replace the DNR registration system, the commissioner must report to  
75.15 the chairs and ranking minority members of the legislative committees with jurisdiction  
75.16 over transportation policy and finance and natural resources policy and finance. At a  
75.17 minimum, the commissioner must include in the report:

75.18 (1) the names of all vendors who submitted a proposal;

75.19 (2) which vendor was selected;

75.20 (3) the estimated timeline for implementing the new registration system;

75.21 (4) if a preference was given as described in subdivision 2, what the preference was and  
75.22 how the commissioner arrived at that number; and

75.23 (5) if a software vendor that currently provides vehicle registration software to the state  
75.24 submitted a proposal and that vendor was not selected, an explanation of why that vendor  
75.25 was not selected.

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

75.27 **Sec. 69. ENSURING SUSTAINABLE GROUNDWATER LEVELS IN WHITE**  
75.28 **BEAR LAKE AND RELATED AQUIFERS.**

75.29 The commissioner of natural resources, in cooperation with the Minnesota Department  
75.30 of Health, the Metropolitan Council, and representatives of east metropolitan area  
75.31 municipalities, must explore available options for supplying east metropolitan area

76.1 communities with safe drinking water in a manner that allows municipal growth while  
76.2 simultaneously ensuring the sustainability and quality of the state's water resources in and  
76.3 around White Bear Lake and neighboring aquifers. By October 1, 2023, the commissioner  
76.4 must report findings and recommendations to the chairs and ranking minority members of  
76.5 the legislative committees and divisions with jurisdiction over environment and natural  
76.6 resources.

76.7 Sec. 70. **FACILITATING SAFE TRAVEL ON COUNTY STATE-AID HIGHWAY**  
76.8 **13 IN MURRAY COUNTY.**

76.9 Subdivision 1. **Requirements.** Notwithstanding any other provision of law, the  
76.10 commissioner of natural resources must do all of the following to ensure that the portion  
76.11 of County State-Aid Highway 13 in Murray County that extends over Lake Shetek between  
76.12 170th Avenue and Lakeview Drive can be widened to a sufficient width to ensure traveler  
76.13 safety:

76.14 (1) issue any permits applied for by the county as part of a project to widen the highway;  
76.15 and

76.16 (2) convey to the county any right-of-way, easement, or other interest in real property  
76.17 administered by the Department of Natural Resources that is necessary to facilitate the  
76.18 widening.

76.19 Subd. 2. **Sufficient width.** For purposes of subdivision 1, "sufficient width to ensure  
76.20 traveler safety" means a width of at least 70 feet, including room for two lanes of vehicular  
76.21 traffic, a shoulder on each side, and a shared-use path on each side to safely accommodate  
76.22 bicycle and pedestrian transportation. Any riprap needed to ensure the structural integrity  
76.23 of the widened highway must be in addition to the 70-foot width required by this subdivision.

76.24 Subd. 3. **Reporting.** The commissioner of natural resources must immediately report  
76.25 to the chairs and ranking minority members of the house of representatives and senate  
76.26 committees and divisions with jurisdiction over environment and natural resources if the  
76.27 commissioner denies any permit or other request made by Murray County in connection  
76.28 with the widening described in this section. A report under this subdivision must explain  
76.29 the reason for the denial, including the statute or rule that prohibits the commissioner from  
76.30 granting the permit or other request. A policy decision by the Department of Natural  
76.31 Resources that the lake is more important than protecting the lives of travelers on the highway  
76.32 does not constitute a sufficient explanation for a decision to deny a permit under this  
76.33 subdivision.

77.1 **EFFECTIVE DATE.** This section is effective the day after the governing body of  
 77.2 Murray County and its chief clerical officer comply with the requirements of Minnesota  
 77.3 Statutes, section 645.021, subdivisions 2 and 3.

77.4 Sec. 71. **FILLING OF CERTAIN POLLUTION CONTROL AGENCY AIR PERMIT**  
 77.5 **PROGRAM VACANCIES.**

77.6 Subdivision 1. **Duty to fill certain positions.** The commissioner of the Pollution Control  
 77.7 Agency must do the following for each position in the agency's air permit program that has  
 77.8 been open for at least one year as of the effective date of this section:

77.9 (1) within 60 days of the effective date of this section, post job opening information for  
 77.10 each position in the manner normally used by the commissioner to post job openings;

77.11 (2) within 90 days of the effective date of this section, conduct interviews to fill each  
 77.12 position; and

77.13 (3) within 120 days of the effective date of this section, complete hiring to fill each  
 77.14 position.

77.15 Subd. 2. **Report.** By January 15, 2024, the commissioner must submit a report to the  
 77.16 chairs and ranking minority members of the house of representatives and senate committees  
 77.17 and divisions with jurisdiction over environment and natural resources on efforts to comply  
 77.18 with this section. The report must include the following:

77.19 (1) a summary of the commissioner's efforts to comply with each clause in subdivision  
 77.20 1; and

77.21 (2) for any position that receives less than five applicants, an explanation of the need  
 77.22 for each of the job requirements included in the job posting.

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

77.24 Sec. 72. **INTERIM PROVISIONS.**

77.25 (a) From the effective date of this section until the rules under section 77 are adopted,  
 77.26 to the extent allowable under the federal Clean Water Act or other federal laws, this section  
 77.27 applies to discharges from facilities that process sugar beets outside the Lake Superior basin.

77.28 (b) If a whole effluent toxicity test, as defined under Minnesota Rules, part 7050.0218,  
 77.29 subpart 3, item AAA, is performed on the effluent of a point source discharger that is a  
 77.30 facility that processes sugar beets and results in less than 50 percent mortality of the test  
 77.31 organisms or if a demonstration is provided under Minnesota Rules, part 7052.0210, subpart

78.1 1, that 0.3 acute toxic units can be met at the edge of an approved acute mixing zone, the  
78.2 effluent must not be considered acutely toxic or lethal to aquatic organisms unless the  
78.3 commissioner of the Pollution Control Agency finds that the test species do not represent  
78.4 sensitive organisms in the affected surface water body or the whole effluent toxicity test  
78.5 was performed on a sample not representative of the effluent quality.

78.6 (c) The commissioner of the Pollution Control Agency must establish whole effluent  
78.7 toxicity mixing zones and whole effluent toxicity water-quality-based effluent limitations  
78.8 and permit conditions for facilities that process sugar beets according to Minnesota Rules,  
78.9 parts 7052.0210, subparts 1 and 2, and 7052.0240.

78.10 (d) The antibacksliding provisions of Minnesota Rules, part 7001.1080, subpart 9, do  
78.11 not apply to new or revised permit conditions established under paragraph (c).

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

78.13 Sec. 73. **REGISTRATION DECAL FORMAT TRANSITION.**

78.14 Separately displaying registration numbers is not required when a larger-format  
78.15 registration decal as provided under Minnesota Statutes, section 84.82, subdivision 2, is  
78.16 displayed according to Minnesota Statutes, section 84.82, subdivision 3b. Snowmobiles  
78.17 displaying valid but older smaller-format registration decals must display the separate  
78.18 registration numbers. Persons may obtain duplicate registration decals in the new, larger  
78.19 format, when available, without being required to display the separate registration numbers.

78.20 Sec. 74. **REQUIRED RULEMAKING.**

78.21 (a) The commissioner of natural resources must amend Minnesota Rules as follows:

78.22 (1) part 6100.5000, subpart 1, by striking the last sentence and inserting "The registration  
78.23 number remains the same if renewed by July 1 following the expiration date.";

78.24 (2) part 6100.5700, subpart 1, item C, by striking the reference to registration numbers;  
78.25 and

78.26 (3) part 6230.0250, subpart 10, item A, subitem (2), by changing the word "hunter" to  
78.27 "person".

78.28 (b) The commissioner may use the good-cause exemption under Minnesota Statutes,  
78.29 section 14.388, subdivision 1, clause (3), to adopt rules under this section, and Minnesota  
78.30 Statutes, section 14.386, does not apply except as provided under Minnesota Statutes, section  
78.31 14.388.

79.1 **Sec. 75. RULEMAKING; WALLEYE AND SAUGER POSSESSION LIMIT.**

79.2 (a) By March 1, 2023, the commissioner of natural resources must amend Minnesota  
79.3 Rules, part 6262.0200, subpart 1, item F, to provide that the daily and possession limit for  
79.4 walleye and sauger in all inland waters is six in aggregate and no more than four may be  
79.5 walleye.

79.6 (b) The commissioner may use the good cause exemption under Minnesota Statutes,  
79.7 section 14.388, subdivision 1, clause (3), to adopt rules under this section, and Minnesota  
79.8 Statutes, section 14.386, does not apply, except as provided under Minnesota Statutes,  
79.9 section 14.388.

