

HOUSE OF REPRESENTATIVES

NINETY-FIRST SESSION

H. F. No. 2209

03/07/2019 Authored by Hansen, Wagenius, Considine, Lee, Persell and others
The bill was read for the first time and referred to the Committee on Ways and Means
04/12/2019 Adoption of Report: Placed on the General Register as Amended
Read for the Second Time

1.1 A bill for an act

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

1.3 resources; modifying fees and surcharges; creating accounts and providing for

1.4 disposition of certain receipts; modifying bough buyer provisions; modifying

1.5 certain permit and reimbursement provisions; reestablishing citizen board of

1.6 Pollution Control Agency; providing for carpet stewardship; modifying game and

1.7 fish law; modifying forestry provisions; designating state bee; creating natural

1.8 resource programs; modifying solid waste provisions; providing for voluntary

1.9 certification of salt applicators; creating Minnesota Outdoor Recreation Office;

1.10 modifying certain consumer protection provisions; modifying provisions for certain

1.11 grants for outdoor recreation; modifying game and fish law; providing for removal

1.12 of beavers and beaver dams causing damage; banning certain insecticides in wildlife

1.13 management areas; modifying school trust lands; extending citizen oversight

1.14 committees; modifying groundwater use permitting; requiring a model ordinance

1.15 pertaining to silica sand mines; requiring rulemaking; amending Minnesota Statutes

1.16 2018, sections 16A.151, subdivision 2; 16A.152, subdivision 2; 17.035, subdivision

1.17 1; 84.026, by adding a subdivision; 84.027, subdivision 18; 84.0895, by adding a

1.18 subdivision; 84.788, subdivision 2; 84.794, subdivision 2; 84.83, subdivision 3;

1.19 84D.15; 85.012, subdivision 49; 85.42; 85.44; 85.47; 86B.415, subdivisions 1, 1a,

1.20 2, 3, 4, 5, 7; 88.642, subdivisions 1, 3; 88.6435; 89.37, subdivision 3; 90.01, by

1.21 adding a subdivision; 90.195; 92.50, subdivision 1; 97A.015, subdivisions 25, 43;

1.22 97A.055, subdivisions 4, 4b; 97A.065, subdivision 6; 97A.075, subdivision 1;

1.23 97A.126; 97A.321, subdivision 1; 97A.405, by adding a subdivision; 97A.475,

1.24 subdivisions 3a, 4, 41; 97B.011; 97B.081, subdivision 3; 97B.205; 97B.655;

1.25 97B.665, by adding a subdivision; 97B.667, subdivisions 2, 3, 4, by adding a

1.26 subdivision; 97C.605, subdivisions 1, 2c, 3; 103G.241, subdivisions 1, 3; 103G.287,

1.27 subdivision 1; 103G.301, subdivision 2; 103G.311, subdivisions 2, 5; 103G.315,

1.28 subdivision 8; 103G.408; 103G.615, subdivision 3a; 115A.142; 115A.51; 115B.421;

1.29 116.02; 116.03, subdivisions 1, 2a; 116.155, subdivisions 1, 3, by adding a

1.30 subdivision; 127A.353, subdivision 1; 325F.071; Laws 2013, chapter 114, article

1.31 4, section 105, as amended; Laws 2016, chapter 189, article 3, section 6, as

1.32 amended; Laws 2017, chapter 93, article 1, section 9; proposing coding for new

1.33 law in Minnesota Statutes, chapters 1; 84; 89; 92; 97A; 97B; 103F; 115A; 115B;

1.34 116; 116U; repealing Minnesota Statutes 2018, sections 92.121; 97C.605,

1.35 subdivisions 2, 2a, 2b, 5; Laws 2015, First Special Session chapter 4, article 4,

1.36 section 149; Minnesota Rules, part 6256.0500, subparts 2, 2a, 2b, 4, 5, 6, 7, 8.

3.1	<u>Environmental</u>	<u>12,671,000</u>	<u>12,761,000</u>
3.2	<u>Remediation</u>	<u>201,000</u>	<u>201,000</u>

3.3 (a) \$89,000 the first year and \$89,000 the
 3.4 second year are for:

3.5 (1) a municipal liaison to assist municipalities
 3.6 in implementing and participating in the
 3.7 rulemaking process for water quality standards
 3.8 and navigating the NPDES/SDS permitting
 3.9 process;

3.10 (2) enhanced economic analysis in the
 3.11 rulemaking process for water quality
 3.12 standards, including more-specific analysis
 3.13 and identification of cost-effective permitting;

3.14 (3) developing statewide economic analyses
 3.15 and templates to reduce the amount of
 3.16 information and time required for
 3.17 municipalities to apply for variances from
 3.18 water quality standards; and

3.19 (4) coordinating with the Public Facilities
 3.20 Authority to identify and advocate for the
 3.21 resources needed for municipalities to achieve
 3.22 permit requirements.

3.23 (b) \$205,000 the first year and \$205,000 the
 3.24 second year are from the environmental fund
 3.25 for a monitoring program under Minnesota
 3.26 Statutes, section 116.454.

3.27 (c) \$115,000 the first year and \$115,000 the
 3.28 second year are for monitoring water quality
 3.29 and operating assistance programs.

3.30 (d) \$347,000 the first year and \$347,000 the
 3.31 second year are from the environmental fund
 3.32 for monitoring ambient air for hazardous
 3.33 pollutants.

4.1 (e) \$90,000 the first year and \$90,000 the
4.2 second year are from the environmental fund
4.3 for duties related to harmful chemicals in
4.4 products under Minnesota Statutes, sections
4.5 116.9401 to 116.9407. Of this amount,
4.6 \$57,000 each year is transferred to the
4.7 commissioner of health.

4.8 (f) \$109,000 the first year and \$109,000 the
4.9 second year are from the environmental fund
4.10 for registering wastewater laboratories.

4.11 (g) \$926,000 the first year and \$926,000 the
4.12 second year are from the environmental fund
4.13 to continue perfluorochemical biomonitoring
4.14 in eastern metropolitan communities, as
4.15 recommended by the Environmental Health
4.16 Tracking and Biomonitoring Advisory Panel,
4.17 and to address other environmental health
4.18 risks, including air quality. The communities
4.19 must include Hmong and other immigrant
4.20 farming communities. Of this amount, up to
4.21 \$689,000 the first year and \$689,000 the
4.22 second year are for transfer to the Department
4.23 of Health.

4.24 (h) \$51,000 the first year and \$51,000 the
4.25 second year are from the environmental fund
4.26 for the listing procedures for impaired waters
4.27 required under this act.

4.28 (i) \$141,000 the first year and \$141,000 the
4.29 second year are to implement and enforce
4.30 Minnesota Statutes, section 325F.071. Of this
4.31 amount, up to \$65,000 each year may be
4.32 transferred to the commissioner of health.

4.33 (j) \$250,000 the first year is for transfer to the
4.34 commissioner of health for enhanced blood

5.1 lead testing, lead poisoning prevention efforts,
 5.2 and asthma education as recommended by the
 5.3 Northern Metals Consent Decree Advisory
 5.4 Committee. This is a onetime appropriation.

5.5 (k) The base for the general fund in fiscal year
 5.6 2022 and later is \$345,000.

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

5.8	<u>Appropriations by Fund</u>		
5.9		<u>2020</u>	<u>2021</u>
5.10	<u>Environmental</u>	<u>14,472,000</u>	<u>14,605,000</u>
5.11	<u>Remediation</u>	<u>1,001,000</u>	<u>1,001,000</u>

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

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

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

5.32	<u>Appropriations by Fund</u>		
5.33		<u>2020</u>	<u>2021</u>

6.1	<u>General</u>	<u>164,000</u>	<u>164,000</u>
6.2	<u>Environmental</u>	<u>8,068,000</u>	<u>7,695,000</u>

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

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

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

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

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

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

6.27 (c) \$671,000 the first year and \$671,000 the
 6.28 second year are from the environmental fund
 6.29 for subsurface sewage treatment system
 6.30 (SSTS) program administration and
 6.31 community technical assistance and education,
 6.32 including grants and technical assistance to
 6.33 communities for water-quality protection. Of
 6.34 this amount, \$129,000 each year is for

7.1 assistance to counties through grants for SSTS
 7.2 program administration. A county receiving
 7.3 a grant from this appropriation must submit
 7.4 the results achieved with the grant to the
 7.5 commissioner as part of its annual SSTS
 7.6 report. Any unexpended balance in the first
 7.7 year does not cancel but is available in the
 7.8 second year.

