

This Document can be made available
in alternative formats upon request

State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-SECOND SESSION

H. F. No. **4492**

03/21/2022 Authored by Hansen, R.,

The bill was read for the first time and referred to the Committee on Environment and Natural Resources Finance and Policy

04/19/2022 Adoption of Report: Amended and re-referred to the Committee on Ways and Means

1.1 A bill for an act

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

1.3 resources, and tourism; creating Outdoor Recreation Office; modifying pesticide

1.4 and seed provisions; providing for soil health and protection of peat soil; modifying

1.5 invasive species management; modifying state trails; providing for compensation

1.6 of certain board, commission, and council members; providing for watercraft

1.7 operator's permit, safety program, and rental requirements; modifying walk-in

1.8 access program; modifying game and fish laws; modifying certain accounts;

1.9 providing for disposition of certain receipts; creating programs; modifying Water

1.10 Law; modifying air and water pollution provisions; requiring environmental justice

1.11 considerations; modifying solid waste and feedlot provisions; modifying provisions

1.12 and transferring authority to regulate farmed Cervidae; prohibiting PFAS, lead,

1.13 and cadmium in certain products; defining terms for metropolitan government;

1.14 creating Pig's Eye Landfill Task Force; modifying land use provisions; modifying

1.15 provisions for conveying interests in state lands; adding to and deleting from state

1.16 parks and state forests; authorizing conveyances of certain state lands; providing

1.17 for disposition of proceeds from sale of tax-forfeited land; requiring reports;

1.18 requiring rulemaking; providing criminal penalties; amending Minnesota Statutes

1.19 2020, sections 13.643, subdivision 6; 15A.0815, subdivision 3; 18B.09, subdivision

1.20 2, by adding a subdivision; 21.81, by adding a subdivision; 21.86, subdivision 2;

1.21 35.155, subdivisions 1, 4, 6, 10, 12, by adding a subdivision; 84.632; 84D.02,

1.22 subdivision 3; 85.015, subdivision 10; 85A.01, subdivision 1; 86B.313, subdivision

1.23 4; 89A.03, subdivision 5; 90.181, subdivision 2; 97A.015, by adding a subdivision;

1.24 97A.126, as amended; 97A.137, subdivision 3; 97A.475, subdivision 41; 97C.605,

1.25 subdivisions 1, 2c; 103B.101, subdivision 2; 103B.103; 103G.271, by adding a

1.26 subdivision; 103G.287, subdivision 5; 103G.299, subdivisions 1, 2, 5, 10; 115.061;

1.27 115.071, by adding a subdivision; 115B.17, subdivision 14; 115B.52, subdivision

1.28 4; 116.06, subdivision 1, by adding subdivisions; 116.07, subdivision 4a, by adding

1.29 subdivisions; 116C.03, subdivision 2a; 116D.04, by adding a subdivision; 116P.05,

1.30 subdivision 1; 171.07, by adding a subdivision; 282.04, subdivision 1, by adding

1.31 a subdivision; 282.08; 297A.94; 325E.046; 325F.072, subdivisions 1, 3; 394.36,

1.32 subdivision 4; 473.121, by adding subdivisions; Minnesota Statutes 2021

1.33 Supplement, sections 35.155, subdivision 11; 84.63; 84.631; 92.502; 97C.605,

1.34 subdivision 3; 97C.611; proposing coding for new law in Minnesota Statutes,

1.35 chapters 21; 84; 86A; 86B; 97B; 103B; 103C; 103E; 103F; 103G; 115A; 116;

1.36 325E; repealing Minnesota Statutes 2020, sections 86B.101; 86B.305; 86B.313,

1.37 subdivisions 2, 3; 97C.605, subdivisions 2, 2a, 2b, 5; 325E.389; 325E.3891; Laws

3.1 for grants to local government units and Tribal
3.2 governments to upgrade local infrastructure,
3.3 critical facilities, and other assets for
3.4 protection against localized flooding and urban
3.5 heat impacts and \$450,000 is for technical
3.6 assistance. The commissioner may contract
3.7 with an independent third party to provide the
3.8 technical assistance. This appropriation is
3.9 available until June 30, 2026. The base for this
3.10 appropriation in fiscal year 2024 and later is
3.11 \$133,000.

3.12 (b) \$5,602,000 the second year is for agency
3.13 operating adjustments. Of this amount,
3.14 \$38,000 is from the general fund, \$4,167,000
3.15 is from the environmental fund, and
3.16 \$1,397,000 is from the remediation fund, of
3.17 which \$854,000 is for the purposes of the
3.18 petroleum remediation program. The
3.19 commissioner must make necessary
3.20 adjustments to program appropriations in this
3.21 section to distribute these funds. By September
3.22 1, 2022, the commissioner must report to the
3.23 chairs of the legislative committees and
3.24 divisions with jurisdiction over environment
3.25 and natural resources finance the distribution
3.26 of funds and resulting base-level
3.27 appropriations for each program.

3.28 (c) \$1,000,000 the second year is to create a
3.29 community-based brownfield grant program
3.30 to provide grants to complete contamination
3.31 site investigations and cleanup planning at
3.32 brownfield sites in underserved areas. Of this
3.33 amount, \$500,000 is for use in the
3.34 seven-county metropolitan area and \$500,000
3.35 is for use outside the seven-county

4.1 metropolitan area. This is a onetime
4.2 appropriation and is available until June 30,
4.3 2025.

4.4 (d) \$2,000,000 the second year is to support
4.5 efforts to prevent perfluoroalkyl and
4.6 polyfluoroalkyl substances (PFAS)
4.7 contamination. Of this amount, \$1,400,000 is
4.8 for grants to support projects designed to
4.9 prevent PFAS releases to the environment,
4.10 identify sources of PFAS, and implement
4.11 reduction strategies. This is a onetime
4.12 appropriation and is available until June 30,
4.13 2025.

4.14 (e) \$10,000,000 the second year is to establish
4.15 a waste prevention and recycling grant and
4.16 loan program. Of this amount, \$9,360,000 is
4.17 for grants and loans for infrastructure
4.18 improvement projects related to waste
4.19 prevention, recycling, and composting. This
4.20 is a onetime appropriation and is available
4.21 until June 30, 2025. All loan proceeds must
4.22 be deposited in the environmental fund.

4.23 (f) \$50,000 the second year is for completing
4.24 the St. Louis River mercury total maximum
4.25 daily load study. This is a onetime
4.26 appropriation and is available until June 30,
4.27 2025.

4.28 (g) The unspent amount, estimated to be
4.29 \$50,000, from the appropriation in Laws 2021,
4.30 First Special Session chapter 6, article 1,
4.31 section 2, subdivision 2, paragraph (i), for the
4.32 St. Louis River mercury total maximum daily
4.33 load study is canceled on June 29, 2022.

5.1 (h) \$1,800,000 the second year is to address
5.2 the Pig's Eye Landfill. Of this amount,
5.3 \$800,000 is for the purposes of the Pig's Eye
5.4 Landfill Task Force as provided in this act and
5.5 \$1,000,000 is for preliminary assessment and
5.6 cleanup. This is a onetime appropriation and
5.7 is available until June 30, 2026.

5.8 (i) \$50,000 the second year is for the
5.9 petroleum tank release cleanup program duties
5.10 and report required under this act. This is a
5.11 onetime appropriation.