79.10 **Sec. 76. STATE IMPLEMENTATION PLAN REVISIONS.**

79.11 (a) The commissioner of the Pollution Control Agency must seek approval from the  
79.12 federal Environmental Protection Agency for revisions to the state's federal Clean Air Act  
79.13 state implementation plan so that under the revised plan, the Pollution Control Agency is  
79.14 prohibited from applying a national or state ambient air quality standard in a permit issued  
79.15 solely to authorize operations to continue at an existing facility with unmodified emissions  
79.16 levels. Nothing in this section must be construed to require the commissioner to apply for  
79.17 a revision that would prohibit the agency from applying a national or state ambient air  
79.18 quality standard in a permit that authorizes an increase in emissions due to construction of  
79.19 a new facility or in a permit that authorizes changes to existing facilities that result in a  
79.20 significant net emissions increase of a regulated NSR pollutant, as defined in Code of Federal  
79.21 Regulations, title 40, section 52.21(b)(50).

79.22 (b) The commissioner of the Pollution Control Agency must report quarterly to the chairs  
79.23 and ranking minority members of the house of representatives and senate committees and  
79.24 divisions with jurisdiction over environment and natural resources policy on the status of  
79.25 efforts to implement paragraph (a) until the revisions required by paragraph (a) have been  
79.26 either approved or denied.

79.27 **Sec. 77. WHOLE EFFLUENT TOXICITY RULEMAKING FOR FACILITIES**  
79.28 **THAT PROCESS SUGAR BEETS.**

79.29 (a) By January 31, 2023, the commissioner of the Pollution Control Agency must adopt  
79.30 rules on:

80.1 (1) evaluating and applying whole effluent toxicity (WET) as water-quality-based effluent  
80.2 limitations and permit conditions for discharges from facilities that process sugar beets that  
80.3 are located outside the Lake Superior basin; and

80.4 (2) the applicability and standards for acute and chronic mixing zones at those facilities.

80.5 (b) Rules adopted under this section must be substantially identical to Minnesota Rules,  
80.6 parts 7052.0210, subparts 1 and 2, and 7052.0240, so that, to the greatest extent possible,  
80.7 facilities that process sugar beets in all parts of the state are subject to the same mixing  
80.8 zones requirements and acute and chronic WET requirements for establishing permit  
80.9 conditions.

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

80.11 Sec. 78. **REPEALER.**

80.12 (a) Minnesota Statutes 2020, sections 97B.318; and 97C.515, subdivisions 4 and 5, are  
80.13 repealed.

80.14 (b) Minnesota Rules, parts 6100.5000, subparts 3, 4, and 5; 6100.5700, subpart 4; and  
80.15 6232.0350, are repealed.

80.16 (c) Laws 2013, chapter 121, section 53, is repealed.

### 80.17 **ARTICLE 3**

### 80.18 **STATE LANDS**

80.19 Section 1. Minnesota Statutes 2021 Supplement, section 84.63, is amended to read:

80.20 **84.63 CONVEYING INTERESTS IN LANDS TO STATE, FEDERAL, AND**  
80.21 **TRIBAL GOVERNMENTS.**

80.22 (a) Notwithstanding any existing law to the contrary, the commissioner of natural  
80.23 resources is hereby authorized on behalf of the state to convey to the United States, to a  
80.24 federally recognized Indian Tribe, or to the state of Minnesota or any of its subdivisions,  
80.25 upon state-owned lands under the administration of the commissioner of natural resources,  
80.26 permanent or temporary easements for specified periods or otherwise for trails, highways,  
80.27 roads including limitation of right of access from the lands to adjacent highways and roads,  
80.28 flowage for development of fish and game resources, stream protection, flood control, and  
80.29 necessary appurtenances thereto, such conveyances to be made upon such terms and  
80.30 conditions including provision for reversion in the event of non-user as the commissioner  
80.31 of natural resources may determine.



81.1 (b) In addition to the fee for the market value of the easement, the commissioner of  
81.2 natural resources shall assess the applicant the following fees:

81.3 (1) an application fee of \$2,000 to cover reasonable costs for reviewing the application  
81.4 and preparing the easement; and

81.5 (2) a monitoring fee to cover the projected reasonable costs for monitoring the  
81.6 construction of the improvement for which the easement was conveyed and preparing special  
81.7 terms and conditions for the easement. The commissioner must give the applicant an estimate  
81.8 of the monitoring fee before the applicant submits the fee.

81.9 (c) The applicant shall pay these fees to the commissioner of natural resources. The  
81.10 commissioner shall not issue the easement until the applicant has paid in full the application  
81.11 fee, the monitoring fee, and the market value payment for the easement.

81.12 (d) Upon completion of construction of the improvement for which the easement was  
81.13 conveyed, the commissioner shall refund the unobligated balance from the monitoring fee  
81.14 revenue. The commissioner shall not return the application fee, even if the application is  
81.15 withdrawn or denied.

81.16 (e) Money received under paragraph (b) must be deposited in the land management  
81.17 account in the natural resources fund and is appropriated to the commissioner of natural  
81.18 resources to cover the reasonable costs incurred for issuing and monitoring easements.

81.19 (f) A county or joint county regional railroad authority is exempt from all fees specified  
81.20 under this section for trail easements on state-owned land.

81.21 (g) In addition to fees specified in this section, the applicant must reimburse the state  
81.22 for costs incurred for cultural resources review, monitoring, or other services provided by  
81.23 the Minnesota Historical Society under contract with the commissioner of natural resources  
81.24 or the State Historic Preservation Office of the Department of Administration in connection  
81.25 with the easement application, preparing the easement terms, or constructing the trail,  
81.26 highway, road, or other improvements.

81.27 (h) Notwithstanding paragraphs (a) to (g), the commissioner of natural resources may  
81.28 elect to assume the application fee under paragraph (b), clause (1), and waive or assume  
81.29 some or all of the remaining fees and costs imposed under this section if the commissioner  
81.30 determines that issuing the easement will benefit the state's land management interests.

82.1 Sec. 2. Minnesota Statutes 2021 Supplement, section 84.631, is amended to read:

82.2 **84.631 ROAD EASEMENTS ACROSS STATE LANDS.**

82.3 (a) Except as provided in section 85.015, subdivision 1b, the commissioner of natural  
82.4 resources, on behalf of the state, may convey a road easement across state land under the  
82.5 commissioner's jurisdiction to a private person requesting an easement for access to property  
82.6 owned by the person only if the following requirements are met: (1) there are no reasonable  
82.7 alternatives to obtain access to the property; and (2) the exercise of the easement will not  
82.8 cause significant adverse environmental or natural resource management impacts.

82.9 (b) The commissioner shall:

82.10 (1) require the applicant to pay the market value of the easement;

82.11 (2) limit the easement term to 50 years if the road easement is across school trust land;

82.12 (3) provide that the easement reverts to the state in the event of nonuse; and

82.13 (4) impose other terms and conditions of use as necessary and appropriate under the  
82.14 circumstances.

82.15 (c) An applicant shall submit an application fee of \$2,000 with each application for a  
82.16 road easement across state land. The application fee is nonrefundable, even if the application  
82.17 is withdrawn or denied.

82.18 (d) In addition to the payment for the market value of the easement and the application  
82.19 fee, the commissioner of natural resources shall assess the applicant a monitoring fee to  
82.20 cover the projected reasonable costs for monitoring the construction of the road and preparing  
82.21 special terms and conditions for the easement. The commissioner must give the applicant  
82.22 an estimate of the monitoring fee before the applicant submits the fee. The applicant shall  
82.23 pay the application and monitoring fees to the commissioner of natural resources. The  
82.24 commissioner shall not issue the easement until the applicant has paid in full the application  
82.25 fee, the monitoring fee, and the market value payment for the easement.

82.26 (e) Upon completion of construction of the road, the commissioner shall refund the  
82.27 unobligated balance from the monitoring fee revenue.

82.28 (f) Fees collected under paragraphs (c) and (d) must be credited to the land management  
82.29 account in the natural resources fund and are appropriated to the commissioner of natural  
82.30 resources to cover the reasonable costs incurred under this section.

82.31 (g) In addition to fees specified in this section, the applicant must reimburse the state  
82.32 for costs incurred for cultural resources review, monitoring, or other services provided by

83.1 the Minnesota Historical Society under contract with the commissioner of natural resources  
83.2 or the State Historic Preservation Office of the Department of Administration in connection  
83.3 with the easement application, preparing the easement terms, or constructing the road.

83.4 (h) Notwithstanding paragraphs (a) to (g), the commissioner of natural resources may  
83.5 elect to assume the application fee under paragraph (c) and waive or assume some or all of  
83.6 the remaining fees and costs imposed under this section if the commissioner determines  
83.7 that issuing the easement will benefit the state's land management interests.

83.8 Sec. 3. Minnesota Statutes 2020, section 84.632, is amended to read:

83.9 **84.632 CONVEYANCE OF UNNEEDED STATE EASEMENTS.**

83.10 (a) Notwithstanding section 92.45, the commissioner of natural resources may, in the  
83.11 name of the state, release all or part of an easement acquired by the state upon application  
83.12 of a landowner whose property is burdened with the easement if the easement is not needed  
83.13 for state purposes.