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

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

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

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

8.1	<u>Appropriations by Fund</u>		
8.2		<u>2020</u>	<u>2021</u>
8.3	<u>General</u>	<u>2,490,000</u>	<u>2,490,000</u>
8.4	<u>Environmental</u>	<u>4,208,000</u>	<u>5,019,000</u>
8.5	<u>Remediation</u>	<u>828,000</u>	<u>828,000</u>

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

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

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

8.24	Subd. 6. <u>Remediation</u>	<u>14,516,000</u>	<u>12,945,000</u>
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8.25	<u>Appropriations by Fund</u>		
8.26		<u>2020</u>	<u>2021</u>
8.27	<u>General</u>	<u>216,000</u>	<u>-0-</u>
8.28	<u>Environmental</u>	<u>832,000</u>	<u>1,099,000</u>
8.29	<u>Remediation</u>	<u>11,846,000</u>	<u>11,846,000</u>
8.30	<u>Closed Landfill</u>		
8.31	<u>Investment</u>	<u>1,622,000</u>	<u>-0-</u>

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

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

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

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

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

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

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

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

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

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

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

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

- 12.1 including grants and technical assistance to
12.2 communities for water-quality protection.
- 12.3 (g) \$169,000 the first year and \$169,000 the
12.4 second year are from the environmental fund
12.5 to address the need for continued increased
12.6 activity in new technology review, technical
12.7 assistance for local governments, and
12.8 enforcement under Minnesota Statutes,
12.9 sections 115.55 to 115.58, and to complete the
12.10 requirements of Laws 2003, chapter 128,
12.11 article 1, section 165.
- 12.12 (h) \$250,000 the first year is for public
12.13 engagement and outreach that supports
12.14 developing and implementing policies to
12.15 address climate change. This is a onetime
12.16 appropriation. Public meetings held as part of
12.17 efforts under this appropriation must be
12.18 distributed evenly among the following three
12.19 areas: Minneapolis and St. Paul; cities in the
12.20 seven-county metropolitan area, but not
12.21 including Minneapolis and St. Paul; and areas
12.22 outside the seven-county metropolitan area.
- 12.23 (i) \$400,000 the second year is from the
12.24 environmental fund for grants to develop and
12.25 expand recycling markets for Minnesota
12.26 businesses.
- 12.27 (j) \$30,000 the first year and \$30,000 the
12.28 second year are from the environmental fund
12.29 for reviewing financial qualifications of waste
12.30 tire facility permit applicants under Minnesota
12.31 Statutes, section 115A.903.
- 12.32 (k) \$244,000 the first year and \$222,000 the
12.33 second year are from the environmental fund
12.34 for the voluntary certification program for

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

13.21 Subd. 8. Watershed 9,485,000 9,335,000

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

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

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

15.1	<u>Subd. 9. Environmental Quality Board</u>	<u>1,624,000</u>	<u>1,274,000</u>
15.2	<u>Appropriations by Fund</u>		
15.3		<u>2020</u>	<u>2021</u>
15.4	<u>General</u>	<u>1,431,000</u>	<u>1,081,000</u>
15.5	<u>Environmental</u>	<u>193,000</u>	<u>193,000</u>
15.6	<u>\$350,000 the first year is for a grant to the</u>		
15.7	<u>Board of Regents of the University of</u>		
15.8	<u>Minnesota, Water Resources Center, for a</u>		
15.9	<u>comprehensive study of the economic benefits</u>		
15.10	<u>of managed aquifer recharge and to make</u>		
15.11	<u>recommendations to enhance and replenish</u>		
15.12	<u>Minnesota's groundwater resources. This is a</u>		
15.13	<u>onetime appropriation and is available until</u>		
15.14	<u>June 30, 2021. The study must include but is</u>		
15.15	<u>not limited to:</u>		
15.16	<u>(1) examining the potential benefits of</u>		
15.17	<u>enhancing groundwater recharge in</u>		
15.18	<u>water-stressed areas;</u>		
15.19	<u>(2) assessing the relationship to changing</u>		
15.20	<u>seasonality and intensity of precipitation on</u>		
15.21	<u>groundwater recharge rates;</u>		
15.22	<u>(3) reviewing the approaches to manage</u>		
15.23	<u>recharge in geologically appropriate areas;</u>		
15.24	<u>(4) identifying policy options, costs, and</u>		
15.25	<u>barriers to recharging groundwater; and</u>		
15.26	<u>(5) assessing the economic returns of options</u>		
15.27	<u>for groundwater recharge.</u>		
15.28	<u>In conducting the study, the Water Resources</u>		
15.29	<u>Center must convene a stakeholder group and</u>		
15.30	<u>provide for public participation. By January</u>		
15.31	<u>15, 2021, the Water Resources Center must</u>		
15.32	<u>present its findings and recommendations in</u>		
15.33	<u>a report submitted to the chairs of the</u>		
15.34	<u>legislative committees and divisions with</u>		

16.1 jurisdiction over environment and natural
16.2 resources policy.

16.3 **Subd. 10. Transfers**

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

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

16.23 **Subd. 11. Cancellations**

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

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

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

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

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

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

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

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

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

20.1 (i) \$971,000 the first year and \$985,000 the
20.2 second year are from the nongame wildlife
20.3 management account in the natural resources
20.4 fund for nongame wildlife management.
20.5 Notwithstanding Minnesota Statutes, section
20.6 290.431, \$100,000 the first year and \$100,000
20.7 the second year may be used for nongame
20.8 wildlife information, education, and
20.9 promotion.

20.10 (j) Notwithstanding Minnesota Statutes,
20.11 section 84.943, \$13,000 the first year and
20.12 \$13,000 the second year from the critical
20.13 habitat private sector matching account may
20.14 be used to publicize the critical habitat license
20.15 plate match program.

20.16 (k) \$6,000,000 the first year and \$6,000,000
20.17 the second year are for the following activities:

20.18 (1) financial reimbursement and technical
20.19 support to soil and water conservation districts
20.20 or other local units of government for
20.21 groundwater-level monitoring;

20.22 (2) surface water monitoring and analysis,
20.23 including installing monitoring gauges;

20.24 (3) groundwater analysis to assist with
20.25 water-appropriation permitting decisions;

20.26 (4) permit application review incorporating
20.27 surface water and groundwater technical
20.28 analysis;

20.29 (5) precipitation data and analysis to improve
20.30 irrigation use;

20.31 (6) information technology, including
20.32 electronic permitting and integrated data
20.33 systems; and

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

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

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

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

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

22.1 and divisions having jurisdiction over
22.2 environment and natural resources finance that
22.3 identifies all firefighting costs incurred and
22.4 reimbursements received in the prior fiscal
22.5 year. These appropriations may not be
22.6 transferred. Any reimbursement of firefighting
22.7 expenditures made to the commissioner from
22.8 any source other than federal mobilizations
22.9 must be deposited into the general fund.

22.10 (b) \$15,119,000 the first year and \$15,386,000
22.11 the second year are from the forest
22.12 management investment account in the natural
22.13 resources fund for only the purposes specified
22.14 in Minnesota Statutes, section 89.039,
22.15 subdivision 2.

22.16 (c) \$1,398,000 the first year and \$1,417,000
22.17 the second year are from the heritage
22.18 enhancement account in the game and fish
22.19 fund to advance ecological classification
22.20 systems (ECS) scientific management tools
22.21 for forest and invasive species management.

22.22 (d) \$836,000 the first year and \$847,000 the
22.23 second year are for the Forest Resources
22.24 Council to implement the Sustainable Forest
22.25 Resources Act.

22.26 (e) \$1,131,000 the first year and \$1,131,000
22.27 the second year are for the Next Generation
22.28 Core Forestry data system.

22.29 (f) \$500,000 the first year and \$500,000 the
22.30 second year are from the forest management
22.31 investment account in the natural resources
22.32 fund for forest road maintenance on state
22.33 forest roads.

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

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

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

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

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

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

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

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

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

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

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

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

24.26 (d) \$890,000 the first year and \$890,000 the
 24.27 second year are from the natural resources
 24.28 fund for park and trail grants to local units of
 24.29 government on land to be maintained for at
 24.30 least 20 years for parks or trails. This
 24.31 appropriation is from revenue deposited in the
 24.32 natural resources fund under Minnesota
 24.33 Statutes, section 297A.94, paragraph (h),
 24.34 clause (4). Any unencumbered balance does

- 25.1 not cancel at the end of the first year and is
25.2 available for the second year.
- 25.3 (e) \$9,624,000 the first year and \$9,624,000
25.4 the second year are from the snowmobile trails
25.5 and enforcement account in the natural
25.6 resources fund for the snowmobile
25.7 grants-in-aid program. Any unencumbered
25.8 balance does not cancel at the end of the first
25.9 year and is available for the second year.
- 25.10 (f) \$2,135,000 the first year and \$2,135,000
25.11 the second year are from the natural resources
25.12 fund for the off-highway vehicle grants-in-aid
25.13 program. Of this amount, \$1,660,000 each
25.14 year is from the all-terrain vehicle account;
25.15 \$150,000 each year is from the off-highway
25.16 motorcycle account; and \$325,000 each year
25.17 is from the off-road vehicle account. Any
25.18 unencumbered balance does not cancel at the
25.19 end of the first year and is available for the
25.20 second year.
- 25.21 (g) \$116,000 the first year and \$117,000 the
25.22 second year are from the cross-country-ski
25.23 account in the natural resources fund for
25.24 grooming and maintaining cross-country-ski
25.25 trails in state parks, trails, and recreation areas.
- 25.26 (h) \$266,000 the first year and \$269,000 the
25.27 second year are from the state land and water
25.28 conservation account in the natural resources
25.29 fund for priorities established by the
25.30 commissioner for eligible state projects and
25.31 administrative and planning activities
25.32 consistent with Minnesota Statutes, section
25.33 84.0264, and the federal Land and Water
25.34 Conservation Fund Act. Any unencumbered

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

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

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

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

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

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

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

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

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

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

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

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

29.1 the first year is for a grant to the Board of
29.2 Regents of the University of Minnesota for
29.3 the Chronic Wasting Disease Response,
29.4 Research, and Policy Program. The
29.5 commissioner and board must each submit
29.6 quarterly reports on the activities funded under
29.7 this paragraph to the chairs and ranking
29.8 minority members of the legislative
29.9 committees and divisions with jurisdiction
29.10 over environment and natural resources and
29.11 agriculture. Base funding for this activity is
29.12 \$1,100,000 in fiscal year 2022 and thereafter.