5.12 (j) \$250,000 the second year is to implement
5.13 feedlot financial assurance requirements and
5.14 compile the annual feedlot and manure storage
5.15 area lists required under Minnesota Statutes,
5.16 section 116.07, subdivisions 7f and 7g.

5.17 (k) \$700,000 the second year is for distribution
5.18 to delegated counties based on registered
5.19 feedlots and manure storage areas for
5.20 inspections of manure storage areas and the
5.21 abandoned manure storage area reports
5.22 required under this act. This is a onetime
5.23 appropriation and is available until June 30,
5.24 2024.

5.25 (l) \$250,000 the second year is for a grant to
5.26 the Minnesota Association of County Feedlot
5.27 Officers to provide training concerning state
5.28 feedlot requirements, working efficiently and
5.29 effectively with producers, and reducing the
5.30 incidence of manure or nutrients entering
5.31 surface water or groundwater. This is a
5.32 onetime appropriation.

5.33 (m) \$5,000,000 the second year is for grants
5.34 for pilot projects that encourage composting

6.1 by residents of multifamily buildings under
6.2 Minnesota Statutes, section 115A.5591. This
6.3 is a onetime appropriation.

6.4 (n) \$9,080,000 the second year from the
6.5 general fund is for implementation of the
6.6 environmental justice, cumulative impact
6.7 analysis, and demographic analysis
6.8 requirements under this act. The general fund
6.9 appropriation is onetime and is available until
6.10 June 30, 2024. The base for this appropriation
6.11 in fiscal year 2024 is \$8,979,000 from the
6.12 environmental fund and the base in fiscal year
6.13 2025 and later is \$8,603,000 from the
6.14 environmental fund.

6.15 (o) \$5,000,000 the second year is for
6.16 development of a statewide air quality
6.17 monitoring program, including air monitoring
6.18 devices and other necessary equipment. This
6.19 is a onetime appropriation and is available
6.20 until June 30, 2027.

6.21 (p) \$540,000 the second year is to purchase
6.22 three air monitoring devices to measure
6.23 pollutants in ambient air. The monitoring
6.24 devices must be placed within a census tract
6.25 that the commissioner has determined is
6.26 located in an environmental justice area, as
6.27 defined in Minnesota Statutes, section 116.06,
6.28 subdivision 10b. This is a onetime
6.29 appropriation.

6.30 (q) \$500,000 the second year is for grants for
6.31 a community air monitoring system pilot
6.32 program under this act and to pay the agency's
6.33 reasonable costs to administer the pilot grant
6.34 program. This is a onetime appropriation and
6.35 is available until June 30, 2024.

7.1 (r) \$500,000 the second year is to adopt rules
7.2 to regulate air toxics emissions as specified in
7.3 this act. This is a onetime appropriation and
7.4 is available until June 30, 2025.

7.5 (s) \$1,000,000 the second year is for a lead
7.6 tackle collection program that provides
7.7 collection sites throughout the state where
7.8 anglers may safely dispose of lead tackle.

7.9 (t) \$175,000 the second year is for the seed
7.10 disposal rulemaking required under this act.
7.11 This is a onetime appropriation and is
7.12 available until June 30, 2024.

7.13 (u) \$100,000 the second year is for transfer to
7.14 the commissioner of agriculture to enforce the
7.15 treated seed provisions under Minnesota
7.16 Statutes, section 21.86, subdivision 2.

7.17 (v) \$2,000,000 the second year is to develop
7.18 protocols to be used by agencies and
7.19 departments for sampling and testing
7.20 groundwater, surface water, public drinking
7.21 water, and private wells for microplastics and
7.22 nanoplastics and to begin implementation. The
7.23 commissioner may transfer money
7.24 appropriated under this paragraph to the
7.25 commissioners of agriculture, natural
7.26 resources, and health to implement the
7.27 protocols developed under this paragraph. This
7.28 is a onetime appropriation. For the purposes
7.29 of this paragraph, "microplastics" and
7.30 "nanoplastics" have the meanings given under
7.31 Minnesota Statutes, section 116.06,
7.32 subdivisions 14a and 14b.

7.33 (w) \$1,500,000 the second year is for the
7.34 zero-waste grant program under Minnesota

8.1 Statutes, section 115A.561. This is a onetime
8.2 appropriation.

8.3 (x) \$17,000 the second year is from the
8.4 environmental fund to support the expedited
8.5 rule process to update the capital assistance
8.6 program grant limits and eligibility. This is a
8.7 onetime appropriation and is available until
8.8 June 30, 2024.

8.9 (y) \$74,000 the second year is from the
8.10 environmental fund to complete compliance
8.11 monitoring and testing for cadmium and lead
8.12 in consumer products.

8.13 (z) \$150,000 the second year is from the
8.14 environmental fund for the carpet stewardship
8.15 report required under this act. This is a
8.16 onetime appropriation.

8.17 (aa) \$452,000 the second year is from the
8.18 environmental fund to adopt rules establishing
8.19 water quality standards for perfluorooctanoic
8.20 acid (PFOA) and perfluorooctanesulfonic acid
8.21 (PFOS) as required under this act. This is a
8.22 onetime appropriation and is available until
8.23 June 30, 2025.

8.24 (bb) \$181,000 the second year is from the
8.25 environmental fund for implementing and
8.26 enforcing the perfluoroalkyl and
8.27 polyfluoroalkyl substances provisions under
8.28 Minnesota Statutes, sections 116.943 to
8.29 116.947. The base for this appropriation in
8.30 fiscal year 2024 and later is \$362,000. Of this
8.31 amount, \$66,000 may be transferred to the
8.32 commissioner of health.

8.33 (cc) \$314,000 the second year is from the
8.34 environmental fund for the perfluoroalkyl and

10.1	<u>Natural Resources</u>	<u>-0-</u>	<u>1,750,000</u>
10.2	<u>Game and Fish</u>	<u>-0-</u>	<u>15,000</u>

10.3 The amounts that may be spent for each
 10.4 purpose are specified in the following
 10.5 subdivisions.

10.6 **Subd. 2. Department Appropriations**

10.7 (a) \$25,000,000 the second year is for
 10.8 modernizing and enhancing
 10.9 department-managed infrastructure, lands, and
 10.10 waters to mitigate and adapt to climate change.

10.11 Of this amount, \$10,000,000 is for public
 10.12 water access sites; \$10,000,000 is for
 10.13 hatcheries; and \$5,000,000 is for native plant
 10.14 restoration in state parks. The commissioner
 10.15 may reallocate across these purposes based on
 10.16 project readiness and priority. This is a
 10.17 onetime appropriation and is available until
 10.18 June 30, 2026.

10.19 (b) \$300,000 the second year is to provide
 10.20 aggregate resource maps for local
 10.21 governments. The base for this appropriation
 10.22 in fiscal year 2024 and beyond is \$100,000.

10.23 (c) \$5,000,000 the second year is to enhance
 10.24 grasslands and restore wetlands on
 10.25 state-owned wildlife management areas to
 10.26 increase carbon sequestration and enhance
 10.27 climate resiliency. This is a onetime
 10.28 appropriation and is available until June 30,
 10.29 2026.