83.14 (b) All or part of an easement may be released by payment of the market value of the  
83.15 easement. The release must be in a form approved by the attorney general.

83.16 (c) Money received under paragraph (b) must be credited to the account from which  
83.17 money was expended for purchase of the easement. If there is no specific account, the money  
83.18 must be credited to the land acquisition account established in section 94.165.

83.19 (d) In addition to payment under paragraph (b), the commissioner of natural resources  
83.20 shall assess a landowner who applies for a release under this section an application fee of  
83.21 \$2,000 for reviewing the application and preparing the release of easement. The applicant  
83.22 shall pay the application fee to the commissioner of natural resources. The commissioner  
83.23 shall not issue the release of easement until the applicant has paid the application fee in full.  
83.24 The commissioner shall not return the application fee, even if the application is withdrawn  
83.25 or denied.

83.26 (e) Money received under paragraph (d) must be credited to the land management account  
83.27 in the natural resources fund and is appropriated to the commissioner of natural resources  
83.28 to cover the reasonable costs incurred under this section.

83.29 (f) Notwithstanding paragraphs (a) to (e), the commissioner of natural resources may  
83.30 elect to assume the application fee under paragraph (d) and waive or assume some or all of  
83.31 the remaining fees and costs imposed under this section if the commissioner determines  
83.32 that issuing the easement release will benefit the state's land management interests.

84.1 Sec. 4. Minnesota Statutes 2021 Supplement, section 92.502, is amended to read:

84.2 **92.502 LEASING TAX-FORFEITED AND STATE LANDS.**

84.3 (a) Notwithstanding section 282.04 or other law to the contrary, St. Louis County may  
84.4 enter a 30-year lease of tax-forfeited land for a wind energy project.

84.5 (b) The commissioner of natural resources may enter a 30-year lease of land administered  
84.6 by the commissioner for a wind energy project.

84.7 (c) The commissioner of natural resources may enter a 30-year lease of land administered  
84.8 by the commissioner for recreational trails ~~and~~ or facilities. The commissioner may assess  
84.9 the lease applicant a monitoring fee to cover the projected reasonable costs of monitoring  
84.10 construction of the recreational trail or facility and preparing special terms and conditions  
84.11 of the license to ensure proper construction. The commissioner must give the applicant an  
84.12 estimate of the monitoring fee before the applicant is required to submit the fee. Upon  
84.13 completion of construction of the trail or facility, the commissioner must refund the  
84.14 unobligated balance from the monitoring fee revenue.

84.15 (d) Notwithstanding section 282.04 or other law to the contrary, Lake and St. Louis  
84.16 Counties may enter into 30-year leases of tax-forfeited land for recreational trails and  
84.17 facilities.

84.18 Sec. 5. Minnesota Statutes 2020, section 282.04, subdivision 1, is amended to read:

84.19 Subdivision 1. **Timber sales; land leases and uses.** (a) The county auditor, with terms  
84.20 and conditions set by the county board, may sell timber upon any tract that may be approved  
84.21 by the natural resources commissioner. The sale of timber shall be made for cash at not less  
84.22 than the appraised value determined by the county board to the highest bidder after not less  
84.23 than one week's published notice in an official paper within the county. Any timber offered  
84.24 at the public sale and not sold may thereafter be sold at private sale by the county auditor  
84.25 at not less than the appraised value thereof, until the time as the county board may withdraw  
84.26 the timber from sale. The appraised value of the timber and the forestry practices to be  
84.27 followed in the cutting of said timber shall be approved by the commissioner of natural  
84.28 resources.

84.29 (b) Payment of the full sale price of all timber sold on tax-forfeited lands shall be made  
84.30 in cash at the time of the timber sale, except in the case of oral or sealed bid auction sales,  
84.31 the down payment shall be no less than 15 percent of the appraised value, and the balance  
84.32 shall be paid prior to entry. In the case of auction sales that are partitioned and sold as a  
84.33 single sale with predetermined cutting blocks, the down payment shall be no less than 15

85.1 percent of the appraised price of the entire timber sale which may be held until the satisfactory  
85.2 completion of the sale or applied in whole or in part to the final cutting block. The value of  
85.3 each separate block must be paid in full before any cutting may begin in that block. With  
85.4 the permission of the county contract administrator the purchaser may enter unpaid blocks  
85.5 and cut necessary timber incidental to developing logging roads as may be needed to log  
85.6 other blocks provided that no timber may be removed from an unpaid block until separately  
85.7 scaled and paid for. If payment is provided as specified in this paragraph as security under  
85.8 paragraph (a) and no cutting has taken place on the contract, the county auditor may credit  
85.9 the security provided, less any down payment required for an auction sale under this  
85.10 paragraph, to any other contract issued to the contract holder by the county under this chapter  
85.11 to which the contract holder requests in writing that it be credited, provided the request and  
85.12 transfer is made within the same calendar year as the security was received.

85.13 (c) The county board may sell any timber, including biomass, as appraised or scaled.  
85.14 Any parcels of land from which timber is to be sold by scale of cut products shall be so  
85.15 designated in the published notice of sale under paragraph (a), in which case the notice shall  
85.16 contain a description of the parcels, a statement of the estimated quantity of each species  
85.17 of timber, and the appraised price of each species of timber for 1,000 feet, per cord or per  
85.18 piece, as the case may be. In those cases any bids offered over and above the appraised  
85.19 prices shall be by percentage, the percent bid to be added to the appraised price of each of  
85.20 the different species of timber advertised on the land. The purchaser of timber from the  
85.21 parcels shall pay in cash at the time of sale at the rate bid for all of the timber shown in the  
85.22 notice of sale as estimated to be standing on the land, and in addition shall pay at the same  
85.23 rate for any additional amounts which the final scale shows to have been cut or was available  
85.24 for cutting on the land at the time of sale under the terms of the sale. Where the final scale  
85.25 of cut products shows that less timber was cut or was available for cutting under terms of  
85.26 the sale than was originally paid for, the excess payment shall be refunded from the forfeited  
85.27 tax sale fund upon the claim of the purchaser, to be audited and allowed by the county board  
85.28 as in case of other claims against the county. No timber, except hardwood pulpwood, may  
85.29 be removed from the parcels of land or other designated landings until scaled by a person  
85.30 or persons designated by the county board and approved by the commissioner of natural  
85.31 resources. Landings other than the parcel of land from which timber is cut may be designated  
85.32 for scaling by the county board by written agreement with the purchaser of the timber. The  
85.33 county board may, by written agreement with the purchaser and with a consumer designated  
85.34 by the purchaser when the timber is sold by the county auditor, and with the approval of  
85.35 the commissioner of natural resources, accept the consumer's scale of cut products delivered  
85.36 at the consumer's landing. No timber shall be removed until fully paid for in cash. Small

86.1 amounts of timber not exceeding 500 cords in appraised volume may be sold for not less  
86.2 than the full appraised value at private sale to individual persons without first publishing  
86.3 notice of sale or calling for bids, provided that in case of a sale involving a total appraised  
86.4 value of more than \$200 the sale shall be made subject to final settlement on the basis of a  
86.5 scale of cut products in the manner above provided and not more than two of the sales,  
86.6 directly or indirectly to any individual shall be in effect at one time.

86.7 (d) As directed by the county board, the county auditor may lease tax-forfeited land to  
86.8 individuals, corporations or organized subdivisions of the state at public or private sale, and  
86.9 at the prices and under the terms as the county board may prescribe, for use as cottage and  
86.10 camp sites and for agricultural purposes and for the purpose of taking and removing of hay,  
86.11 stumpage, sand, gravel, clay, rock, marl, and black dirt from the land, and for garden sites  
86.12 and other temporary uses provided that no leases shall be for a period to exceed ~~ten~~ 25 years;  
86.13 provided, further that any leases involving a consideration of more than ~~\$12,000~~ \$50,000  
86.14 per year, except to an organized subdivision of the state shall first be offered at public sale  
86.15 in the manner provided herein for sale of timber. Upon the sale of any leased land, it shall  
86.16 remain subject to the lease for not to exceed one year from the beginning of the term of the  
86.17 lease. Any rent paid by the lessee for the portion of the term cut off by the cancellation shall  
86.18 be refunded from the forfeited tax sale fund upon the claim of the lessee, to be audited and  
86.19 allowed by the county board as in case of other claims against the county.