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

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

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

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

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

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

30.4 Appropriations by Fund

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

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

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

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

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

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

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

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

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

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

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

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

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

	<u>Appropriations by Fund</u>	
	<u>2020</u>	<u>2021</u>
32.22		
32.23		
32.24	<u>2,850,000</u>	<u>2,350,000</u>
32.25	<u>150,000</u>	<u>-0-</u>

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

32.33 (b) \$850,000 the first year and \$850,000 the
 32.34 second year are available for protecting the

33.1 department's business systems and associated
 33.2 infrastructure.
 33.3 (c) \$150,000 the first year is from the water
 33.4 recreation account in the natural resources
 33.5 fund for programming costs required for the
 33.6 new watercraft licensing categories established
 33.7 in this act.

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

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

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

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

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

33.30 **Subd. 10. Cancellation**
 33.31 The unencumbered amount of the general fund
 33.32 appropriation in Laws 2016, chapter 189,
 33.33 article 3, section 3, subdivision 8, for legal

34.1 costs, estimated to be \$500,000, is canceled
 34.2 on June 30, 2019.

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

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

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

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

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

35.1 (c) \$761,000 the first year and \$761,000 the
35.2 second year are to implement, enforce, and
35.3 provide oversight for the Wetland
35.4 Conservation Act, including administering the
35.5 wetland banking program and in-lieu fee
35.6 mechanism.

35.7 (d) \$1,560,000 the first year and \$1,560,000
35.8 the second year are for the following
35.9 cost-share programs:

35.10 (1) \$260,000 each year is for the feedlot water
35.11 quality cost-sharing program for feedlots under
35.12 500 animal units and nutrient and manure
35.13 management projects in watersheds where
35.14 there are impaired waters;

35.15 (2) \$1,200,000 each year is for cost-sharing
35.16 programs of soil and water conservation
35.17 districts for perennially vegetated riparian
35.18 buffers, erosion control, water retention and
35.19 treatment, and other high-priority conservation
35.20 practices; and

35.21 (3) \$100,000 each year is for county
35.22 cooperative weed management programs and
35.23 to restore native plants in selected invasive
35.24 species management sites.

35.25 (e) \$166,000 the first year and \$166,000 the
35.26 second year are to provide technical assistance
35.27 to local drainage management officials and
35.28 for the costs of the Drainage Work Group. The
35.29 board must coordinate with the Drainage Work
35.30 Group according to Minnesota Statutes,
35.31 section 103B.101, subdivision 13.

35.32 (f) \$100,000 the first year and \$100,000 the
35.33 second year are for a grant to the Red River
35.34 Basin Commission for water quality and

36.1 floodplain management, including
36.2 administration of programs. This appropriation
36.3 must be matched by nonstate funds.

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

36.8 (h) \$125,000 the first year and \$125,000 the
36.9 second year are for conservation easement
36.10 stewardship.

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

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

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

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

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

36.31 (2) assessing the viability of replacing plastic
36.32 materials used in conservation and

37.1 bioengineering projects with similarly
37.2 designed organic materials; and
37.3 (3) by November 1, 2020, preparing and
37.4 submitting a report to the chairs and ranking
37.5 minority members of the committees and
37.6 divisions with jurisdiction over environment
37.7 and natural resources with:
37.8 (i) criteria to be used by the board for
37.9 identifying and listing materials under
37.10 Minnesota Statutes, section 103F.49;
37.11 (ii) recommendations for implementing
37.12 Minnesota Statutes, section 103F.49, including
37.13 a process for reviewing and updating the list;
37.14 and
37.15 (iii) results of the assessment under clause (2)
37.16 and any related recommendations.
37.17 The board must consult with the United States
37.18 Department of Agriculture and the
37.19 commissioners of natural resources,
37.20 transportation, and the Pollution Control
37.21 Agency and may contract with the University
37.22 of Minnesota as necessary for the purposes of
37.23 this appropriation. This is a onetime
37.24 appropriation and is available until June 30,
37.25 2022.
37.26 (m) \$400,000 the first year is to provide
37.27 onetime state incentive payments to enrollees
37.28 in the federal Conservation Reserve Program
37.29 (CRP) and its derivative programs available
37.30 in Minnesota. The board may establish
37.31 payment rates based on land valuation and on
37.32 environmental benefit criteria, including but
37.33 not limited to reducing nutrients in surface
37.34 water or groundwater, protecting drinking

38.1 water, enhancing soil health, and enhancing
38.2 pollinator and wildlife habitat. The board may
38.3 use state funds to implement the program and
38.4 to provide technical assistance to landowners
38.5 or their agents to fulfill enrollment and
38.6 contract provisions. This is a onetime
38.7 appropriation and is available until June 30,
38.8 2023.

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

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

39.1 minority members of the house of
 39.2 representatives and senate committees and
 39.3 divisions with jurisdiction over agriculture
 39.4 and environment and natural resources policy.

39.5 This is a onetime appropriation.

39.6 (p) \$5,745,000 the first year and \$5,550,000
 39.7 the second year are for agency administration
 39.8 and operation of the Board of Water and Soil
 39.9 Resources. The base for agency administration
 39.10 is \$5,351,000 in fiscal year 2022 and
 39.11 thereafter.

39.12 (q) Notwithstanding Minnesota Statutes,
 39.13 section 103C.501, the board may shift money
 39.14 in this section and may adjust the technical
 39.15 and administrative assistance portion of the
 39.16 funds to leverage federal or other nonstate
 39.17 funds or to address accountability, oversight,
 39.18 local government performance, or
 39.19 high-priority needs identified in local water
 39.20 management plans or comprehensive water
 39.21 management plans.

39.22 (r) The appropriations for grants in this section
 39.23 are available until June 30, 2023. Returned
 39.24 grant funds must be regranted consistent with
 39.25 the purposes of this section. If an appropriation
 39.26 for grants in either year is insufficient, the
 39.27 appropriation in the other year is available for
 39.28 it.

39.29 (s) Notwithstanding Minnesota Statutes,
 39.30 section 16B.97, the appropriations for grants
 39.31 in this section are exempt from the Department
 39.32 of Administration, Office of Grants
 39.33 Management Policy 08-10 Grant Monitoring.

39.34 **Sec. 5. METROPOLITAN COUNCIL \$ 9,140,000 \$ 9,140,000**

40.1	<u>Appropriations by Fund</u>		
40.2		<u>2020</u>	<u>2021</u>
40.3	<u>General</u>	<u>2,540,000</u>	<u>2,540,000</u>
40.4	<u>Natural Resources</u>	<u>6,600,000</u>	<u>6,600,000</u>

40.5 (a) \$2,540,000 the first year and \$2,540,000
 40.6 the second year are for metropolitan-area
 40.7 regional parks operation and maintenance
 40.8 according to Minnesota Statutes, section
 40.9 473.351.

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

40.18 **Sec. 6. CONSERVATION CORPS**
 40.19 **MINNESOTA** \$ 945,000 \$ 945,000

40.20	<u>Appropriations by Fund</u>		
40.21		<u>2020</u>	<u>2021</u>
40.22	<u>General</u>	<u>455,000</u>	<u>455,000</u>
40.23	<u>Natural Resources</u>	<u>490,000</u>	<u>490,000</u>

40.24 Conservation Corps Minnesota may receive
 40.25 money appropriated from the natural resources
 40.26 fund under this section only as provided in an
 40.27 agreement with the commissioner of natural
 40.28 resources.