10.30 (d) \$250,000 the second year is to evaluate
 10.31 fish designated as rough fish in the state to
 10.32 determine if fish species are properly
 10.33 designated and if there are rough fish species
 10.34 that are in need of additional protection

- 11.1 through regulations and to determine any
11.2 research needs. The commissioner must
11.3 submit a report with the results of the
11.4 evaluation and any recommendations to the
11.5 chairs and ranking minority members of the
11.6 legislative committees and divisions with
11.7 jurisdiction over the environment and natural
11.8 resources by June 30, 2023. This is a onetime
11.9 appropriation.
- 11.10 (e) \$1,400,000 the second year is for
11.11 designating swan resting areas under this act
11.12 and to provide increased education and
11.13 outreach promoting the protection of swans
11.14 in the state, including education regarding the
11.15 restrictions on taking swans. This is a onetime
11.16 appropriation and is available until June 30,
11.17 2025.
- 11.18 (f) \$421,000 the second year is to complete a
11.19 centralized aquifer-property database to
11.20 provide needed data for site characterization.
11.21 This is a onetime appropriation and is
11.22 available until June 30, 2024.
- 11.23 (g) \$30,000 the second year is to stock at least
11.24 7,000,000 walleye fry near spawning riffles
11.25 in the Rat Root River in Koochiching County.
11.26 This is a onetime appropriation.
- 11.27 (h) \$1,841,000 the second year is for grants
11.28 to lake associations, local governments, and
11.29 Tribal governments to manage aquatic
11.30 invasive plant species, including starry
11.31 stonewort. This is a onetime appropriation.
- 11.32 (i) \$1,383,000 is added to the base beginning
11.33 in fiscal year 2025 for implementing the
11.34 transition of the farmed Cervidae program

- 12.1 from the Board of Animal Health to the
12.2 Department of Natural Resources as required
12.3 under this act.
- 12.4 (j) \$3,300,000 the second year is for improved
12.5 maintenance at scientific and natural areas
12.6 under Minnesota Statutes, section 86A.05,
12.7 subdivision 5, including additional natural
12.8 resource specialists and technicians,
12.9 coordinators, seasonal crews, equipment,
12.10 supplies, and administrative support. This is
12.11 a onetime appropriation and is available until
12.12 June 30, 2025.
- 12.13 (k) \$11,000,000 the second year is for grants
12.14 to local units of government to replace trees
12.15 removed to address emerald ash borer. Priority
12.16 must be given to environmental justice areas.
12.17 Money appropriated in this paragraph may be
12.18 used to acquire and plant trees that are climate
12.19 adaptive to Minnesota. This is a onetime
12.20 appropriation and is available until June 30,
12.21 2025. For purposes of this appropriation, an
12.22 environmental justice area is one or more
12.23 census blocks with a history of higher than
12.24 average cumulative impacts from air pollution
12.25 located in the state:
- 12.26 (1) in which, based on the most recent data
12.27 published by the United States Census Bureau:
- 12.28 (i) 40 percent or more of the population is
12.29 nonwhite;
- 12.30 (ii) 35 percent or more of the households have
12.31 an income at or below 200 percent of the
12.32 federal poverty level; or

13.1 (iii) 40 percent or more of the population over
13.2 the age of five has limited English proficiency;
13.3 or
13.4 (2) that is in Indian Country, as defined in
13.5 United States Code, title 18, section 1151.
13.6 (l) \$1,000,000 the second year is for grants to
13.7 prekindergarten to grade 12 schools, including
13.8 public and private schools, to plant trees on
13.9 school grounds while providing hands-on
13.10 learning opportunities for students. A grant
13.11 application under this paragraph must be
13.12 prepared jointly with the parent-teacher
13.13 organization or similar parent organization for
13.14 the school. This is a onetime appropriation
13.15 and is available until June 30, 2024.
13.16 (m) \$1,000,000 the second year is for public
13.17 meeting and water-use permit requirements
13.18 under Minnesota Statutes, sections 103G.271,
13.19 subdivisions 2a and 4b, and 103G.287,
13.20 subdivision 5. The base for this appropriation
13.21 in fiscal year 2024 and beyond is \$250,000.
13.22 (n) \$1,000,000 the second year is for a grant
13.23 to the Fond du Lac Band of Lake Superior
13.24 Chippewa to expand Minnesota's wild elk
13.25 population and range. Consideration must be
13.26 given to moving elk from existing herds in
13.27 northwest Minnesota to the area of the Fond
13.28 du Lac State Forest and the Fond du Lac
13.29 Reservation in Carlton and southern St. Louis
13.30 Counties. The Fond du Lac Band of Lake
13.31 Superior Chippewa's elk reintroduction efforts
13.32 must undergo thorough planning with the
13.33 Department of Natural Resources to develop
13.34 necessary capture and handling protocols,
13.35 including protocols related to cervid disease

- 14.1 management, and to produce postrelease state
14.2 and Tribal elk co-management plans. This is
14.3 a onetime appropriation.
- 14.4 (o) \$250,000 the second year is for testing
14.5 farmed white-tailed deer for chronic wasting
14.6 disease using a real-time quaking-induced
14.7 conversion (RT-QuIC) test as required in this
14.8 act. The commissioner must issue a request
14.9 for proposal for the RT-QuIC testing required.
14.10 This is a onetime appropriation.
- 14.11 (p) \$500,000 the second year is to address
14.12 chronic wasting disease in white-tailed deer
14.13 in and around the city of Grand Rapids. This
14.14 is a onetime appropriation.
- 14.15 (q) \$600,000 the second year is for grants for
14.16 natural-resource-based education and
14.17 recreation programs serving youth under
14.18 Minnesota Statutes, section 84.976. The base
14.19 for this appropriation in fiscal year 2024 and
14.20 beyond is \$300,000.
- 14.21 (r) \$70,000 the second year is for the nongame
14.22 wildlife management program.
- 14.23 (s) Notwithstanding Minnesota Statutes,
14.24 section 297A.94, \$15,000 the second year is
14.25 from the heritage enhancement account in the
14.26 game and fish fund for implementing nontoxic
14.27 shot requirements under Minnesota Statutes,
14.28 section 97B.673. This is a onetime
14.29 appropriation and is available until June 30,
14.30 2025.
- 14.31 (t) \$750,000 the second year is from the
14.32 natural resources fund for state trail, park, and
14.33 recreation area operations. This appropriation
14.34 is from revenue deposited in the natural

15.1 resources fund under Minnesota Statutes,
 15.2 section 297A.94, paragraph (h), clause (2).
 15.3 This is a onetime appropriation.

15.4 (u) \$500,000 the second year is from the
 15.5 all-terrain vehicle account in the natural
 15.6 resources fund for a grant to St. Louis County
 15.7 to match other funding sources for design,
 15.8 right-of-way acquisition, permitting, and
 15.9 construction of trails within the Voyageur
 15.10 Country ATV trail system. This is a onetime
 15.11 appropriation and is available until June 30,
 15.12 2025. This appropriation may be used as a
 15.13 local match to a 2022 state bonding award.

15.14 (v) \$500,000 the second year is from the
 15.15 all-terrain vehicle account in the natural
 15.16 resources fund for a grant to St. Louis County
 15.17 to match other funding sources for design,
 15.18 right-of-way acquisition, permitting, and
 15.19 construction of a new trail within the
 15.20 Prospector trail system. This is a onetime
 15.21 appropriation and is available until June 30,
 15.22 2025. This appropriation may be used as a
 15.23 local match to a 2022 state bonding award.