86.20 (e) As directed by the county board, the county auditor may lease tax-forfeited land to  
86.21 individuals, corporations, or organized subdivisions of the state at public or private sale, at  
86.22 the prices and under the terms as the county board may prescribe, for the purpose of taking  
86.23 and removing for use for road construction and other purposes tax-forfeited stockpiled  
86.24 iron-bearing material. The county auditor must determine that the material is needed and  
86.25 suitable for use in the construction or maintenance of a road, tailings basin, settling basin,  
86.26 dike, dam, bank fill, or other works on public or private property, and that the use would  
86.27 be in the best interests of the public. No lease shall exceed ten years. The use of a stockpile  
86.28 for these purposes must first be approved by the commissioner of natural resources. The  
86.29 request shall be deemed approved unless the requesting county is notified to the contrary  
86.30 by the commissioner of natural resources within six months after receipt of a request for  
86.31 approval for use of a stockpile. Once use of a stockpile has been approved, the county may  
86.32 continue to lease it for these purposes until approval is withdrawn by the commissioner of  
86.33 natural resources.

86.34 (f) The county auditor, with the approval of the county board is authorized to grant  
86.35 permits, licenses, and leases to tax-forfeited lands for the depositing of stripping, lean ores,

87.1 tailings, or waste products from mines or ore milling plants, or to use for facilities needed  
87.2 to recover iron-bearing oxides from tailings basins or stockpiles, or for a buffer area needed  
87.3 for a mining operation, upon the conditions and for the consideration and for the period of  
87.4 time, not exceeding 25 years, as the county board may determine. The permits, licenses, or  
87.5 leases are subject to approval by the commissioner of natural resources.

87.6 (g) Any person who removes any timber from tax-forfeited land before said timber has  
87.7 been scaled and fully paid for as provided in this subdivision is guilty of a misdemeanor.

87.8 (h) The county auditor may, with the approval of the county board, and without first  
87.9 offering at public sale, grant leases, for a term not exceeding 25 years, for the removal of  
87.10 peat and for the production or removal of farm-grown closed-loop biomass as defined in  
87.11 section 216B.2424, subdivision 1, or short-rotation woody crops from tax-forfeited lands  
87.12 upon the terms and conditions as the county board may prescribe. Any lease for the removal  
87.13 of peat, farm-grown closed-loop biomass, or short-rotation woody crops from tax-forfeited  
87.14 lands must first be reviewed and approved by the commissioner of natural resources if the  
87.15 lease covers 320 or more acres. No lease for the removal of peat, farm-grown closed-loop  
87.16 biomass, or short-rotation woody crops shall be made by the county auditor pursuant to this  
87.17 section without first holding a public hearing on the auditor's intention to lease. One printed  
87.18 notice in a legal newspaper in the county at least ten days before the hearing, and posted  
87.19 notice in the courthouse at least 20 days before the hearing shall be given of the hearing.

87.20 (i) Notwithstanding any provision of paragraph (c) to the contrary, the St. Louis County  
87.21 auditor may, at the discretion of the county board, sell timber to the party who bids the  
87.22 highest price for all the several kinds of timber, as provided for sales by the commissioner  
87.23 of natural resources under section 90.14. Bids offered over and above the appraised price  
87.24 need not be applied proportionately to the appraised price of each of the different species  
87.25 of timber.

87.26 (j) In lieu of any payment or deposit required in paragraph (b), as directed by the county  
87.27 board and under terms set by the county board, the county auditor may accept an irrevocable  
87.28 bank letter of credit in the amount equal to the amount otherwise determined in paragraph  
87.29 (b). If an irrevocable bank letter of credit is provided under this paragraph, at the written  
87.30 request of the purchaser, the county may periodically allow the bank letter of credit to be  
87.31 reduced by an amount proportionate to the value of timber that has been harvested and for  
87.32 which the county has received payment. The remaining amount of the bank letter of credit  
87.33 after a reduction under this paragraph must not be less than 20 percent of the value of the  
87.34 timber purchased. If an irrevocable bank letter of credit or cash deposit is provided for the  
87.35 down payment required in paragraph (b), and no cutting of timber has taken place on the

88.1 contract for which a letter of credit has been provided, the county may allow the transfer  
 88.2 of the letter of credit to any other contract issued to the contract holder by the county under  
 88.3 this chapter to which the contract holder requests in writing that it be credited.

88.4 (k) As directed by the county board, the county auditor may lease tax-forfeited land  
 88.5 under the terms and conditions prescribed by the county board for the purposes of  
 88.6 investigating, analyzing, and developing conservation easements that provide ecosystem  
 88.7 services.

88.8 Sec. 6. Minnesota Statutes 2020, section 282.04, is amended by adding a subdivision to  
 88.9 read:

88.10 Subd. 4b. **Conservation easements.** The county auditor, with prior review and  
 88.11 consultation with the commissioner of natural resources and under the terms and conditions  
 88.12 prescribed by the county board, including reversion in the event of nonuse, may convey  
 88.13 conservation easements as defined in section 84C.01 on tax-forfeited land.

88.14 Sec. 7. **ADDITION TO STATE PARK.**

88.15 **[85.012] [Subd. 27.] Myre-Big Island State Park, Freeborn County.** The following  
 88.16 area is added to Myre-Big Island State Park, Freeborn County: all that part of the Northeast  
 88.17 Quarter of the Southeast Quarter of Section 11, Township 102 North, Range 21 West of the  
 88.18 5th principal meridian, lying South of the Chicago, Milwaukee, St. Paul and Pacific Railway,  
 88.19 and subject to road easement on the easterly side thereof.

88.20 Sec. 8. **DELETION FROM STATE FOREST.**

88.21 **[89.021] [Subd. 13.] Cloquet Valley State Forest.** The following areas are deleted from  
 88.22 Cloquet Valley State Forest:

88.23 (1) those parts of St. Louis County in Township 52 North, Range 16 West, described as  
 88.24 follows:

88.25 (i) Government Lots 1, 2, 3, 4, and 5 and the Southeast Quarter of the Southeast Quarter,  
 88.26 Northeast Quarter of the Southwest Quarter, and Southwest Quarter of the Southwest Quarter,  
 88.27 Section 21;

88.28 (ii) Government Lots 2, 3, 4, 5, 6, 7, 8, 9, and 10 and the Northeast Quarter of the  
 88.29 Northwest Quarter and Northwest Quarter of the Northwest Quarter, Section 22;

88.30 (iii) Government Lot 3, Section 23;

88.31 (iv) Government Lot 2, Section 24;



- 89.1 (v) Government Lots 1, 4, 5, 6, 7, 8, 9, and 10, Section 25;
- 89.2 (vi) Government Lot 1, Section 26;
- 89.3 (vii) Government Lots 2 and 7, Section 26;
- 89.4 (viii) Government Lots 3 and 4, Section 27, reserving unto grantor and grantor's  
89.5 successors and assigns a 66-foot-wide access road easement across said Government Lot 3  
89.6 for the purpose of access to grantor's or grantor's successor's or assign's land and grantor's  
89.7 presently owned land that may be sold, assigned, or transferred in Government Lot 1, Section  
89.8 27, said access road being measured 33 feet from each side of the centerline of that road  
89.9 that is presently existing at various widths and running in a generally  
89.10 southwesterly-northeasterly direction;
- 89.11 (ix) Government Lots 1 and 2, Section 28;
- 89.12 (x) Government Lots 1, 2, 3, and 5 and the Northeast Quarter of the Northeast Quarter  
89.13 and Southwest Quarter of the Northeast Quarter, Section 29;
- 89.14 (xi) Government Lots 1, 2, 3, and 4, Section 31, reserving unto grantor and grantor's  
89.15 successors and assigns a 66-foot-wide access road easement across said Government Lots  
89.16 1, 2, and 3 for the purpose of access to grantor's or grantor's successor's or assign's land and  
89.17 grantor's presently owned lands that may be sold, assigned, or transferred in Government  
89.18 Lot 4, Section 29, said access road being measured 33 feet from each side of the centerline  
89.19 of that road that is presently existing at various widths and running in a generally East-West  
89.20 direction and any future extensions thereof as may be reasonably necessary to provide the  
89.21 access contemplated herein;
- 89.22 (xii) Government Lots 5, 7, 8, and 9, Section 31;
- 89.23 (xiii) Government Lots 1 and 2, an undivided two-thirds interest in the Northeast Quarter  
89.24 of the Northwest Quarter, an undivided two-thirds interest in the Southeast Quarter of the  
89.25 Northwest Quarter, and an undivided two-thirds interest in the Southwest Quarter of the  
89.26 Northwest Quarter, Section 32, reserving unto grantor and grantor's successors and assigns  
89.27 an access road easement across the West 66 feet of the North 66 feet of said Government  
89.28 Lot 1 for the purpose of access to grantor's or grantor's successor's or assign's land and  
89.29 grantor's presently owned land that may be sold, assigned, or transferred in Government  
89.30 Lot 4, Section 29; and
- 89.31 (xiv) the Northeast Quarter of the Northeast Quarter, Section 35;
- 89.32 (2) those parts of St. Louis County in Township 53 North, Range 13 West, described as  
89.33 follows:

90.1 (i) all that part of the Northwest Quarter of the Northwest Quarter lying North and West  
 90.2 of the Little Cloquet River, Section 4;