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

40.30	<u>Appropriations by Fund</u>		
40.31		<u>2020</u>	<u>2021</u>
40.32	<u>General</u>	<u>10,204,000</u>	<u>9,809,000</u>
40.33	<u>Natural Resources</u>	<u>190,000</u>	<u>190,000</u>

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

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

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

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

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

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

42.5 **Sec. 10. CONTINGENT APPROPRIATIONS**

42.6 **Subdivision 1. Motor Fuels Tax**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

ARTICLE 2

ENVIRONMENT AND NATURAL RESOURCES

Section 1. [1.1465] STATE BEE.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

48.25 Sec. 5. Minnesota Statutes 2018, section 84.026, is amended by adding a subdivision to
48.26 read:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

51.15 (2) expressly authorized by federal law;

51.16 (3) of an antique;

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

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

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

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

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

51.29 Sec. 9. Minnesota Statutes 2018, section 84.788, subdivision 2, is amended to read:

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

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

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

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

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

52.8 ~~(5)~~ (4) operated on state or grant-in-aid trails by a nonresident possessing a nonresident
52.9 off-highway motorcycle state trail pass;

52.10 ~~(6)~~ (5) operated by a person participating in an event for which the commissioner has
52.11 issued a special use permit; or

52.12 ~~(7)~~ (6) operated on boundary trails and registered in another state or country providing
52.13 equal reciprocal registration or licensing exemptions for registrants of this state.

52.14 Sec. 10. Minnesota Statutes 2018, section 84.794, subdivision 2, is amended to read:

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

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

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

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

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

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

52.25 Sec. 11. Minnesota Statutes 2018, section 84.83, subdivision 3, is amended to read:

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

52.29 (1) for a grant-in-aid program to counties and municipalities for construction and
52.30 maintenance of snowmobile trails that are determined by the commissioner to be part of

53.1 the state's grant-in-aid system, including maintenance of trails on lands and waters of
 53.2 Voyageurs National Park; on Lake of the Woods; on Rainy Lake; on the following lakes in
 53.3 St. Louis County: Burntside, Crane, Little Long, Mud, Pelican, Shagawa, and Vermilion;
 53.4 and on the following lakes in Cook County: Devil Track and Hungry Jack; The commissioner
 53.5 may establish a performance-based funding formula for annual grants-in-aid. The procedures
 53.6 and criteria for grants-in-aid are not subject to the rulemaking provisions of chapter 14, and
 53.7 section 14.386 does not apply. In administering the performance-based grants-in-aid, the
 53.8 commissioner must:

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

53.11 (ii) make grant payments based on:

53.12 (A) successful completion of performance benchmarks;

53.13 (B) reimbursement of eligible expenditures; or

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

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

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

53.20 (3) for snowmobile safety programs; and

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

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

53.26 **Sec. 12. [84.976] NO CHILD LEFT INSIDE GRANT PROGRAM.**

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

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

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

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

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

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

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

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

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

54.12 Sec. 13. Minnesota Statutes 2018, section 84D.15, is amended to read:

54.13 **84D.15 INVASIVE SPECIES ~~ACCOUNT~~ ACCOUNTS.**

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

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

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

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

54.26 (1) 80 percent from each surcharge must be deposited in the invasive species account;
 54.27 and

54.28 (2) 20 percent from each surcharge must be deposited in the invasive species research
 54.29 account.

54.30 Subd. 3. **Use of money in invasive species account.** Money credited to the invasive
 54.31 species account in subdivision 2 ~~shall~~ must be used for management of invasive species

55.1 and implementation of this chapter as it pertains to invasive species, including control,
 55.2 public awareness, law enforcement, assessment and monitoring, management planning,
 55.3 habitat improvements, and research. Of the money credited to the account, at least ten
 55.4 percent from each surcharge on watercraft licenses under section 86B.415, subdivision 7,
 55.5 must be used for grants to lake associations to manage aquatic invasive plant species.

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

55.10 Sec. 14. Minnesota Statutes 2018, section 85.012, subdivision 49, is amended to read:

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

55.12 Sec. 15. Minnesota Statutes 2018, section 85.42, is amended to read:

55.13 **85.42 USER FEE; VALIDITY.**

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

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

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

55.24 (d) The commissioner and agents ~~shall~~ must issue a duplicate pass to a person whose
 55.25 pass is lost or destroyed; using the process established under section 97A.405, subdivision
 55.26 3, and rules adopted thereunder. The fee for a duplicate cross-country-ski pass is \$2.

55.27 Sec. 16. Minnesota Statutes 2018, section 85.44, is amended to read:

55.28 **85.44 CROSS-COUNTRY-SKI TRAIL GRANT-IN-AID PROGRAM.**

55.29 The commissioner shall establish a grant-in-aid program for local units of government
 55.30 and special park districts ~~for the acquisition, development, and maintenance of~~ to acquire,
 55.31 develop, and maintain cross-country-ski trails that are determined by the commissioner to

56.1 be part of the state's grant-in-aid system. Grants ~~shall be~~ are available ~~for acquisition of~~ to
 56.2 acquire trail easements but may not be used to acquire any lands in fee title. Local units of
 56.3 government and special park districts applying for and receiving grants under this section
 56.4 ~~shall be~~ are considered to have cross-country-ski trails for one year following the expiration
 56.5 of their last grant. The department shall reimburse all public sponsors of grants-in-aid
 56.6 cross-country-ski trails based upon criteria established by the department. ~~Prior to the use~~
 56.7 ~~of~~ Before using any reimbursement criteria, a certain proportion of the revenues ~~shall~~ must
 56.8 be allocated on the basis of user fee sales location. The commissioner may establish a
 56.9 performance-based funding formula for annual grants-in-aid. The procedures and criteria
 56.10 for grants-in-aid are not subject to the rulemaking provisions of chapter 14, and section
 56.11 14.386 does not apply. In administering the performance-based grants-in-aid, the
 56.12 commissioner must:

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

56.15 (2) make grant payments based on:

56.16 (i) successful completion of performance benchmarks;

56.17 (ii) reimbursement of eligible expenditures; or

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

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

56.22 Sec. 17. Minnesota Statutes 2018, section 85.47, is amended to read:

56.23 **85.47 SPECIAL USE PERMITS; FEES.**

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

56.28 Sec. 18. Minnesota Statutes 2018, section 86B.415, subdivision 1, is amended to read:

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

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

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

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

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

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

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

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

57.13 Sec. 19. Minnesota Statutes 2018, section 86B.415, subdivision 1a, is amended to read:

57.14 Subd. 1a. **Canoes, kayaks, sailboards, paddleboards, paddleboats, or rowing**
57.15 **shells.** Except as provided under subdivision 4, the fee for a watercraft license for a canoe,
57.16 kayak, sailboard, paddleboard, paddleboat, or rowing shell over ten feet in length is ~~\$10.50~~
57.17 \$15.25.

57.18 Sec. 20. Minnesota Statutes 2018, section 86B.415, subdivision 2, is amended to read:

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

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

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

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

57.24 Sec. 21. Minnesota Statutes 2018, section 86B.415, subdivision 3, is amended to read:

57.25 Subd. 3. **Watercraft over 19 feet for hire.** Except as provided under subdivision 4, the
57.26 license fee for a watercraft more than 19 feet in length for hire with an operator is ~~\$75~~
57.27 \$108.75 each.

58.1 Sec. 22. Minnesota Statutes 2018, section 86B.415, subdivision 4, is amended to read:

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

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

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

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

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

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

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

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

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

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

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

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

58.21 Sec. 23. Minnesota Statutes 2018, section 86B.415, subdivision 5, is amended to read:

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

58.24 Sec. 24. Minnesota Statutes 2018, section 86B.415, subdivision 7, is amended to read:

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

59.1 Sec. 25. Minnesota Statutes 2018, section 88.642, subdivision 1, is amended to read:

59.2 Subdivision 1. **Written consent.** No person shall cut, harvest, remove, transport, or
59.3 possess for decorative purposes or for sale more than three decorative trees, more than 100
59.4 pounds of decorative boughs, more than 50 spruce stems or branches greater than six inches
59.5 in length, more than 50 birch stems or branches greater than one-inch large-end diameter,
59.6 or more than 100 pounds of any other decorative materials without the written consent of
59.7 the owner or authorized agent of the private or public land on which the decorative materials
59.8 were cut or harvested. The written consent ~~shall be on a form furnished or otherwise approved~~
59.9 ~~by the commissioner of natural resources and shall~~ must contain the legal description of the
59.10 land where the decorative materials were cut or harvested, as well as the name of the legal
59.11 owner of the land or the owner's authorized agent. The written consent must be carried by
59.12 every person cutting, harvesting, removing, possessing, or transporting any decorative
59.13 materials, or in any way aiding therein, and must be exhibited to any officer at the officer's
59.14 request at any time.

59.15 Sec. 26. Minnesota Statutes 2018, section 88.642, subdivision 3, is amended to read:

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

59.21 Sec. 27. Minnesota Statutes 2018, section 88.6435, is amended to read:

59.22 **88.6435 BOUGH DECORATIVE MATERIALS BUYERS.**

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

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

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

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

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

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

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

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

60.6 (2) the form of written consent; and

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

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

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

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

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

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

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

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

60.31 (b) Fees for ~~permits~~ licenses issued under this section must be deposited in the state
 60.32 treasury and credited to the ~~forest bough~~ special forest products account and, except for the

61.1 electronic licensing system commission established by the commissioner under section
61.2 84.027, subdivision 15, are annually appropriated to the commissioner of natural resources
61.3 for costs associated with special forest product information and education programs for
61.4 harvesters and buyers.