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

15.25 **Sec. 4. BOARD OF WATER AND SOIL**
 15.26 **RESOURCES** **\$** **-0-** **\$** **68,920,000**

15.27 (a) \$10,000,000 the second year is for water
 15.28 storage and management projects and practices
 15.29 to control water volume and rates to protect
 15.30 infrastructure, improve water quality, and
 15.31 provide other related public benefits consistent
 15.32 with Minnesota Statutes, section 103F.05. Of
 15.33 this amount, \$5,000,000 is for projects in the
 15.34 seven-county metropolitan area and
 15.35 \$5,000,000 is for projects outside the

16.1 seven-county metropolitan area. This
16.2 appropriation is available until June 30, 2026.
16.3 The base for this appropriation is \$167,000 in
16.4 fiscal year 2024 and beyond.

16.5 (b) \$595,000 the second year is to offset
16.6 unreimbursed costs caused by the COVID-19
16.7 pandemic. This is a onetime appropriation.

16.8 (c) \$5,000,000 the second year is to accelerate
16.9 the adoption of soil health practices consistent
16.10 with Minnesota Statutes, sections 103C.101,
16.11 subdivision 10a, and 103F.49.

16.12 (d) \$125,000 the second year is to accomplish
16.13 the objectives of Minnesota Statutes, section
16.14 10.65, and related Tribal government
16.15 coordination. The base for fiscal year 2024 is
16.16 \$129,000 and \$133,000 for fiscal year 2025
16.17 and each year thereafter.

16.18 (e) \$10,000,000 the second year is to provide
16.19 onetime state incentive payments to enrollees
16.20 in the federal Conservation Reserve Program
16.21 (CRP) during the continuous enrollment
16.22 period and to enroll complementary areas in
16.23 conservation easements consistent with
16.24 Minnesota Statutes, section 103F.515. The
16.25 board may establish payment rates based on
16.26 land valuation and on environmental benefit
16.27 criteria, including but not limited to surface
16.28 water or groundwater pollution reduction,
16.29 drinking water protection, soil health,
16.30 pollinator and wildlife habitat, and other
16.31 conservation enhancements. The board may
16.32 use state funds to implement the program and
16.33 to provide technical assistance to landowners
16.34 or their agents to fulfill enrollment and
16.35 contract provisions. The board must consult

17.1 with the commissioners of agriculture, health,
17.2 natural resources, and the Pollution Control
17.3 Agency and the United States Department of
17.4 Agriculture in establishing program criteria.
17.5 This is a onetime appropriation and is
17.6 available until June 30, 2026.

17.7 (f) \$5,000,000 the second year is for the lawns
17.8 to legumes program under Minnesota Statutes,
17.9 section 103B.104. The base for this
17.10 appropriation in fiscal year 2024 and beyond
17.11 is \$1,250,000.

17.12 (g) \$200,000 the second year is to establish
17.13 the drainage registry information portal
17.14 required under Minnesota Statutes, section
17.15 103E.122. This is a onetime appropriation.

17.16 (h) \$30,000,000 the second year is to purchase
17.17 and restore permanent conservation sites via
17.18 easements or contracts to treat and store water
17.19 on the land for water quality improvement
17.20 purposes and related technical assistance.
17.21 Minnesota Statutes, section 103F.515, applies
17.22 to this program. The board must give priority
17.23 to leveraging federal money by enrolling
17.24 targeted new lands or enrolling
17.25 environmentally sensitive lands that have
17.26 expiring federal conservation agreements. The
17.27 board may enter into new agreements and
17.28 amend past agreements with landowners as
17.29 required by Minnesota Statutes, section
17.30 103F.515, subdivision 5, to allow for
17.31 restoration. Up to \$1,700,000 is for deposit in
17.32 a monitoring and enforcement account. This
17.33 is a onetime appropriation and is available
17.34 until June 30, 2026.

18.1 (i) \$8,000,000 the second year is for an
 18.2 accelerated conservation planting program.
 18.3 This is a onetime appropriation and is
 18.4 available until June 30, 2026. The work must
 18.5 be carried out consistent with the provisions
 18.6 of Minnesota Statutes, section 103C.501. The
 18.7 appropriation must be used for financial and
 18.8 technical assistance to landowners via local
 18.9 units of government for the purpose of
 18.10 establishing or enhancing tree, shrub, and
 18.11 associated conservation practices that will
 18.12 reduce greenhouse gas emissions and add
 18.13 resiliency to the landscape by sequestering
 18.14 carbon, conserving energy, and improving
 18.15 water quality and habitat. Of this amount,
 18.16 \$500,000 must be used to address invasive
 18.17 species control via cooperative weed
 18.18 management agreements. Money appropriated
 18.19 in this paragraph may be used to acquire and
 18.20 plant trees that are climate adaptive to
 18.21 Minnesota.

18.22 **Sec. 5. CONSERVATION CORPS**
 18.23 **MINNESOTA** \$ -0- \$ 500,000

18.24 Conservation Corps Minnesota may receive
 18.25 money appropriated under this section only
 18.26 as provided in an agreement with the
 18.27 commissioner of natural resources. \$250,000
 18.28 is added to the base in fiscal year 2024 and
 18.29 beyond.

18.30 **Sec. 6. METROPOLITAN COUNCIL** \$ -0- \$ 13,085,000

18.31	<u>Appropriations by Fund</u>	
18.32	<u>2022</u>	<u>2023</u>
18.33	<u>General</u>	<u>\$12,335,000</u>
18.34	<u>Natural Resources</u>	<u>\$750,000</u>

19.1 (a) \$2,500,000 the second year is to develop
19.2 a decision-making support toolset to help local
19.3 partners quantify the risks of a changing
19.4 climate and prioritize strategies that mitigate
19.5 those risks. This is a onetime appropriation
19.6 and is available until June 30, 2026.

19.7 (b) \$2,500,000 the second year is for grants
19.8 to cities within the metropolitan area, as
19.9 defined in Minnesota Statutes, section
19.10 473.121, subdivision 2, for capital
19.11 improvements in municipal wastewater
19.12 collection systems to reduce the amount of
19.13 inflow and infiltration to the Metropolitan
19.14 Council's metropolitan sanitary sewer disposal
19.15 system. Grants from this appropriation are for
19.16 up to 50 percent of the cost to mitigate inflow
19.17 and infiltration in the publicly owned
19.18 municipal wastewater collection systems. To
19.19 be eligible for a grant, a city must be identified
19.20 by the council as a contributor of excessive
19.21 inflow and infiltration in the metropolitan
19.22 disposal system or have a measured flow rate
19.23 within 20 percent of its allowable
19.24 council-determined inflow and infiltration
19.25 limits. The council must award grants based
19.26 on applications from cities that identify
19.27 eligible capital costs and include a timeline
19.28 for inflow and infiltration mitigation
19.29 construction pursuant to guidelines established
19.30 by the council. This is a onetime appropriation
19.31 and is available until June 30, 2024.