90.3 (ii) Government Lots 1, 2, 3, 4, and 5 and the Northeast Quarter of the Northeast Quarter,  
 90.4 Northwest Quarter of the Northeast Quarter, Southwest Quarter of the Northeast Quarter,  
 90.5 Northeast Quarter of the Northwest Quarter, Southeast Quarter of the Northwest Quarter,  
 90.6 Northeast Quarter of the Southwest Quarter, and Southwest Quarter of the Northwest Quarter,  
 90.7 Section 5;

90.8 (iii) Government Lots 1, 2, and 4 and the Northwest Quarter of the Southeast Quarter,  
 90.9 Southeast Quarter of the Southeast Quarter, Southwest Quarter of the Southeast Quarter,  
 90.10 Southeast Quarter of the Southwest Quarter, and Southwest Quarter of the Southwest Quarter,  
 90.11 Section 6;

90.12 (iv) Government Lots 1, 2, 3, 4, 5, 6, and 7 and the Northwest Quarter of the Northeast  
 90.13 Quarter, Northeast Quarter of the Northwest Quarter, Northwest Quarter of the Northwest  
 90.14 Quarter, Southeast Quarter of the Northwest Quarter, Southwest Quarter of the Northwest  
 90.15 Quarter, Southeast Quarter of the Southeast Quarter, and Northeast Quarter of the Southwest  
 90.16 Quarter, Section 7;

90.17 (v) Government Lots 1 and 2 and the Northeast Quarter of the Northeast Quarter,  
 90.18 Northwest Quarter of the Northeast Quarter, Southeast Quarter of the Northeast Quarter,  
 90.19 Southwest Quarter of the Northeast Quarter, Northeast Quarter of the Southwest Quarter,  
 90.20 Northwest Quarter of the Southwest Quarter, and Southwest Quarter of the Southwest  
 90.21 Quarter, Section 8; and

90.22 (vi) the Northeast Quarter of the Northwest Quarter, Northwest Quarter of the Northwest  
 90.23 Quarter, Southeast Quarter of the Northwest Quarter, and Southwest Quarter of the Northwest  
 90.24 Quarter, Section 17;

90.25 (3) those parts of St. Louis County in Township 54 North, Range 13 West, described as  
 90.26 follows:

90.27 (i) Government Lots 1, 4, 5, 6, and 7, Section 20;

90.28 (ii) Government Lots 3, 4, 6, 7, and 8 and the Southeast Quarter of the Southwest Quarter,  
 90.29 Section 21;

90.30 (iii) Government Lots 1, 2, 3, 4, 5, and 7, Section 29;

90.31 (iv) Government Lots 1, 2, 3, 4, 9, and 10, Section 30; and

91.1 (v) Government Lots 5, 6, and 7 and the Northeast Quarter of the Northeast Quarter,  
 91.2 Northwest Quarter of the Northeast Quarter, Southwest Quarter of the Northeast Quarter,  
 91.3 Southeast Quarter of the Northwest Quarter, and Northwest Quarter of the Southeast Quarter,  
 91.4 Section 31;

91.5 (4) those parts of St. Louis County in Township 54 North, Range 16 West, described as  
 91.6 follows:

91.7 (i) Government Lots 2, 3, and 4 and the Northwest Quarter of the Southwest Quarter,  
 91.8 Southeast Quarter of the Northwest Quarter, Southeast Quarter of the Northeast Quarter,  
 91.9 and Southwest Quarter of the Northeast Quarter, Section 1;

91.10 (ii) Government Lots 1, 2, 3, 4, 6, 7, and 8 and the Northwest Quarter of the Southeast  
 91.11 Quarter, Northeast Quarter of the Southeast Quarter, Southwest Quarter of the Southeast  
 91.12 Quarter, Southeast Quarter of the Southeast Quarter, Southeast Quarter of the Southwest  
 91.13 Quarter, and Southeast Quarter of the Northeast Quarter, Section 2;

91.14 (iii) all that part of Government Lot 9 lying South of the Whiteface River and West of  
 91.15 County Road 547, also known as Comstock Lake Road, Section 3; and

91.16 (iv) Government Lots 3 and 4 and the Southeast Quarter of the Northeast Quarter and  
 91.17 Southwest Quarter of the Northeast Quarter, Section 10;

91.18 (5) those parts of St. Louis County in Township 55 North, Range 15 West, described as  
 91.19 follows:

91.20 (i) Government Lots 1 and 2, Section 11;

91.21 (ii) Government Lot 9, except the Highway 4 right-of-way, Section 11;

91.22 (iii) Government Lot 10, except the Highway 4 right-of-way, Section 11;

91.23 (iv) Government Lots 2, 3, 4, 5, 6, and 7, Section 15;

91.24 (v) Government Lots 2, 3, 5, 6, 7, and 8 and the Northeast Quarter of the Southwest  
 91.25 Quarter, Section 21;

91.26 (vi) the Southwest Quarter of the Northeast Quarter, reserving unto grantor and grantor's  
 91.27 successors and assigns a 66-foot-wide access easement across said Southwest Quarter of  
 91.28 the Northeast Quarter for the purpose of access to grantor's or grantor's successor's or assign's  
 91.29 land and grantor's presently owned land that may be sold, assigned, or transferred in  
 91.30 Government Lot 4, Section 21, Township 55 North, Range 15 West, said access road being  
 91.31 measured 33 feet on each side of the centerline of that road that is presently existing and  
 91.32 known as the Whiteface Truck Trail, Section 21;

- 92.1 (vii) Government Lots 1, 2, and 3, Section 22;
- 92.2 (viii) Government Lots 1 and 2 and the Northeast Quarter of the Northwest Quarter,
- 92.3 Section 28;
- 92.4 (ix) Government Lots 1, 4, 6, 8, and 9 and the Northeast Quarter of the Northeast Quarter,
- 92.5 Northeast Quarter of the Southeast Quarter, and Northwest Quarter of the Southwest Quarter,
- 92.6 Section 29;
- 92.7 (x) Government Lots 3 and 4 and the Northeast Quarter of the Southeast Quarter,
- 92.8 Northeast Quarter of the Southwest Quarter, and Southeast Quarter of the Southwest Quarter,
- 92.9 Section 30;
- 92.10 (xi) Government Lots 2, 3, 4, 5, 6, 8, 9, 10, and 11 and the Northeast Quarter of the
- 92.11 Southwest Quarter, Section 31; and
- 92.12 (xii) Government Lot 1, Section 32; and
- 92.13 (6) those parts of St. Louis County in Township 55 North, Range 16 West, described as
- 92.14 follows:
- 92.15 (i) the Southwest Quarter of the Southeast Quarter, reserving unto grantor and grantor's
- 92.16 successors and assigns a 66-foot-wide access road easement across said Southwest Quarter
- 92.17 of the Southeast Quarter for the purpose of access to grantor's or grantor's successor's or
- 92.18 assign's land and grantor's presently owned land that may be sold, assigned, or transferred
- 92.19 in Government Lot 5, Section 1, Township 54 North, Range 16 West, Section 35; and
- 92.20 (ii) the Southeast Quarter of the Southeast Quarter, reserving unto grantor and grantor's
- 92.21 successors and assigns a 66-foot-wide access road easement across said Southeast Quarter
- 92.22 of the Southeast Quarter for the purpose of access to grantor's or grantor's successor's or
- 92.23 assign's land and grantor's presently owned land that may be sold, assigned, or transferred
- 92.24 in Government Lot 5, Section 1, Township 54 North, Range 16 West, Section 35.
- 92.25 **Sec. 9. ADDITION TO STATE FOREST.**
- 92.26 **[89.021] [Subd. 42a.] Riverlands State Forest.** The following areas are added to
- 92.27 **Riverlands State Forest, those parts of St. Louis County, described as follows:**
- 92.28 (1) the Northwest Quarter of the Northwest Quarter, Section 16, Township 50 North,
- 92.29 Range 17 West;
- 92.30 (2) Government Lot 9, Section 26, Township 50 North, Range 17 West;

93.1 (3) the Northeast Quarter of the Southeast Quarter, Section 30, Township 51 North,  
 93.2 Range 19 West;

93.3 (4) Government Lot 6, Section 22, Township 51 North, Range 20 West; and

93.4 (5) Government Lot 9, Section 24, Township 52 North, Range 20 West.

93.5 **Sec. 10. PUBLIC SALE OF SURPLUS STATE LAND BORDERING PUBLIC**  
 93.6 **WATER; CASS COUNTY.**

93.7 (a) Notwithstanding Minnesota Statutes, section 92.45, the commissioner of natural  
 93.8 resources may sell by public sale the surplus land bordering public water that is described  
 93.9 in paragraph (c).

93.10 (b) The commissioner may make necessary changes to the legal description to correct  
 93.11 errors and ensure accuracy.