61.5 Sec. 28. Minnesota Statutes 2018, section 89.37, subdivision 3, is amended to read:

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

61.12 Sec. 29. **[89.435] FOREST CARBON SEQUESTRATION GOAL.**

61.13 It is the goal of the state to plant an additional 1,000,000 trees each year in fiscal years
61.14 2020, 2021, 2022, and 2023, to provide additional carbon sequestration and improve forest
61.15 health.

61.16 Sec. 30. Minnesota Statutes 2018, section 90.01, is amended by adding a subdivision to
61.17 read:

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

61.21 Sec. 31. Minnesota Statutes 2018, section 90.195, is amended to read:

61.22 **90.195 SPECIAL USE AND PRODUCT PERMIT.**

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

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

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

61.27 (b) The fuelwood permits under paragraph (a) may be issued for a period not to exceed
61.28 one year. The commissioner shall ~~shall~~ must charge a fee for the permit as provided under section
61.29 90.041, subdivision 10. The fee shall ~~shall~~ must not exceed the current market value of fuelwood

62.1 of similar species, grade, and volume that is being sold in the area where the salvage or
62.2 cutting is authorized under the permit.

62.3 ~~(b)~~ (c) The commissioner may issue a ~~special product permit under section 89.42 for~~
62.4 ~~commercial use, which may include~~ permit for harvesting or collecting incidental volumes
62.5 of ~~boughs, gravel, hay, biomass, and other products derived from forest management activities~~
62.6 special forest products. The value of the products is the current market value of the products
62.7 that are being sold in the area. The permit may be issued for a period not to exceed one year,
62.8 and the commissioner ~~shall~~ must charge a fee for the permit as provided under section
62.9 90.041, subdivision 10.

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

62.16 Sec. 32. **[92.122] COMPENSATING PERMANENT SCHOOL FUND.**

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

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

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

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

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

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

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

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

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

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

63.9 Sec. 33. Minnesota Statutes 2018, section 92.50, subdivision 1, is amended to read:

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

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

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

63.14 (3) for roads or railroads;

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

63.16 ~~(4)~~ (5) for other uses consistent with the interests of the state.

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

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

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

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

63.27 (d) Leases must be subject to sale and leasing of the land for mineral purposes and
63.28 contain a provision for cancellation for just cause at any time by the commissioner upon
63.29 six months' written notice. A longer notice period, not exceeding three years, may be provided
63.30 in leases for storing ore, waste materials from mines, or rock or tailings from ore milling

64.1 plants. The commissioner may determine the terms and conditions, including the notice
64.2 period, for cancellation of a lease for the removal of peat and commercial leases.

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

64.5 Sec. 34. Minnesota Statutes 2018, section 97A.015, subdivision 25, is amended to read:

64.6 Subd. 25. **Game fish.** "Game fish" means ~~walleye, sauger, yellow perch, channel catfish,~~
64.7 ~~flathead catfish; members of the pike family, Esocidae, including muskellunge and northern~~
64.8 ~~pike; members of the sunfish family, Centrarchidae, including largemouth bass, smallmouth~~
64.9 ~~bass, sunfish, rock bass, white crappie, black crappie, members of the temperate bass family,~~
64.10 ~~Pereichthyidae, including white bass and yellow bass; members of the salmon and trout~~
64.11 ~~subfamily, Salmoninae, including Atlantic salmon, chinook salmon, coho salmon, pink~~
64.12 ~~salmon, kokanee salmon, lake trout, brook trout, brown trout, rainbow (steelhead) trout,~~
64.13 ~~and splake; members of the paddlefish family, Polyodontidae; members of the sturgeon~~
64.14 ~~family, Acipenseridae, including lake sturgeon, and shovelnose sturgeon.~~ fish from the
64.15 following families and species: Acipenseridae (lake sturgeon and shovelnose sturgeon),
64.16 Anguillidae (American eel), Centrarchidae (black crappie; largemouth bass; rock bass;
64.17 smallmouth bass; white crappie; and sunfishes, including bluegill, green sunfish, longear
64.18 sunfish, orangespotted sunfish, pumpkinseed, and warmouth), Esocidae (muskellunge and
64.19 northern pike), Gadidae (burbot), Ictaluridae (blue catfish, channel catfish, and flathead
64.20 catfish), Moronidae (white bass and yellow bass), Percidae (sauger, walleye, and yellow
64.21 perch), Polyodontidae (paddlefish), and Salmonidae (Atlantic salmon, brook trout, brown
64.22 trout, chinook salmon, cisco or tullibee, coho salmon, kokanee salmon, lake trout, lake
64.23 whitefish, pink salmon, and rainbow trout). "Game fish" includes hybrids of game fish.

64.24 Sec. 35. Minnesota Statutes 2018, section 97A.015, subdivision 43, is amended to read:

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

64.28 Sec. 36. Minnesota Statutes 2018, section 97A.055, subdivision 4, is amended to read:

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

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

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

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

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

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

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

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

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

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

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

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

65.17 (5) summary and comments of citizen oversight committee reviews under subdivision
65.18 4b.

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

65.21 Sec. 37. Minnesota Statutes 2018, section 97A.055, subdivision 4b, is amended to read:

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

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

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

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

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

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

66.17 (e) The chairs of the Fisheries Oversight Committee and the Wildlife Oversight
66.18 Committee shall be chosen by their respective committees. The chair of the Budgetary
66.19 Oversight Committee shall be appointed by the commissioner and may not be the chair of
66.20 either of the other oversight committees.

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

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

66.31 Sec. 38. Minnesota Statutes 2018, section 97A.065, subdivision 6, is amended to read:

66.32 Subd. 6. **Deer license donations and surcharges.** (a) The surcharges collected under
66.33 section 97A.475, subdivision 3a, ~~paragraph (b), shall~~ must be deposited in an account in

67.1 the special revenue fund and are appropriated to the commissioner for deer management,
 67.2 including for grants or payments to agencies, organizations, or individuals for assisting with
 67.3 the cost of processing deer taken for population management purposes for venison donation
 67.4 programs. None of the additional license fees shall be transferred to any other agency for
 67.5 administration of programs other than venison donation. If any money transferred by the
 67.6 commissioner is not used for a venison donation program, it shall be returned to the
 67.7 commissioner.

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

67.12 Sec. 39. Minnesota Statutes 2018, section 97A.075, subdivision 1, is amended to read:

67.13 Subdivision 1. **Deer, bear, and lifetime licenses.** (a) For purposes of this subdivision,
 67.14 "deer license" means a license issued under section 97A.475, subdivisions 2, clauses (5),
 67.15 (6), (7), (13), (14), and (15); 3, paragraph (a), clauses (2), (3), (4), (10), (11), and (12); and
 67.16 8, paragraph (b), and licenses issued under section 97B.301, subdivision 4.

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

67.24 (1) \$16 from each annual deer license issued under section 97A.475, subdivisions 2,
 67.25 clauses (5), (6), and (7); 3, paragraph (a), clauses (2), (3), and (4); and 8, paragraph (b);

67.26 (2) \$2 from each annual deer license issued under sections 97A.475, subdivisions 2,
 67.27 clauses (13), (14), and (15); and 3, paragraph (a), clauses (10), (11), and (12); and 97B.301,
 67.28 subdivision 4; and

67.29 (3) \$16 annually from the lifetime fish and wildlife trust fund, established under section
 67.30 97A.4742, for each license issued to a person 18 years of age or older under section 97A.473,
 67.31 subdivision 4, and \$2 annually from the lifetime fish and wildlife trust fund for each license
 67.32 issued to a person under 18 years of age.

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

68.6 (d) Fifty cents from each deer license is credited to the ~~emergency deer feeding and wild~~
68.7 Cervidae health-management account and is appropriated for ~~emergency deer feeding and~~
68.8 wild Cervidae health management. Money appropriated for ~~emergency deer feeding and~~
68.9 wild Cervidae health management is available until expended.

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

68.14 Sec. 40. Minnesota Statutes 2018, section 97A.126, is amended to read:

68.15 **97A.126 WALK-IN ACCESS PROGRAM.**

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

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

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

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

68.30 (d) The general provisions for use of wildlife management areas adopted under sections
68.31 86A.06 and 97A.137, relating to overnight use, alcoholic beverages, use of motorboats,
68.32 firearms and target shooting, hunting stands, abandonment of trash and property, destruction

69.1 or removal of property, introduction of plants or animals, and animal trespass, apply to
 69.2 hunters on lands enrolled in the walk-in access program.

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

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

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

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

69.9 Sec. 41. **97A.138] INSECTICIDES IN WILDLIFE MANAGEMENT AREAS.**

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

69.12 Sec. 42. Minnesota Statutes 2018, section 97A.321, subdivision 1, is amended to read:

69.13 Subdivision 1. **Owner responsibility; penalty amount.** (a) The owner of a dog that
 69.14 pursues but does not kill or mortally wound a big game animal is subject to a civil penalty
 69.15 of \$100 for each violation. The owner of a dog that kills or mortally wounds a big game
 69.16 animal is subject to a civil penalty of \$500 for each violation.