19.32 (c) \$2,500,000 the second year is for grants to
19.33 cities within the metropolitan area, as defined
19.34 in Minnesota Statutes, section 473.121,
19.35 subdivision 2, to provide financial assistance

20.1 to private property owners to replace or repair
20.2 private sewer lines to reduce the amount of
20.3 inflow and infiltration to the Metropolitan
20.4 Council's metropolitan sanitary sewer disposal
20.5 system. Financial assistance from this
20.6 appropriation is for up to 50 percent of the
20.7 cost of the replacement or repair. To be
20.8 eligible for a grant, a city must be identified
20.9 by the council as a contributor of excessive
20.10 inflow and infiltration in the metropolitan
20.11 disposal system or have a measured flow rate
20.12 within 20 percent of its allowable
20.13 council-determined inflow and infiltration
20.14 limits. This is a onetime appropriation and is
20.15 available until June 30, 2024.

20.16 (d) \$2,335,000 the second year is for grants
20.17 to cities and other public water suppliers to
20.18 replace the privately owned portion of
20.19 residential lead service lines. Grants from this
20.20 appropriation must first be used to supplement
20.21 any federal money provided to the state as
20.22 principal forgiveness or grants under Public
20.23 Law 117-58, the Infrastructure Investment and
20.24 Jobs Act, to cover 100 percent of the cost to
20.25 replace privately owned residential lead
20.26 service lines. Laborers and mechanics
20.27 performing work on a project funded by a
20.28 grant under this paragraph, including removal
20.29 of lead service lines and installation of
20.30 replacement service lines, must be paid the
20.31 prevailing wage rate for the work as defined
20.32 in Minnesota Statutes, section 177.42,
20.33 subdivision 6. The project is subject to the
20.34 requirements and enforcement provisions of
20.35 Minnesota Statutes, sections 177.30 and
20.36 177.41 to 177.45. This is a onetime

21.1 appropriation and is available until June 30,
 21.2 2024. For the purposes of this appropriation,
 21.3 "lead service line" has the meaning given
 21.4 under Minnesota Statutes, section 473.121,
 21.5 subdivision 38.

21.6 (e) \$2,500,000 the second year is for
 21.7 metropolitan area regional parks operation and
 21.8 maintenance according to Minnesota Statutes,
 21.9 section 473.351. This is a onetime
 21.10 appropriation and is available until June 30,
 21.11 2024.

21.12 (f) \$750,000 the second year is from the
 21.13 natural resources fund for metropolitan-area
 21.14 regional parks and trails maintenance and
 21.15 operations. This appropriation is from revenue
 21.16 deposited in the natural resources fund under
 21.17 Minnesota Statutes, section 297A.94,
 21.18 paragraph (h), clause (3). This is a onetime
 21.19 appropriation.

21.20	Sec. 7. <u>ZOOLOGICAL BOARD</u>	<u>\$</u>	<u>-0-</u>	<u>\$</u>	<u>-0-</u>
-------	----------------------------------------	------------------	-------------------	------------------	-------------------

21.21 \$45,000 is added to the base in fiscal year
 21.22 2024 only and is for purposes of the prairie
 21.23 butterfly conservation program.

21.24	Sec. 8. <u>SCIENCE MUSEUM</u>	<u>\$</u>	<u>-0-</u>	<u>\$</u>	<u>500,000</u>
-------	--------------------------------------	------------------	-------------------	------------------	-----------------------

21.25 \$500,000 the second year is to support the
 21.26 Science Museum of Minnesota. This is a
 21.27 onetime appropriation.

21.28	Sec. 9. <u>EXPLORE MINNESOTA TOURISM</u>	<u>\$</u>	<u>-0-</u>	<u>\$</u>	<u>10,465,000</u>
-------	-------------------------------------------------	------------------	-------------------	------------------	--------------------------

21.29 (a) \$215,000 the second year is to build
 21.30 additional administrative capacity to provide
 21.31 support in the areas of brand strategy,
 21.32 communications, and industry relations.

22.1 (b) \$10,000,000 the second year is for a
 22.2 tourism industry recovery grant program. The
 22.3 grant program must provide money to
 22.4 organizations, Tribal governments, and
 22.5 communities to accelerate the recovery of the
 22.6 state's tourism industry. Grant money may be
 22.7 used to support meetings, conventions and
 22.8 group business, multicomunity and
 22.9 high-visibility events, and tourism marketing.
 22.10 Explore Minnesota Tourism must accept
 22.11 applications under this paragraph for at least
 22.12 five business days beginning at 8:00 a.m. on
 22.13 the first business day and, if total applications
 22.14 exceed \$10,000,000, the grants must be
 22.15 awarded to eligible applicants at random until
 22.16 the funding is exhausted. Of this amount,
 22.17 Explore Minnesota Tourism must not retain
 22.18 any portion for administrative costs. This is a
 22.19 onetime appropriation.

22.20 (c) \$250,000 the second year is for a grant to
 22.21 the Grand Portage Band to focus tourism to
 22.22 Grand Portage. This is a onetime
 22.23 appropriation.

22.24 **Sec. 10. MINNESOTA OUTDOOR**
 22.25 **RECREATION OFFICE**

<u>\$</u>	<u>-0-</u>	<u>\$</u>	<u>1,750,000</u>
------------------	-------------------	------------------	-------------------------

22.26 \$1,750,000 the second year is for the
 22.27 Minnesota Outdoor Recreation Office under
 22.28 Minnesota Statutes, section 86A.50. The base
 22.29 for this appropriation in fiscal year 2024 and
 22.30 beyond is \$250,000.

22.31 **Sec. 11. UNIVERSITY OF MINNESOTA**

<u>\$</u>	<u>-0-</u>	<u>\$</u>	<u>180,000</u>
------------------	-------------------	------------------	-----------------------

22.32 \$180,000 the second year is to develop a soil
 22.33 health action plan, in consultation with the
 22.34 Minnesota Office for Soil Health, the United
 22.35 States Department of Agriculture's Natural

23.1 Resources Conservation Service, and other
 23.2 state and federal agencies, academic
 23.3 institutions, local governments, and
 23.4 practitioners, that will provide
 23.5 recommendations for standardized
 23.6 specifications for soil health and related
 23.7 conservation and climate protection practices
 23.8 and projects to achieve soil health goals,
 23.9 including recommendations for research,
 23.10 implementation, outreach, and prioritization
 23.11 of the use of future funding. By January 15,
 23.12 2023, the plan must be submitted to the chairs
 23.13 and ranking minority members of the house
 23.14 of representatives and senate committees and
 23.15 divisions with jurisdiction over agriculture
 23.16 and environment and natural resources policy.
 23.17 This is a onetime appropriation.

ARTICLE 2

STATUTORY CHANGES

23.20 Section 1. Minnesota Statutes 2020, section 15A.0815, subdivision 3, is amended to read:

23.21 Subd. 3. **Group II salary limits.** The salary for a position listed in this subdivision shall
 23.22 not exceed 120 percent of the salary of the governor. This limit must be adjusted annually
 23.23 on January 1. The new limit must equal the limit for the prior year increased by the percentage
 23.24 increase, if any, in the Consumer Price Index for all urban consumers from October of the
 23.25 second prior year to October of the immediately prior year. The commissioner of management
 23.26 and budget must publish the limit on the department's website. This subdivision applies to
 23.27 the following positions:

23.28 Executive director of Gambling Control Board;
 23.29 Commissioner of Iron Range resources and rehabilitation;
 23.30 Commissioner, Bureau of Mediation Services;
 23.31 Ombudsman for mental health and developmental disabilities;
 23.32 Ombudsperson for corrections;

24.1 Chair, Metropolitan Council;

24.2 School trust lands director;

24.3 Executive director of pari-mutuel racing; ~~and~~

24.4 Commissioner, Public Utilities Commission; and

24.5 Director of the Minnesota Outdoor Recreation Office.

24.6 Sec. 2. Minnesota Statutes 2020, section 18B.09, subdivision 2, is amended to read:

24.7 Subd. 2. **Authority.** (a) Statutory and home rule charter cities may enact an ordinance,
 24.8 which may include penalty and enforcement provisions, containing one or both of the
 24.9 following:

24.10 (1) the pesticide application warning information contained in subdivision 3, including
 24.11 their own licensing, penalty, and enforcement provisions; and

24.12 (2) the pesticide prohibition contained in subdivision 4.