93.12 (c) The land that may be sold is located in Cass County and is described as:

93.13 (1) the West 970 feet of the Northeast Quarter of the Southwest Quarter of Section 32,  
 93.14 Township 135 North, Range 29 West, Cass County, Minnesota, EXCEPT therefrom a  
 93.15 rectangular piece in the southeast corner thereof 370 feet North and South by 420 feet East  
 93.16 and West; and

93.17 (2) that part of Government Lot 6 of said Section 32, described as follows: beginning  
 93.18 at the northwest corner of said Government Lot 6; thence East along the north line of said  
 93.19 Government Lot 6 550 feet; thence South 30 degrees West 528 feet, more or less, to shoreline  
 93.20 of Agate Lake; thence northwest along said shoreline of Agate Lake to the west line of said  
 93.21 Government Lot 6; thence northerly along said west line 260 feet, more or less, to the point  
 93.22 of beginning.

93.23 (d) The land borders Agate Lake and is not contiguous to other state lands. The  
 93.24 Department of Natural Resources has determined that the land is not needed for natural  
 93.25 resource purposes and that the state's land management interests would best be served if  
 93.26 the land was returned to private ownership.

93.27 **Sec. 11. PUBLIC SALE OF SURPLUS STATE LAND BORDERING PUBLIC**  
 93.28 **WATER; FILLMORE COUNTY.**

93.29 (a) Notwithstanding Minnesota Statutes, section 92.45, the commissioner of natural  
 93.30 resources may sell by public sale the surplus land bordering public water that is described  
 93.31 in paragraph (c), subject to the state's reservation of trout stream easements.

94.1 (b) The commissioner may make necessary changes to the legal description to correct  
 94.2 errors and ensure accuracy.

94.3 (c) The land that may be sold is located in Fillmore County and is described as: the South  
 94.4 13 acres, except the East 2 acres thereof, of the Northwest Quarter of the Southeast Quarter,  
 94.5 Section 21, Township 103, Range 10 West, Fillmore County, Minnesota, excepting therefrom  
 94.6 the Harmony-Preston Valley State Trail corridor, formerly the Chicago, Milwaukee, St.  
 94.7 Paul and Pacific Railroad Company right-of-way.

94.8 (d) The land borders the Root River and Watson Creek and is not contiguous to other  
 94.9 state lands. The Department of Natural Resources has determined that the land is not needed  
 94.10 for natural resource purposes, provided that trout stream easements are reserved on the Root  
 94.11 River and Watson Creek, and that the state's land management interests would best be served  
 94.12 if the land was returned to private ownership.

94.13 **Sec. 12. CONVEYANCE OF TAX-FORFEITED LAND BORDERING PUBLIC**  
 94.14 **WATER; GOODHUE COUNTY.**

94.15 (a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1, and  
 94.16 the public sale provisions of Minnesota Statutes, chapter 282, Goodhue County may convey  
 94.17 to the city of Wanamingo for no consideration the tax-forfeited land bordering public water  
 94.18 that is described in paragraph (c).

94.19 (b) The conveyance must be in a form approved by the attorney general and provide  
 94.20 that the land reverts to the state if the city of Wanamingo stops using the land for the public  
 94.21 purpose described in paragraph (d). The attorney general may make changes to the land  
 94.22 description to correct errors and ensure accuracy.

94.23 (c) The land to be conveyed is located in Goodhue County and is described as: That part  
 94.24 of the Southeast Quarter of Section 30, Township 110 North, Range 16 West, Goodhue  
 94.25 County, Minnesota, described as follows: Commencing at the northeast corner of Lot 7,  
 94.26 Block 2, Axelson's Hillcrest Addition, according to the recorded plat thereof; thence South  
 94.27 89 degrees 48 minutes 15 seconds East (assuming that the east line of Axelson's Hillcrest  
 94.28 Addition also being the west line of the Southeast Quarter of said Section 30, has a bearing  
 94.29 of North 00 degrees 11 minutes 45 seconds East), a distance of 30.00 feet; thence North 00  
 94.30 degrees 11 minutes 45 seconds East, a distance of 342.00 feet to the point of beginning;  
 94.31 thence South 89 degrees 48 minutes 15 seconds East, a distance of 60.00 feet; thence North  
 94.32 00 degrees 11 minutes 45 seconds East, a distance of 280.00 feet; thence South 89 degrees  
 94.33 48 minutes 15 seconds East, a distance of 60.00 feet; thence North 00 degrees 11 minutes  
 94.34 45 seconds East, a distance of 394 feet, more or less to the north line of the Southeast Quarter

95.1 of said Section 30; thence westerly, along said north line, a distance of 150.00 feet, more  
 95.2 or less, to the northwest corner of said Southeast Quarter; thence South 00 degrees 11  
 95.3 minutes 45 seconds West, along the west line of said Southeast Quarter, a distance of 674  
 95.4 feet, more or less, to an intersection with a line bearing North 89 degrees 48 minutes 15  
 95.5 seconds West from said point of beginning; thence South 89 degrees 48 minutes 15 seconds  
 95.6 East, a distance of 30.00 feet to the point of beginning. EXCEPT that part of the above  
 95.7 description now platted as Emerald Valley (parcel number 70.380.0710).

95.8 (d) The county has determined that the land is needed for a park trail extension.

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

95.10 **Sec. 13. PRIVATE SALE OF SURPLUS LAND BORDERING PUBLIC WATER;**  
 95.11 **HENNEPIN COUNTY.**

95.12 (a) Notwithstanding Minnesota Statutes, sections 92.45, 94.09, and 94.10, the  
 95.13 commissioner of natural resources may sell by private sale the surplus land bordering public  
 95.14 water that is described in paragraph (c) to a local unit of government for less than market  
 95.15 value.

95.16 (b) The commissioner may make necessary changes to the legal description to correct  
 95.17 errors and ensure accuracy.

95.18 (c) The land that may be conveyed is located in Hennepin County and is described as:  
 95.19 all those parts of Government Lot 5, Section 35, Township 118, Range 23, lying northerly  
 95.20 and northwesterly of East Long Lake Road, as it existed in 2021, easterly of a line drawn  
 95.21 parallel with and distant 924.88 feet westerly of the east line of said Government Lot 5, and  
 95.22 southerly of a line drawn westerly at a right angle to the east line of said Government Lot  
 95.23 5 from a point distant 620 feet South of the northeast corner of said Government Lot 5.

95.24 (d) The land borders Long Lake. The Department of Natural Resources has determined  
 95.25 that the land is not needed for natural resource purposes and that the state's land management  
 95.26 interests would best be served if the land were conveyed to a local unit of government.

95.27 **Sec. 14. PUBLIC SALE OF SURPLUS STATE LAND BORDERING PUBLIC**  
 95.28 **WATER; ITASCA COUNTY.**

95.29 (a) Notwithstanding Minnesota Statutes, section 92.45, the commissioner of natural  
 95.30 resources may sell by public sale the surplus land bordering public water that is described  
 95.31 in paragraph (c).

96.1 (b) The commissioner may make necessary changes to the legal description to correct  
 96.2 errors and ensure accuracy.

96.3 (c) The land that may be sold is located in Itasca County and is described as:

96.4 (1) the North 1,050.00 feet of Government Lot 1, Section 16, Township 55 North, Range  
 96.5 24 West of the fourth principal meridian, except that part described as follows: commencing  
 96.6 at the southeast corner of said Government Lot 1; thence North 0 degrees 46 minutes 09  
 96.7 seconds East, bearing assumed, along the east line thereof, a distance of 280.00 feet to the  
 96.8 point of beginning; thence North 89 degrees 13 minutes 51 seconds West, a distance of  
 96.9 345.00 feet; thence South 0 degrees 46 minutes 09 seconds West, a distance of 21.60 feet  
 96.10 to its intersection with the south line of the North 1,050.00 feet of said Government Lot 1;  
 96.11 thence South 89 degrees 08 minutes 51 seconds East along the south line of the North  
 96.12 1,050.00 feet of said Government Lot 1, a distance of 345.00 feet to the east line of said  
 96.13 Government Lot 1; thence North 0 degrees 46 minutes 09 seconds East, along the east line  
 96.14 of said Government Lot 1, a distance of 22.10 feet to the point of beginning. Subject to an  
 96.15 easement for ingress and egress over 66.00 feet in width, over, under, and across part of  
 96.16 Government Lot 1, Section 16, Township 55, Range 24. The centerline of said easement is  
 96.17 described as follows: commencing at the northeast corner of said Government Lot 1; thence  
 96.18 South 0 degrees 46 minutes 09 seconds West, bearing assumed, along the east line thereof,  
 96.19 a distance of 750.00 feet to the point of beginning of the centerline to be described; thence  
 96.20 North 89 degrees 08 minutes 51 seconds West, a distance of 845.00 feet; thence South 7  
 96.21 degrees 18 minutes 51 seconds East, a distance of 302.89 feet, and there terminating; and

96.22 (2) Lots 1 through 4 of Block 2 and Outlot "B," Loons Landing, according to the plat  
 96.23 thereof on file and of record in the Office of the Itasca County Recorder.