69.17 (b) Paragraph (a) does not apply to a person using a dog in compliance with section
 69.18 97B.207.

69.19 Sec. 43. Minnesota Statutes 2018, section 97A.405, is amended by adding a subdivision
 69.20 to read:

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

69.25 Sec. 44. Minnesota Statutes 2018, section 97A.475, subdivision 3a, is amended to read:

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

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

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

70.5 Sec. 45. Minnesota Statutes 2018, section 97A.475, subdivision 4, is amended to read:

70.6 Subd. 4. **Small-game surcharge and donation.** ~~(a)~~ Fees for annual licenses to take
70.7 small game must be increased by a surcharge of \$6.50, except licenses under subdivisions
70.8 2, clauses (18) and (19); and 3, paragraph (a), ~~clause~~ clauses (14) and (15). An additional
70.9 commission may not be assessed on the surcharge and the following statement must be
70.10 included in the annual small-game-hunting regulations: "This \$6.50 surcharge is being paid
70.11 by hunters for the acquisition and development of wildlife lands."

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

70.17 Sec. 46. Minnesota Statutes 2018, section 97A.475, subdivision 41, is amended to read:

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

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

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

70.23 Sec. 47. Minnesota Statutes 2018, section 97B.011, is amended to read:

70.24 **97B.011 DOGS PURSUING BIG GAME.**

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

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

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

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

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

71.2 Sec. 48. Minnesota Statutes 2018, section 97B.081, subdivision 3, is amended to read:

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

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

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

71.8 (i) on foot;

71.9 (ii) using a shotgun;

71.10 (iii) not within a public road right-of-way;

71.11 (iv) using a handheld or electronic calling device; and

71.12 (v) not within 200 feet of a motor vehicle; or

71.13 (3) cast the rays of a handheld artificial light to retrieve wounded or dead big game
71.14 animals, provided that the person is:

71.15 (i) on foot; and

71.16 (ii) not in possession of a firearm or bow.

71.17 (b) It is not a violation of subdivision 2 for a person to cast the rays of a spotlight,
71.18 headlight, or other artificial light to:

71.19 (1) carry out any agricultural, safety, emergency response, normal vehicle operation, or
71.20 occupation-related activities that do not involve taking wild animals; or

71.21 (2) carry out outdoor recreation as defined in section 97B.001 that is not related to
71.22 spotting, locating, or taking a wild animal.

71.23 (c) Except as otherwise provided by the game and fish laws, it is not a violation of this
71.24 section for a person to use an electronic range finder device from one-half hour before
71.25 sunrise until one-half hour after sunset while lawfully hunting wild animals.

71.26 (d) It is not a violation of this section for a licensed bear hunter to cast the rays of a
71.27 handheld artificial light to track or retrieve a wounded or dead bear while possessing a
71.28 firearm, ~~provided that:~~

71.29 (1) if the person:

72.1 ~~(1)~~ (i) has the person's valid bear-hunting license in possession;

72.2 ~~(2)~~ (ii) is on foot; and

72.3 ~~(3)~~ (iii) is following the blood trail of a bear that was shot during legal shooting hours;

72.4 or

72.5 (2) as provided in section 97B.207.

72.6 (e) It is not a violation of this section for a licensed deer hunter to cast the rays of a

72.7 handheld artificial light to track or retrieve a wounded deer as provided in section 97B.207.

72.8 (f) For purposes of this subdivision, "handheld artificial light" means an artificial light

72.9 that is carried in the hand or attached to the person.

72.10 Sec. 49. Minnesota Statutes 2018, section 97B.205, is amended to read:

72.11 **97B.205 ~~USE OF~~ USING DOGS AND HORSES TO TAKE BIG GAME**

72.12 **PROHIBITED.**

72.13 A person may not use a dog or horse to take big game, except as provided under section

72.14 97B.207.

72.15 Sec. 50. **97B.207] USING DOGS TO LOCATE WOUNDED DEER OR BEAR.**

72.16 Subdivision 1. **Using dogs allowed.** A person may use a dog to locate and retrieve a

72.17 wounded deer or bear only as provided in this section.

72.18 Subd. 2. **Requirements for hunters and handlers.** (a) A person attempting to locate

72.19 and retrieve a wounded deer or bear using a dog must have a valid license to take the deer

72.20 or bear and have the license in possession. If the person is a dog handler that does not have

72.21 a valid hunting license, the person must be accompanied by a licensed hunter with the license

72.22 in possession.

72.23 (b) The licensed hunter, and any accompanying dog handler, must be on foot and must

72.24 wear blaze orange or blaze pink as provided in section 97B.071, paragraph (a).

72.25 (c) Any light used must be a handheld artificial light, as defined under section 97B.081,

72.26 subdivision 3, paragraph (f).

72.27 Subd. 3. **Requirements for dogs.** (a) A dog used to locate a wounded deer or bear must

72.28 be accompanied by a licensed hunter and any dog handler until the wounded deer or bear

72.29 is located. The dog must be leashed and the licensed hunter or dog handler must be in

72.30 physical control of the leash at all times. The leash must not exceed 30 feet in length.

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

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

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

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

73.13 Sec. 51. Minnesota Statutes 2018, section 97B.655, is amended to read:

73.14 **97B.655 TAKING ANIMALS CAUSING DAMAGE.**

73.15 Subdivision 1. **Owners and occupants may take certain animals.** (a) A person or the
73.16 person's agent may take bats, snakes, salamanders, lizards, weasel, mink, squirrel, rabbit,
73.17 hare, raccoon, bobcat, fox, opossum, muskrat, or beaver on land owned or occupied by the
73.18 person where the animal is causing damage. The person or the person's agent may take the
73.19 animal without a license and in any manner except by artificial lights in the closed season
73.20 or by poison. Raccoons may be taken under this subdivision with artificial lights during
73.21 open season.

73.22 (b) Any traps used under this subdivision must be tagged as required under section
73.23 97B.928 if placed by an agent of the landowner or occupant.

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

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

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

74.1 Sec. 52. Minnesota Statutes 2018, section 97B.665, is amended by adding a subdivision
74.2 to read:

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

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

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

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

74.17 (e) For purposes of this subdivision:

74.18 (1) "landowner" means:

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

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

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

74.23 Sec. 53. Minnesota Statutes 2018, section 97B.667, subdivision 2, is amended to read:

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

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

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

75.3 Sec. 54. Minnesota Statutes 2018, section 97B.667, subdivision 3, is amended to read:

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

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

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

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

75.15 Sec. 55. Minnesota Statutes 2018, section 97B.667, subdivision 4, is amended to read:

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

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

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

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

75.24 Sec. 56. Minnesota Statutes 2018, section 97B.667, is amended by adding a subdivision
75.25 to read:

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

76.1 Sec. 57. **[97B.673] NONTOXIC SHOT REQUIRED FOR TAKING SMALL GAME**
 76.2 **IN CERTAIN AREAS.**

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

76.6 (1) steel shot;

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

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

76.10 Subd. 2. Farmland zone. For the purposes of this section, the farmland zone is the
 76.11 portion of the state that falls south and west of Minnesota Highway 70 westward from the
 76.12 Wisconsin border to Minnesota Highway 65 to Minnesota Highway 23 to U.S. Highway
 76.13 169 at Milaca to Minnesota Highway 18 at Garrison to Minnesota Highway 210 at Brainerd
 76.14 to U.S. Highway 10 at Motley to U.S. Highway 59 at Detroit Lakes northward to the
 76.15 Canadian border.

76.16 Sec. 58. Minnesota Statutes 2018, section 97C.605, subdivision 1, is amended to read:

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

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

76.22 Sec. 59. Minnesota Statutes 2018, section 97C.605, subdivision 2c, is amended to read:

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

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

76.26 ~~(2)~~ (1) when buying a turtle at a retail outlet; or

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

77.1 ~~(4)~~ (2) to take, possess, and rent ~~or sell~~ up to 25 turtles greater than four inches in length
 77.2 for the purpose of providing the turtles to participants at a nonprofit turtle race, if the person
 77.3 is a resident under age 18. The person is responsible for the well-being of the turtles.

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

77.8 Sec. 60. Minnesota Statutes 2018, section 97C.605, subdivision 3, is amended to read:

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

- 77.11 (1) explosives, drugs, poisons, lime, and other harmful substances;
 77.12 (2) traps, ~~except as provided in paragraph (b) and rules adopted under this section;~~
 77.13 (3) nets other than anglers' fish landing nets; or
 77.14 (4) commercial equipment, ~~except as provided in rules adopted under this section.~~

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

- 77.17 ~~(1) has one or more openings above the water surface that measure at least ten inches~~
 77.18 ~~by four inches; and~~
 77.19 ~~(2) has a mesh size of not less than one-half inch, bar measure.~~

77.20 Sec. 61. [103F.49] CONSERVATION MATERIALS CONTAINING PLASTICS.

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

- 77.23 (1) identify materials used in conservation and bioengineering projects that contain
 77.24 plastic that are used or are likely to be used in state-funded stream bank stabilization projects;
 77.25 (2) determine whether feasible alternatives for the materials identified are available that
 77.26 do not contain plastic; and
 77.27 (3) post a list of the materials with feasible alternatives on the board's website stating
 77.28 that the materials are ineligible for state funding beginning January 1, 2022.