24.13 (b) Statutory and home rule charter cities may not enact an ordinance that contains more
 24.14 restrictive pesticide application warning information than is contained in subdivision
 24.15 subdivisions 3 and 4.

24.16 Sec. 3. Minnesota Statutes 2020, section 18B.09, is amended by adding a subdivision to
 24.17 read:

24.18 Subd. 4. **Application of certain pesticides prohibited.** (a) A person may not apply or
 24.19 use a pollinator-lethal pesticide within the geographic boundaries of a city that has enacted
 24.20 an ordinance under subdivision 2 prohibiting such use.

24.21 (b) For purposes of this subdivision, "pollinator-lethal pesticide" means a pesticide that
 24.22 has a pollinator protection box on the label or labeling or a pollinator, bee, or honey bee
 24.23 precautionary statement in the environmental hazards section of the label or labeling.

24.24 (c) This subdivision does not apply to:

24.25 (1) pet care products used to mitigate fleas, mites, ticks, heartworms, or other animals
 24.26 that are harmful to the health of a domesticated animal;

24.27 (2) personal care products used to mitigate lice and bedbugs;

24.28 (3) indoor pest control products used to mitigate insects indoors, including ant bait;

25.1 (4) a pesticide as used or applied by the Metropolitan Mosquito Control District for
25.2 public health protection if the pesticide includes vector species on the label; and

25.3 (5) a pesticide-treated wood product.

25.4 (d) The commissioner must maintain a list of pollinator-lethal pesticides on the
25.5 department's website.

25.6 Sec. 4. Minnesota Statutes 2020, section 21.81, is amended by adding a subdivision to
25.7 read:

25.8 Subd. 5a. **Coated agricultural seed.** "Coated agricultural seed" means any seed unit
25.9 covered with a coating material.

25.10 Sec. 5. Minnesota Statutes 2020, section 21.86, subdivision 2, is amended to read:

25.11 Subd. 2. **Miscellaneous violations.** No person may:

25.12 ~~(a)~~ (1) detach, alter, deface, or destroy any label required in sections 21.82 and 21.83,
25.13 alter or substitute seed in a manner that may defeat the purposes of sections 21.82 and 21.83,
25.14 or alter or falsify any seed tests, laboratory reports, records, or other documents to create a
25.15 misleading impression as to kind, variety, history, quality, or origin of the seed;

25.16 ~~(b)~~ (2) hinder or obstruct in any way any authorized person in the performance of duties
25.17 under sections 21.80 to 21.92;

25.18 ~~(c)~~ (3) fail to comply with a "stop sale" order or to move or otherwise handle or dispose
25.19 of any lot of seed held under a stop sale order or attached tags, except with express permission
25.20 of the enforcing officer for the purpose specified;

25.21 ~~(d)~~ (4) use the word "type" in any labeling in connection with the name of any agricultural
25.22 seed variety;

25.23 ~~(e)~~ (5) use the word "trace" as a substitute for any statement which is required;

25.24 ~~(f)~~ (6) plant any agricultural seed which the person knows contains weed seeds or noxious
25.25 weed seeds in excess of the limits for that seed; ~~or~~

25.26 ~~(g)~~ (7) advertise or sell seed containing patented, protected, or proprietary varieties used
25.27 without permission of the patent or certificate holder of the intellectual property associated
25.28 with the variety of seed; or

25.29 (8) use or sell as food, feed, oil, or ethanol feedstock any seed treated with neonicotinoid
25.30 pesticide.

26.1 Sec. 6. **[21.915] PESTICIDE-TREATED SEED USE AND DISPOSAL; CONSUMER**
26.2 **GUIDANCE REQUIRED.**

26.3 (a) The commissioner, in consultation with the commissioner of the Pollution Control
26.4 Agency, must develop and maintain consumer guidance regarding the proper use and disposal
26.5 of seed treated with neonicotinoid pesticide.

26.6 (b) A person selling seed treated with neonicotinoid pesticide at retail must post in a
26.7 conspicuous location the guidance developed by the commissioner under paragraph (a).

26.8 Sec. 7. **[84.0345] PEAT SOIL GOAL.**

26.9 It is the goal of the state of Minnesota to protect, restore, and enhance at least the
26.10 following amounts of the state's presettlement peat soils, or histosols, that were drained for
26.11 and as of August 1, 2022, are used for agricultural cultivation or pasture:

26.12 (1) 25 percent by August 1, 2030; and

26.13 (2) 50 percent by August 1, 2040.

26.14 Sec. 8. **[84.9735] INSECTICIDES ON STATE LANDS.**

26.15 A person may not use a pesticide containing an insecticide in a wildlife management
26.16 area, state park, state forest, aquatic management area, or scientific and natural area if the
26.17 insecticide is from the neonicotinoid class of insecticides or contains chlorpyrifos.

26.18 Sec. 9. Minnesota Statutes 2020, section 84D.02, subdivision 3, is amended to read:

26.19 Subd. 3. **Management plan.** By December 31, 2022, and every five years thereafter,
26.20 the commissioner shall ~~must~~ prepare ~~and maintain~~ a long-term plan, which may include
26.21 specific plans for individual species and actions, for the statewide management of invasive
26.22 species of aquatic plants and wild animals. The plan must address:

26.23 (1) coordinated detection and prevention of accidental introductions;

26.24 (2) coordinated dissemination of information about invasive species of aquatic plants
26.25 and wild animals among resource management agencies and organizations;

26.26 (3) a coordinated public education and awareness campaign;

26.27 (4) coordinated control of selected invasive species of aquatic plants and wild animals
26.28 on lands and public waters;

26.29 (5) participation by lake associations, local citizen groups, and local units of government
26.30 in the development and implementation of local management efforts;

27.1 (6) a reasonable and workable inspection requirement for watercraft and equipment
27.2 including those participating in organized events on the waters of the state;

27.3 (7) the closing of points of access to infested waters, if the commissioner determines it
27.4 is necessary, for a total of not more than seven days during the open water season for control
27.5 or eradication purposes;

27.6 (8) maintaining public accesses on infested waters to be reasonably free of aquatic
27.7 macrophytes; ~~and~~

27.8 (9) notice to travelers of the penalties for violation of laws relating to invasive species
27.9 of aquatic plants and wild animals; and

27.10 (10) the impacts of climate change on invasive species management.