96.24 (d) The land borders Trout Lake. The Department of Natural Resources has determined  
 96.25 that the land is not needed for natural resource purposes and that the state's land management  
 96.26 interests would best be served if the land was returned to private ownership.

96.27 **Sec. 15. CONVEYANCE OF SURPLUS STATE LAND BORDERING PUBLIC**  
 96.28 **WATER; LAKE COUNTY.**

96.29 (a) Notwithstanding Minnesota Statutes, sections 92.45, 94.09, and 94.10, or any other  
 96.30 state law to the contrary and unless prohibited by federal law, the commissioner of natural  
 96.31 resources may convey to the city of Two Harbors for no consideration the surplus land that  
 96.32 is described in paragraph (c).



97.1 (b) The conveyance must be in a form approved by the attorney general and must provide  
97.2 that the proceeds of the sale of any portion of the land described in paragraph (c) by the city  
97.3 be paid to the state. The attorney general may make changes to the land description to correct  
97.4 errors and ensure accuracy.

97.5 (c) The land to be sold is located in Lake County and is described as:

97.6 (1) that part of Government Lot 1, Section 1, Township 52 North, Range 11 West of the  
97.7 4th Principal Meridian, Lake County, Minnesota, lying southerly and easterly of the following  
97.8 described lines: commencing at the center east 1/16 corner; thence along the North-South  
97.9 1/16 line on an assumed bearing of North 00 degrees 46 minutes 07 seconds East 144.23  
97.10 feet; thence North 67 degrees 30 minutes 43 seconds West 385.00 feet; thence North 22  
97.11 degrees 29 minutes 17 seconds East 24.00 feet; thence South 67 degrees 30 minutes 43  
97.12 seconds East 385.00 feet; thence easterly a distance of 232.90 feet along a tangential curve  
97.13 concave to the North having a radius of 611.85 feet and central angle of 21 degrees 48  
97.14 minutes 36 seconds; thence South 89 degrees 19 minutes 19 seconds East 1,015.67 feet;  
97.15 thence South 00 degrees 40 minutes 41 seconds West 35.00 feet; thence South 89 degrees  
97.16 19 minutes 19 seconds East 73.08 feet to the east line of said Government Lot 1 and the  
97.17 point of beginning of said line; thence North 89 degrees 19 minutes 19 seconds West 877.08  
97.18 feet; thence North 00 degrees 40 minutes 41 seconds East 11.00 feet; thence North 89  
97.19 degrees 19 minutes 19 seconds West 28.86 feet; thence South 0 degrees 51 minutes 25  
97.20 seconds West 19.82 feet to a 3/4-inch by 24-inch rebar marked "MN DNR LS 16098" (DNR  
97.21 monument); thence continuing South 00 degrees 51 minutes 25 seconds West 484.06 feet  
97.22 to a DNR monument; thence continuing South 00 degrees 51 minutes 25 seconds West 78  
97.23 feet, more or less to the shore of Lake Superior and there terminating; containing 14.5 acres,  
97.24 more or less (parcel identification number 23-7600-01415);

97.25 (2) that part of Government Lot 3, Section 6, Township 52 North, Range 10 West of the  
97.26 Fourth Principal Meridian, described as follows: commencing at the West Quarter corner  
97.27 of said Section 6 (northwest corner of said Government Lot 3); thence North 88 degrees 43  
97.28 minutes 09 seconds East along the north line of said Government Lot 3 a distance of 485.19  
97.29 feet; thence South 00 degrees 20 minutes 34 seconds East a distance of 16 feet, more or  
97.30 less, to the south line of the northerly 16 feet of said Government Lot 3, being the point of  
97.31 beginning of the parcel described herein; thence continuing South 00 degrees 20 minutes  
97.32 34 seconds East a distance of 584 feet, more or less, to a line lying within 600 feet and South  
97.33 of the North boundary of said Government 3; thence westerly, along said line, to the west  
97.34 line of said Government Lot 3; thence northerly, along the west line of the said Government  
97.35 Lot 3 to the south line of the northerly 16 feet of said Government Lot 3; thence easterly

98.1 along the south line of the northerly 16 feet of said Government Lot 3 to the point of  
98.2 beginning; except minerals (parcel identification number 23-7600-06605);

98.3 (3) together with that part of Government Lot 3, Section 6, Township 52 North, Range  
98.4 10 West of the 4th Principal Meridian, Lake County, Minnesota lying West of the following  
98.5 described line: commencing at the West Quarter corner of said Section 6 (northwest corner  
98.6 of said Government Lot 3); thence North 88 degrees 43 minutes 09 seconds East along the  
98.7 north line of said Government Lot 3 a distance of 485.19 feet to the point of beginning of  
98.8 said line; thence South 00 degrees 20 minutes 34 seconds East a distance of 766.64 feet;  
98.9 thence South 54 degrees 38 minutes 48 seconds West a distance of 235 feet, more or less,  
98.10 to the shore of Lake Superior, and there terminating, except that part lying within 600 feet  
98.11 and South of the North boundary of said Government Lot 3; containing 2.4 acres, more or  
98.12 less (parcel identification number 23-7600-06607); and

98.13 (4) that part of Government Lot 3, Section 6, Township 52 North, Range 10 West, of  
98.14 the Fourth Principal Meridian, described as follows: commencing at the West Quarter corner  
98.15 of said Section 6 (northwest corner of said Government Lot 3); thence North 88 degrees 43  
98.16 minutes 09 seconds East along the north line of said Government Lot 3 a distance of 485.19  
98.17 feet; thence South 00 degrees 20 minutes 34 seconds East a distance of 766.64 feet, to a  
98.18 5/8-foot rebar marked "RLS No. 16089," also being the point of beginning; thence South  
98.19 25 degrees 10 minutes 17 seconds East a distance of 51.74 feet to a 3/4-inch by 12-inch  
98.20 rebar marked "MN DNR LS 16098" (DNR monument); thence South 30 degrees 09 minutes  
98.21 12 seconds East a distance of 583.16 feet to a DNR monument; thence South 88 degrees  
98.22 01 minute 03 seconds West a distance of 124.04 feet to a DNR monument; thence South  
98.23 07 degrees 58 minutes 29 seconds East a distance of 517.23 feet to a DNR monument;  
98.24 thence continuing South 07 degrees 58 minutes 29 seconds East a distance of 76 feet, more  
98.25 or less, to the shoreline of Lake Superior; thence northwesterly, northerly, northeasterly,  
98.26 and northwesterly a distance of 1,390 feet, more or less, along said shoreline to point which  
98.27 bears South 54 degrees 38 minutes 48 seconds West from the point of beginning; thence  
98.28 North 54 degrees 38 minutes 48 seconds East a distance of 25 feet, more or less, to a DNR  
98.29 monument; thence continuing North 54 degrees 38 minutes 48 seconds East a distance of  
98.30 210.00 feet to the point of beginning and there terminating (parcel identification number  
98.31 23-7600-06611).

98.32 (d) The commissioner has determined that the land is no longer needed for any state  
98.33 purpose and that the state's land management interests would best be served if the land was  
98.34 conveyed to the city of Two Harbors.

99.1 Sec. 16. PRIVATE SALE OF SURPLUS STATE LAND; PINE COUNTY.

99.2 (a) Notwithstanding Minnesota Statutes, sections 94.09 and 94.10, the commissioner of  
99.3 natural resources may sell by private sale the surplus land that is described in paragraph (c),  
99.4 subject to the state's reservation of a perpetual flowage easement.

99.5 (b) The commissioner may make necessary changes to the legal description to correct  
99.6 errors and ensure accuracy.

99.7 (c) The land that may be sold is located in Pine County and is described as: the north 2  
99.8 rods of the Southeast Quarter of Section 10, Township 38 North, Range 22 West, Pine  
99.9 County, Minnesota.

99.10 (d) The Department of Natural Resources has determined that the land is not needed for  
99.11 natural resource purposes and that the state's land management interests would best be  
99.12 served if the land was returned to private ownership.

99.13 Sec. 17. LAND EXCHANGE; ST. LOUIS COUNTY.

99.14 (a) Notwithstanding Minnesota Statutes, section 92.461, and the riparian restrictions in  
99.15 Minnesota Statutes, section 94.342, subdivision 3, St. Louis County may, with the approval  
99.16 of the Land Exchange Board as required under the Minnesota Constitution, article XI,  
99.17 section 10, and according to the remaining provisions of Minnesota Statutes, sections 94.342  
99.18 to 94.347, exchange the land described in paragraph (c).

99.19 (b) The conveyance must be in the form approved by the attorney general. The attorney  
99.20 general may make necessary changes to the legal description to correct errors and ensure  
99.21 accuracy.