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

- 78.1 (1) purchase a material listed under subdivision 1, in whole or in part, with state funds;
78.2 or
78.3 (2) use a material listed under subdivision 1 as part of a project funded in whole or in
78.4 part with state funds.

78.5 Sec. 62. Minnesota Statutes 2018, section 103G.241, subdivision 1, is amended to read:

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

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

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

78.14 Sec. 63. Minnesota Statutes 2018, section 103G.241, subdivision 3, is amended to read:

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

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

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

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

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

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

78.27 Sec. 64. Minnesota Statutes 2018, section 103G.287, subdivision 1, is amended to read:

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

79.1 (1) a water well record as required by section 103I.205, subdivision 9, information on
79.2 the subsurface geologic formations penetrated by the well and the formation or aquifer that
79.3 will serve as the water source, and geologic information from test holes drilled to locate the
79.4 site of the production well;

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

79.6 (3) information on groundwater quality in terms of the measures of quality commonly
79.7 specified for the proposed water use and details on water treatment necessary for the proposed
79.8 use;

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

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

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

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

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

80.1 Sec. 65. Minnesota Statutes 2018, section 103G.301, subdivision 2, is amended to read:

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

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

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

80.18 Sec. 66. Minnesota Statutes 2018, section 103G.311, subdivision 2, is amended to read:

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

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

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

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

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

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

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

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

81.1 Sec. 67. Minnesota Statutes 2018, section 103G.311, subdivision 5, is amended to read:

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

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

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

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

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

81.17 Sec. 68. Minnesota Statutes 2018, section 103G.315, subdivision 8, is amended to read:

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

81.22 Sec. 69. Minnesota Statutes 2018, section 103G.408, is amended to read:

81.23 **103G.408 TEMPORARY DRAWDOWN OF PUBLIC WATERS.**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

82.28 Sec. 70. Minnesota Statutes 2018, section 103G.615, subdivision 3a, is amended to read:

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

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

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

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

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

83.18 Sec. 71. **[115A.141] CARPET PRODUCTS; STEWARDSHIP PROGRAM;**
83.19 **STEWARDSHIP PLAN.**

83.20 Subdivision 1. Definitions. For purposes of this section, the following terms have the
83.21 meanings given:

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

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

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

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

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

84.6 (6) "nylon carpet" means carpet made with a uniform face fiber made with either nylon
84.7 6 or nylon 6,6;

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

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

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

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

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

84.14 or

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

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

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

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

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

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

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

84.27 (13) "recycling rate" means the percentage of discarded carpet that is managed through
84.28 recycling or reuse, as defined in this section, and is calculated by dividing the amount of
84.29 discarded carpet that is collected and recycled or reused by the total amount of discarded
84.30 carpet generated over a program year. To determine the annual recycling rates required by
84.31 this section, the amount of discarded carpet generated must be calculated using a standard

85.1 recognized methodology based on annual sales, replacement rate, and the average weight
85.2 of carpet and must be approved by the agency;

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

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

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

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

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

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

85.16 (18) "stewardship organization" means a single organization exempt from taxation under
85.17 Section 501(c)(3) of the federal Internal Revenue Code of 1986 (United States Code, title
85.18 21, section 501(c)(3)) that is established by producers in accordance with this section to
85.19 develop, implement, and administer a product stewardship program under this section;

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

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

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

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

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

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

86.9 (c) It is the responsibility of the stewardship organization to notify the agency within
86.10 30 days of any significant changes or modifications to the plan or its implementation. Within
86.11 30 days of the notification, a written plan revision must be submitted to the agency for
86.12 review and approval.

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

86.15 Subd. 5. Stewardship plan content. The stewardship plan must contain:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

87.30 (14) a financial plan that demonstrates sufficient funding to carry out the stewardship
87.31 plan, including the administrative, operational, and capital costs of the plan, and payment

88.1 of incentive payments to carpet collectors, processors, and end use markets to assist with
88.2 the implementation of this section;

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

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

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

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

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

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

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

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

88.31 (c) If the amount of the assessment is too low to properly fund the stewardship program,
88.32 the stewardship organization must submit a plan update to the agency to increase the

89.1 assessment, subject to agency review and approval in accordance with this section before
89.2 the assessment is increased.

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

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

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

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

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

89.23 Subd. 8. **Agency review and approval.** (a) Within 90 days after receiving a proposed
89.24 stewardship plan, the agency must determine whether the plan complies with subdivision
89.25 5 and is sufficient to achieve the goals and requirements of this section. If the agency
89.26 approves a plan, the agency must notify the applicant of the plan approval in writing. If the
89.27 agency rejects a plan, the agency must notify the applicant in writing of the reasons for
89.28 rejecting the plan. An applicant whose plan is rejected by the agency must submit a revised
89.29 plan to the agency within 60 days after receiving notice of rejection.

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

89.32 Subd. 9. **Plan availability.** All draft stewardship plans must be placed on the agency's
89.33 website for at least 30 days before agency approval and made available at the agency's

90.1 headquarters for public review and comment. All approved stewardship plans must be placed
90.2 on the agency's website while the plan is in effect.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

91.31 Subd. 16. **Local government responsibilities.** A city, county, or other public agency
91.32 may voluntarily participate by serving as a designated collection point by providing education

92.1 and outreach, or by using other strategies to assist in meeting product stewardship program
92.2 recycling obligations. A city, county, or other public agency providing voluntary assistance
92.3 must be reimbursed for all of its expenses by the stewardship organization.

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

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

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

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

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

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

92.27 Sec. 72. Minnesota Statutes 2018, section 115A.142, is amended to read:

92.28 **115A.142 REPORT TO LEGISLATURE AND GOVERNOR.**

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

93.1 Sec. 73. Minnesota Statutes 2018, section 115A.51, is amended to read:

93.2 **115A.51 APPLICATION REQUIREMENTS.**

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

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

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

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

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

93.17 (5) that the applicant has identified:

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

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

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

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

93.27 (ii) consistency with the state's solid waste hierarchy and section 115A.46, subdivision
93.28 2, paragraphs (e) and (f), or 473.149, subdivision 1; and

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

93.30 (b) The commissioner may require completion of a comprehensive solid waste
93.31 management plan conforming to the requirements of section 115A.46, before accepting an

94.1 application. Within five days of filing an application with the agency, the applicant must
94.2 submit a copy of the application to each solid waste management facility mentioned in the
94.3 portion of the application addressing the requirements of paragraph (a), clauses (5) and (6).

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

94.5 Sec. 74. **[115A.903] WASTE TIRE FACILITIES OPERATING OUTDOORS;**
94.6 **FINANCIAL QUALIFICATIONS.**

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

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

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

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

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

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

94.18 (2) cost estimates for:

94.19 (i) site investigation;

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

94.21 (iii) project design;

94.22 (iv) construction;

94.23 (v) operations;

94.24 (vi) maintenance; and

94.25 (vii) facility closing.

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

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

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

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

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

95.10 Subd. 3. **Financial qualification review.** The commissioner may provide to the state
95.11 auditor a copy of any filing that an applicant for a permit or a permit holder submits to the
95.12 commissioner to meet the financial qualification requirement under this section. The state
95.13 auditor must review the filing and provide the commissioner with a written opinion as to
95.14 the adequacy of the filing to meet the purposes of this section, including any recommended
95.15 changes.

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

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

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

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

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

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

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

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

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

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

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

96.9 Sec. 75. **[115B.172] NATURAL RESOURCES DAMAGES ACCOUNT.**

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

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

96.13 (1) revenue from actions taken to recover natural resources damages under section
96.14 115B.17, subdivision 7, or any other law, unless otherwise specified in the settlement
96.15 agreement;

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

96.17 (3) interest earned on the account; and

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

96.20 Subd. 3. **Expenditures.** (a) Money in the account is appropriated to the commissioner
96.21 of natural resources for the purposes authorized in section 115B.20, subdivision 2, clause
96.22 (4).

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

96.29 Subd. 4. **Report.** By November 1 each year, the commissioner of natural resources must
96.30 submit a report to the chairs and ranking minority members of the house of representatives
96.31 and senate committees and divisions with jurisdiction over environment and natural resources

97.1 policy and finance on expenditures from the natural resources damages account during the
97.2 previous fiscal year.

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

97.4 Sec. 76. Minnesota Statutes 2018, section 115B.421, is amended to read:

97.5 **115B.421 CLOSED LANDFILL INVESTMENT FUND.**

97.6 The closed landfill investment fund is established in the state treasury. The fund consists
97.7 of money credited to the fund, and interest and other earnings on money in the fund.