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

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

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

27.18 (c) In establishing, developing, maintaining, and operating the trail, the commissioner
27.19 shall cooperate with local units of government and private individuals and groups. Before
27.20 acquiring any parcel of land for the trail, the commissioner of natural resources shall develop
27.21 a management program for the parcel and conduct a public hearing on the proposed
27.22 management program in the vicinity of the parcel to be acquired. The management program
27.23 of the commissioner shall include but not be limited to the following:

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

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

27.28 (d) The commissioner shall not acquire any of the right-of-way of the Chicago
27.29 Northwestern Railway Company until the abandonment of the line described in this
27.30 subdivision has been approved by the Surface Transportation Board or the former Interstate
27.31 Commerce Commission. Compensation, in addition to the value of the land, shall include
27.32 improvements made by the railroad, including but not limited to, bridges, trestles, public

28.1 road crossings, or any portion thereof, it being the desire of the railroad that such
28.2 improvements be included in the conveyance. The fair market value of the land and
28.3 improvements shall be recommended by two independent appraisers mutually agreed upon
28.4 by the parties. The fair market value thus recommended shall be reviewed by a review
28.5 appraiser agreed to by the parties, and the fair market value thus determined, and supported
28.6 by appraisals, may be the purchase price. The commissioner may exchange lands with
28.7 landowners abutting the right-of-way described in this section to eliminate diagonally shaped
28.8 separate fields.

28.9 Sec. 11. Minnesota Statutes 2020, section 85A.01, subdivision 1, is amended to read:

28.10 Subdivision 1. **Creation.** (a) The Minnesota Zoological Garden is established under the
28.11 supervision and control of the Minnesota Zoological Board. The board consists of 30 public
28.12 and private sector members having a background or interest in zoological societies or zoo
28.13 management or an ability to generate community interest in the Minnesota Zoological
28.14 Garden. Fifteen members shall be appointed by the board after consideration of a list supplied
28.15 by board members serving on a nominating committee, and 15 members shall be appointed
28.16 by the governor. One member of the board must be a resident of Dakota County and shall
28.17 be appointed by the governor after consideration of the recommendation of the Dakota
28.18 County Board. Board appointees shall not be subject to the advice and consent of the senate.

28.19 (b) To the extent possible, the board and governor shall appoint members who are
28.20 residents of the various geographic regions of the state. Terms, compensation, and removal
28.21 of members are as provided in section 15.0575, except that a member may be compensated
28.22 at the rate of up to \$125 a day. In making appointments, the governor and board shall utilize
28.23 the appointment process as provided under section 15.0597 and consider, among other
28.24 factors, the ability of members to garner support for the Minnesota Zoological Garden.

28.25 (c) A member of the board may not be an employee of or have a direct or immediate
28.26 family financial interest in a business that provides goods or services to the zoo. A member
28.27 of the board may not be an employee of the zoo.

28.28 Sec. 12. **[86A.50] MINNESOTA OUTDOOR RECREATION OFFICE.**

28.29 Subdivision 1. **Establishment.** The Minnesota Outdoor Recreation Office is established.
28.30 The governor, in consultation with the commissioner of natural resources and the director
28.31 of Explore Minnesota Tourism, must appoint the director of the Minnesota Outdoor
28.32 Recreation Office. The director's appointment is subject to the advice and consent of the
28.33 senate.

29.1 Subd. 2. **Office; administration.** The commissioner of administration must provide
29.2 administrative services for the Minnesota Outdoor Recreation Office. The Minnesota Outdoor
29.3 Recreation Office must have locations in the cities of Ely and Winona.

29.4 Subd. 3. **Purpose; goals.** The purpose of the Minnesota Outdoor Recreation Office is
29.5 to:

29.6 (1) increase participation in outdoor recreation by advancing equity, diversity, and
29.7 inclusivity across the state's outdoor recreation sector;

29.8 (2) unite the state's outdoor recreation community; and

29.9 (3) unify communications among the state's diverse outdoor recreation sector by
29.10 developing a shared narrative about the health, economic, and other benefits of outdoor
29.11 recreation.

29.12 Subd. 4. **Duties.** To achieve the purposes of the Minnesota Outdoor Recreation Office,
29.13 the director must:

29.14 (1) increase participation by:

29.15 (i) bringing outdoor recreation stakeholders together, including historically
29.16 underrepresented populations, to develop a shared strategy to build community, improve
29.17 cultural relevance, foster relationships, and facilitate an inclusive and safe outdoor recreation
29.18 experience for all;

29.19 (ii) creating and implementing a marketing strategy to coordinate across public and
29.20 private entities that welcomes historically underrepresented populations into the outdoor
29.21 recreation community;

29.22 (iii) welcoming and integrating underrepresented populations as customers, owners,
29.23 employees, and vendors of outdoor recreation agencies, groups, and businesses;

29.24 (iv) identifying and developing solutions to overcome barriers such as cost and
29.25 transportation and creating new ways for accessing outdoor recreation activities;

29.26 (v) promoting and facilitating a culture of welcoming everyone outdoors by practicing
29.27 inclusivity and ensuring that historically underrepresented populations are equally valued;

29.28 (vi) promoting conservation strategies that connect diverse outdoor recreation groups
29.29 under a unified mission;

29.30 (vii) reviewing outdoor recreation trends and use patterns provided by the commissioner
29.31 of natural resources, Explore Minnesota Tourism, and other agencies; and

30.1 (viii) identifying what the public feels is missing in outdoor recreation and then
30.2 collaborating with other state agencies, residents, and businesses to provide those
30.3 opportunities;

30.4 (2) unite the state's outdoor recreation community by:

30.5 (i) bringing together users, government agencies, nonprofit organizations, for-profit
30.6 companies, and Tribal governments with an interest in outdoor recreation to build a united
30.7 community, drive relationships, and facilitate a shared vision for outdoor recreation in
30.8 Minnesota;

30.9 (ii) identifying stewardship and conservation priorities that will bring together diverse
30.10 outdoor stakeholders around a common goal;

30.11 (iii) annually convening outdoor recreation stakeholders, including underrepresented
30.12 populations, and measuring and sharing the benefits of coordinating at the event;

30.13 (iv) developing coordinated messaging and welcoming new narratives for Minnesota's
30.14 outdoors;

30.15 (v) ensuring all of Minnesota's varied geographies, landscapes, and recreation
30.16 opportunities are positioned as equal tenants within Minnesota's brand;

30.17 (vi) building, strengthening, and growing public-private partnerships at local, regional,
30.18 state, national, and international levels to unite the outdoor recreation community;

30.19 (vii) encouraging private sector partnerships to recognize the market potential of
30.20 historically underrepresented audiences;

30.21 (viii) promoting partnerships between communities, conservation, and stewardship
30.22 groups as well as outdoor user groups to maintain recreational infrastructure and preserve
30.23 Minnesota's natural spaces; and

30.24 (ix) encouraging conservation and outdoor recreation groups to work together more for
30.25 the common good; and

30.26 (3) unify communications by:

30.27 (i) defining and promoting Minnesota's unique value as a world-class inclusive outdoor
30.28 destination;

30.29 (ii) developing new communication mediums such as applications and mobile-first
30.30 strategies to reach target audiences;

31.1 (iii) strengthening land and water stewardship messaging and education in order to grow
31.2 public investment and attention from people who will help steward Minnesota's outdoor
31.3 resources;

31.4 (iv) developing best practices for outdoor recreation communication for the commissioner
31.5 of natural resources and Explore Minnesota Tourism;

31.6 (v) developing methods to amplify communication resources and to do more with less
31.7 through communication partnership creation and focusing these efforts both in and outside
31.8 Minnesota; and

31.9 (vi) measuring and communicating the return on investment of outdoor recreation
31.10 investments, specifically focused on measurable economic, health, and well-being benefits.