99.22 (c) The lands that may be conveyed are located in St. Louis County and are described  
99.23 as:

99.24 (1) Sections 1 and 2, Township 53 North, Range 18 West;

99.25 (2) Sections 19, 20, 29, 30, 31, and 32, Township 54 North, Range 17 West;

99.26 (3) Sections 24, 25, 26, and 35, Township 54 North, Range 18 West;

99.27 (4) Sections 22, 23, 26, and 27, Township 54 North, Range 19 West; and

99.28 (5) Sections 8, 9, 17, and 18, Township 55 North, Range 18 West.

100.1 **Sec. 18. LAND ACQUISITION TRUST FUND; ST. LOUIS COUNTY.**

100.2 Notwithstanding Minnesota Statutes, chapter 282, and any other law relating to the  
100.3 apportionment of proceeds from the sale of tax-forfeited land, St. Louis County may deposit  
100.4 proceeds from the sale of tax-forfeited lands into a tax-forfeited land acquisition trust fund  
100.5 established by St. Louis County under this section. The principal and interest from the fund  
100.6 may be spent on the purchase of lands better suited for retention and management by St.  
100.7 Louis County. Lands purchased with money from the land acquisition trust fund must:

100.8 (1) become subject to a trust in favor of the governmental subdivision wherein the lands  
100.9 lie and all laws related to tax-forfeited lands; and

100.10 (2) be used for forestry, mineral management, or environmental services.

100.11 **Sec. 19. PRIVATE SALE OF TAX-FORFEITED LANDS; ST. LOUIS COUNTY.**

100.12 (a) Notwithstanding the public sale provisions of Minnesota Statutes, chapter 282, or  
100.13 other law to the contrary, St. Louis County may sell by private sale the tax-forfeited lands  
100.14 described in paragraph (c).

100.15 (b) The conveyances must be in a form approved by the attorney general. The attorney  
100.16 general may make changes to the land descriptions to correct errors and ensure accuracy.

100.17 (c) The lands to be sold are located in St. Louis County and are described as:

100.18 (1) Lots 23 through 30, including part of adjacent vacant alley, Block 54, Bay View  
100.19 Addition to Duluth No. 2, Township 49, Range 15, Section 11 (parcel identification number  
100.20 010-0230-03300); and

100.21 (2) Lot 2, except the South 760 feet, Township 62, Range 20, Section 18 (part of parcel  
100.22 identification number 430-0010-02916).

100.23 (d) The county has determined that the county's land management interests would best  
100.24 be served if the lands were returned to private ownership.

100.25 **Sec. 20. PRIVATE SALE OF SURPLUS LAND BORDERING PUBLIC WATER;**  
100.26 **SHERBURNE COUNTY.**

100.27 (a) Notwithstanding Minnesota Statutes, sections 92.45, 94.09, and 94.10, the  
100.28 commissioner of natural resources may sell by private sale the surplus land bordering public  
100.29 water that is described in paragraph (c) for less than market value.

100.30 (b) The commissioner may make necessary changes to the legal description to correct  
100.31 errors and ensure accuracy.

101.1 (c) The land that may be conveyed is located in Sherburne County and is described as:  
101.2 that part of the North 595.50 feet of Government Lot 6, Section 31, Township 34 North,  
101.3 Range 27 West, Sherburne County, Minnesota, lying southerly of the following described  
101.4 line: commencing at a Minnesota Department of Conservation monument on the south line  
101.5 of the said North 595.50 feet; thence North 89 degrees 38 minutes 17 seconds West, bearing  
101.6 per plat of Eagle Lake Estates Boundary Registration, along said south line 71.28 feet to a  
101.7 Judicial Land Mark; thence North 21 degrees 51 minutes 43 seconds West, along the easterly  
101.8 line of Outlot A of said Eagle Lake Estates Boundary Registration 27.5 feet to the point of  
101.9 beginning; thence North 80 degrees East 72 feet, more or less, to the shoreline of Eagle  
101.10 Lake and there terminating.

101.11 (d) The Department of Natural Resources has determined that the land is not needed for  
101.12 natural resource purposes and that the state's land management interests would best be  
101.13 served if the land were returned to private ownership.

101.14 Sec. 21. **REPEALER.**

101.15 Laws 2012, chapter 236, section 28, subdivision 9, as amended by Laws 2016, chapter  
101.16 154, section 11, Laws 2019, First Special Session chapter 4, article 4, section 7, is repealed.

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

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

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

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

**97C.515 IMPORTED MINNOWS.**

Subd. 4. **Private fish hatchery or aquatic farm.** Live minnows used for feeding fish at a licensed private fish hatchery or aquatic farm must be obtained within the state. Dead minnows may be imported for feeding hatchery or aquatic farm fish according to section 97C.341, paragraph (d).

Subd. 5. **Special permits.** (a) The commissioner may issue a special permit, without a fee, to allow a person with a private fish hatchery license, which private fish hatchery has been designated as a containment facility under section 17.4982, subdivision 8, to import live minnows from other states for export. A containment facility for the purposes of this section applies to live minnows imported for later export and does not need to comply with section 17.4982, subdivision 8, clause (4). The permit shall include conditions necessary to avoid spreading aquatic invasive species and fish pathogens. Permits shall not be issued to containment facilities located within a 25-year floodplain.

(b) An applicant for a permit under this subdivision shall submit to the commissioner sufficient information to identify potential threats to native plant and animal species and an evaluation of the feasibility of the proposal. The permit may include reasonable restrictions on importation, transportation, possession, containment, disease certification, and disposal of minnows to ensure that native species are protected. The permit may have a term of up to two years and may be modified, suspended, or revoked by the commissioner for cause, including violation of a condition of the permit.

(c) The premises, property, vehicles, private aquatic life, and equipment that are part of a containment facility permitted under this subdivision are subject to reasonable and necessary inspections at reasonable times by a fish health specialist delegated by the commissioner. The owner, operator, or designee may be present when inspections are conducted. During the inspection, a representative sample of imported minnows may be collected for the purpose of fish pathogen or invasive species screening.

(d) The commissioner may require the applicant to furnish evidence of financial responsibility at the time of application for a permit under this section, as prescribed by the commissioner.

APPENDIX  
Repealed Minnesota Session Laws: S4062-1

*Laws 2012, chapter 236, section 28, subdivision 9, as amended by Laws 2019, First Special Session chapter 4, article 4, section 7;*

Sec. 28. SALE OF TAX-FORFEITED LEASED LANDS; ST. LOUIS COUNTY.

Subd. 9. **Sunset.** This section expires ~~seven~~ ten years after the effective date.  
*Laws 2013, chapter 121, section 53*

Sec. 53. ANTLER POINT RESTRICTIONS.

The commissioner of natural resources may not impose an antler point restriction in areas outside the Series 300 deer permit areas, other than that imposed under Minnesota Rules, part 6232.0200, subpart 6, unless the legislature approves the antler point restriction.

**6100.5000 SNOWMOBILE REGISTRATION AND DISPLAY OF NUMBERS.**

Subp. 3. **Affixation of number.** The registration number of the snowmobile, shown on the registration certificate, shall be affixed to the snowmobile and maintained in a clear, legible manner. On all machines made after June 30, 1972, and sold in Minnesota, such registration number shall be affixed in the space provided therefor in accordance with part 6100.5700, subpart 4. On all other machines it shall be affixed on each side of the cowling on the upper half of the machine, as follows.

[ Image Not Shown ]

Subp. 4. **Description of decal or number; lost or destroyed number or decal.** All letters and numbers shall be of a color which will contrast with the surface to which applied, and shall be at least three inches high and three-eighths inch stroke. When any previously affixed registration number or decal is destroyed or lost, a duplicate shall be affixed in the manner shown above. The registration number shall remain the same if renewed by July 1 following the expiration date.

Subp. 5. **General prohibition.** No person shall operate or transport, and no person shall permit the operation of, a snowmobile within this state which does not have its registration number and unexpired decal affixed in the form and manner required by this part, unless the owner is exempted from the registration requirements of this state by Minnesota Statutes, section 84.82.

**6100.5700 REQUIRED EQUIPMENT.**

Subp. 4. **Snowmobile registration number affixation.** All snowmobiles made after June 30, 1972, and sold in Minnesota, shall be designed and made to provide an area on which to affix the snowmobile registration number at the following location and of the following dimensions:

A. A clear area shall be provided on each side of the cowling or pan with the minimum size of 3-1/2 inches vertical by 11 inches horizontal.

B. It shall be a minimum of 12 inches from the ground when the machine is resting on a hard surface.

**6232.0350 RESTRICTIONS FOR TAKING DEER; 300 SERIES DEER PERMIT AREAS.**

Notwithstanding part 6232.0200, subpart 6, in all 300 series deer permit areas, a legal buck is defined as a deer with a minimum of four antler points on at least one antler. Bucks with fewer antler points than the minimum defined points are protected and not legal for harvest. Youth hunters, age 10 to 17, are exempt from this part.