97.8 Beginning July 1, 2003, funds must be deposited as described in section 115B.445. The
97.9 fund shall be managed to maximize long-term gain through the State Board of Investment.
97.10 Money in the fund is appropriated to the commissioner and may be spent ~~by the commissioner~~
97.11 after fiscal year 2020 in accordance with sections 115B.39 to 115B.444.

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

97.13 Sec. 77. Minnesota Statutes 2018, section 116.02, is amended to read:

97.14 **116.02 POLLUTION CONTROL AGENCY; CREATION AND POWERS.**

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

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

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

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

98.1 Subd. 5. **Agency successor to commission.** The Pollution Control Agency is the
98.2 successor of the Water Pollution Control Commission, and all powers and duties now vested
98.3 in or imposed upon said commission by chapter 115, or any act amendatory thereof or
98.4 supplementary thereto, are hereby transferred to, imposed upon, and vested in the
98.5 ~~commissioner of the~~ Minnesota Pollution Control Agency.

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

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

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

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

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

98.17 (iii) the commissioner is recommending preparation of an environmental impact
98.18 statement;

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

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

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

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

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

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

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

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

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

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

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

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

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

99.13 or

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

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

99.18 Subd. 9a. **Informing public.** The commissioner must inform interested persons as
99.19 appropriate in public notices and other public documents of their right to request the agency
99.20 to make decisions in specific matters according to subdivision 6a and the right of agency
99.21 members to request that decisions be made by the agency according to subdivision 8a. The
99.22 commissioner must regularly inform the agency of activities that have broad policy
99.23 implications or potential environmental significance and of activities in which the public
99.24 has exhibited substantial interest.

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

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

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

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

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

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

100.5 Sec. 78. Minnesota Statutes 2018, section 116.03, subdivision 1, is amended to read:

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

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

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

100.13 Sec. 79. Minnesota Statutes 2018, section 116.03, subdivision 2a, is amended to read:

100.14 Subd. 2a. **Mission; efficiency.** It is part of the agency's mission that, within the agency's
100.15 resources, the commissioner and the members of the agency shall endeavor to:

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

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

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

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

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

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

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

101.1 Sec. 80. Minnesota Statutes 2018, section 116.155, subdivision 1, is amended to read:

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

101.10 Sec. 81. Minnesota Statutes 2018, section 116.155, subdivision 3, is amended to read:

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

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

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

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

101.21 (4) interest accrued on the fund.

101.22 Sec. 82. Minnesota Statutes 2018, section 116.155, is amended by adding a subdivision
101.23 to read:

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

101.26 Sec. 83. [116.2025] SALT APPLICATORS; VOLUNTARY CERTIFICATION
101.27 PROGRAM.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

103.19 (3) copies of the winter maintenance assessment tool requirements developed by the
103.20 commissioner;

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

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

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

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

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

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

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

104.7 Sec. 84. **[116U.60] MINNESOTA OUTDOOR RECREATION OFFICE.**

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

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

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

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

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

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

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

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

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

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

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

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

105.1 (11) recommending initiatives to increase access to outdoor recreational amenities and
105.2 experiences.

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

105.8 Subd. 4. **Strategic plan.** By January 15, 2020, the director of the Minnesota Outdoor
105.9 Recreation Office must submit a report to the chairs and ranking minority members of the
105.10 house of representatives and senate committees and divisions with jurisdiction over Explore
105.11 Minnesota Tourism and environment and natural resources policy and finance that contains
105.12 a strategic plan for the Minnesota Outdoor Recreation Office. In developing the strategic
105.13 plan, the director must consult with the Explore Minnesota Tourism Council; the
105.14 commissioners of natural resources, health, transportation, and employment and economic
105.15 development; and the chairs and ranking minority members or their designees of the house
105.16 of representatives and senate committees and divisions with jurisdiction over Explore
105.17 Minnesota Tourism and environment and natural resources policy and finance.

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

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

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

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

105.31 Sec. 85. Minnesota Statutes 2018, section 127A.353, subdivision 1, is amended to read:

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

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

106.3 Sec. 86. Minnesota Statutes 2018, section 325F.071, is amended to read:

106.4 **325F.071 FLAME-RETARDANT CHEMICALS; PROHIBITION.**

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

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

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

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

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

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

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

106.28 ~~(1) TDCPP (tris(1,3-dichloro-2-propyl)phosphate), Chemical Abstracts Service number~~
106.29 ~~13674-87-8;~~

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

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

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

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

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

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

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

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

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

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

107.18 Subd. 4. **Firefighting foam.** Beginning July 1, 2020, a manufacturer or wholesaler may
107.19 not manufacture, sell, offer for sale, distribute for sale, or distribute for use in this state class
107.20 B firefighting foam that contains intentionally added PFAS except for use by oil refineries,
107.21 oil and petroleum terminals, and airports.

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

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

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

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

108.4 Sec. 87. Laws 2013, chapter 114, article 4, section 105, as amended by Laws 2017, chapter
108.5 93, article 2, section 148, is amended to read:

108.6 Sec. 105. **RULES; SILICA SAND.**

108.7 (a) The commissioner of the Pollution Control Agency may adopt rules pertaining to
108.8 the control of particulate emissions from silica sand projects. The rulemaking is exempt
108.9 from Minnesota Statutes, section 14.125.

108.10 (b) The commissioner of natural resources shall ~~adopt rules~~ develop a model ordinance
108.11 pertaining to the reclamation of silica sand mines. The rulemaking is exempt from Minnesota
108.12 Statutes, section 14.125 commissioner shall publish the model ordinance in the State Register.

108.13 (c) By January 1, 2014, the Department of Health shall adopt an air quality health-based
108.14 value for silica sand.

108.15 (d) The Environmental Quality Board may amend its rules for environmental review,
108.16 adopted under Minnesota Statutes, chapter 116D, for silica sand mining and processing to
108.17 take into account the increased activity in the state and concerns over the size of specific
108.18 operations. The Environmental Quality Board shall consider whether the requirements of
108.19 Minnesota Statutes, section 116C.991, should remain part of the environmental review
108.20 requirements for silica sand and whether the requirements should be different for different
108.21 geographic areas of the state. The rulemaking is exempt from Minnesota Statutes, section
108.22 14.125.

108.23 Sec. 88. **STAMP DESIGN; RULE AMENDMENT.**

108.24 (a) The commissioner of natural resources shall amend Minnesota Rules, part 6290.0400,
108.25 subpart 3, to:

108.26 (1) allow a contest entry to be created using nonphotographic digital media; and

108.27 (2) require a person submitting a contest entry to list all media used in the creation of
108.28 the entry.

108.29 (b) The commissioner may use the good cause exemption under Minnesota Statutes,
108.30 section 14.388, subdivision 1, clause (3), to adopt rules under this section, and Minnesota

109.1 Statutes, section 14.386, does not apply except as provided under Minnesota Statutes, section
109.2 14.388.

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

109.4 Sec. 89. **TURTLE SELLER'S LICENSES; TRANSFER AND RENEWAL.**

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

109.7 Sec. 90. **CHRONIC WASTING DISEASE ADOPT-A-DUMPSTER PROGRAM;**
109.8 **DEER CARCASS HANDLING GUIDELINES.**

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

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

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

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

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

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

110.1 Sec. 91. **REVISOR INSTRUCTION.**

110.2 (a) The revisor of statutes shall renumber Minnesota Statutes, section 85.012, subdivision
110.3 49, as subdivision 58a, and include the history of the current subdivision 49 under the new
110.4 subdivision 58a.

110.5 (b) The revisor must assign the priority order for the metropolitan landfill contingency
110.6 action trust account established in section 3 to follow any amendment to Minnesota Statutes,
110.7 section 16A.152, subdivision 2, for special education aid enacted during the 2019 legislative
110.8 session.

110.9 (c) The revisor of statutes must change the reference in Minnesota Statutes, sections
110.10 127A.30, subdivision 2, and 287.22, from "section 92.121" to "section 92.122."

110.11 Sec. 92. **REPEALER.**

110.12 (a) Minnesota Statutes 2018, sections 92.121; and 97C.605, subdivisions 2, 2a, 2b, and
110.13 5, are repealed.

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

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

92.121 PERMANENT SCHOOL FUND LANDS.

The commissioner of natural resources shall exchange permanent school fund land as defined in the Minnesota Constitution, article XI, section 8, located in state parks, state recreation areas, wildlife management areas, scientific and natural areas, or state waysides or on lands managed by the commissioner as old growth stands, for other lands as allowed by the Minnesota Constitution, article XI, section 10, and section 94.343, subdivision 1, that are compatible with the goal of the permanent school fund lands in section 127A.31 when, as a result of management practices applied to the permanent school fund lands and associated resources, revenue generation has been diminished or is prohibited and no alternative has been put into effect to compensate the permanent school fund for the income losses.

97C.605 TURTLES.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

6256.0500 TAKING TURTLES.

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

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

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

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

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

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

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

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

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

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

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

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

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

APPENDIX
Repealed Minnesota Rules: H2209-1

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