31.11 Subd. 5. **Powers.** The director of the Minnesota Outdoor Recreation Office may:

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

31.13 (2) apply for, receive, and spend money for the purposes of this section;

31.14 (3) employ assistants and other officers, employees, and agents that the director considers
31.15 necessary for the purposes of this section;

31.16 (4) enter into interdepartmental agreements with any other state agency; and

31.17 (5) enter into joint powers agreements under chapter 471.

31.18 Subd. 6. **Report.** By January 15 each year, the director of the Minnesota Outdoor
31.19 Recreation Office must submit a report to the chairs and ranking minority members of the
31.20 legislative committees and divisions with jurisdiction over the environment and natural
31.21 resources and tourism on the office's performance in achieving its purpose under subdivision
31.22 3 and how money appropriated to the office was expended.

31.23 Sec. 13. **[86B.30] DEFINITIONS.**

31.24 Subdivision 1. **Applicability.** The definitions in this section apply to sections 86B.30
31.25 to 86B.341.

31.26 Subd. 2. **Accompanying operator.** "Accompanying operator" means a person 21 years
31.27 of age or older who:

31.28 (1) is in a personal watercraft or other type of motorboat;

31.29 (2) is within immediate reach of the controls of the motor; and

31.30 (3) possesses a valid operator's permit or is an exempt operator.

32.1 Subd. 3. **Adult operator.** "Adult operator" means a motorboat operator, including a
32.2 personal watercraft operator, who is 12 years of age or older and who was:

32.3 (1) effective July 1, 2024, born on or after July 1, 2003;

32.4 (2) effective July 1, 2025, born on or after July 1, 1999;

32.5 (3) effective July 1, 2026, born on or after July 1, 1995; and

32.6 (4) effective July 1, 2027, born on or after July 1, 1987.

32.7 Subd. 4. **Exempt operator.** "Exempt operator" means a motorboat operator, including
32.8 a personal watercraft operator, who is 12 years of age or older and who:

32.9 (1) possesses a valid license to operate a motorboat issued for maritime personnel by
32.10 the United States Coast Guard under Code of Federal Regulations, title 46, part 10, or a
32.11 marine certificate issued by the Canadian government;

32.12 (2) is not a resident of the state or country, is temporarily using the waters of the state
32.13 for a period not to exceed 60 days, and:

32.14 (i) meets any applicable requirements of the state of residency; or

32.15 (ii) possesses a Canadian pleasure craft operator's card;

32.16 (3) is operating a motorboat under a dealer's license according to section 86B.405; or

32.17 (4) is operating a motorboat during an emergency.

32.18 Subd. 5. **Motorboat rental business.** "Motorboat rental business" means a person
32.19 engaged in the business of renting or leasing motorboats, including personal watercraft, for
32.20 a period not exceeding 30 days. Motorboat rental business includes a person's agents and
32.21 employees.

32.22 Subd. 6. **Young operator.** "Young operator" means a motorboat operator, including a
32.23 personal watercraft operator, younger than 12 years of age.

32.24 **EFFECTIVE DATE.** This section is effective July 1, 2024.

32.25 Sec. 14. **[86B.302] WATERCRAFT OPERATOR'S PERMIT.**

32.26 Subdivision 1. **Generally.** The commissioner must issue a watercraft operator's permit
32.27 to a person 12 years of age or older who successfully completes a water safety course and
32.28 written test according to section 86B.304, paragraph (a), or who provides proof of completion
32.29 of a program subject to a reciprocity agreement or certified by the commissioner as
32.30 substantially similar.

33.1 Subd. 2. Issuing permit to certain young operators. The commissioner may issue a
33.2 permit under this section to a person who is at least 11 years of age, but the permit is not
33.3 valid until the person becomes an adult operator.

33.4 Subd. 3. Personal possession required. (a) A person who is required to have a watercraft
33.5 operator's permit must have in personal possession:

33.6 (1) a valid watercraft operator's permit;

33.7 (2) a driver's license that has a valid watercraft operator's permit indicator issued under
33.8 section 171.07, subdivision 20; or

33.9 (3) an identification card that has a valid watercraft operator's permit indicator issued
33.10 under section 171.07, subdivision 20.

33.11 (b) A person who is required to have a watercraft operator's permit must display one of
33.12 the documents described in paragraph (a) to a conservation officer or peace officer upon
33.13 request.

33.14 Subd. 4. Using electronic device to display proof of permit. If a person uses an
33.15 electronic device to display a document described in subdivision 3 to a conservation officer
33.16 or peace officer:

33.17 (1) the officer is immune from liability for any damage to the device, unless the officer
33.18 does not exercise due care in handling the device; and

33.19 (2) this does not constitute consent for the officer to access other contents on the device.

33.20 **EFFECTIVE DATE.** This section is effective July 1, 2024.

33.21 Sec. 15. **[86B.303] OPERATING PERSONAL WATERCRAFT AND OTHER**
33.22 **MOTORBOATS.**

33.23 Subdivision 1. **Adult operators.** An adult operator may not operate a motorboat,
33.24 including a personal watercraft, unless:

33.25 (1) the adult operator possesses a valid watercraft operator's permit;

33.26 (2) the adult operator is an exempt operator; or

33.27 (3) an accompanying operator is in the motorboat.

33.28 Subd. 2. **Young operators.** (a) A young operator may not operate a personal watercraft
33.29 or any motorboat powered by a motor with a factory rating of more than 75 horsepower.

34.1 (b) A young operator may operate a motorboat that is not a personal watercraft and that
34.2 is powered by a motor with a factory rating of up to 75 horsepower if an accompanying
34.3 operator is in the motorboat.

34.4 Subd. 3. **Accompanying operators.** For purposes of this section and section 169A.20,
34.5 an accompanying operator, as well as the actual operator, is operating and is in physical
34.6 control of a motorboat.

34.7 Subd. 4. **Owners may not allow unlawful use.** An owner or other person in lawful
34.8 control of a motorboat may not allow the motorboat to be operated contrary to this section.

34.9 **EFFECTIVE DATE.** This section is effective July 1, 2024.

34.10 Sec. 16. **[86B.304] WATERCRAFT SAFETY PROGRAM.**

34.11 (a) The commissioner must establish a water safety course and testing program for
34.12 personal watercraft and watercraft operators and must prescribe a written test as part of the
34.13 course. The course must be approved by the National Association of State Boating Law
34.14 Administrators and must be available online. The commissioner may allow designated water
34.15 safety courses administered by third parties to meet the requirements of this paragraph and
34.16 may enter into reciprocity agreements or otherwise certify boat safety education programs
34.17 from other states that are substantially similar to in-state programs. The commissioner must
34.18 establish a working group of interested parties to develop course content and implementation.
34.19 The course must include content on aquatic invasive species mitigation best management
34.20 practices, reducing conflicts among user groups, and limiting the ecological impacts of
34.21 watercraft.

34.22 (b) The commissioner must create or designate a short boater safety examination to be
34.23 administered by motorboat rental businesses, as required by section 86B.306, subdivision
34.24 3. The examination developed pursuant to this paragraph must be one that can be
34.25 administered electronically or on paper, at the option of the motorboat rental business
34.26 administering the examination.

34.27 **EFFECTIVE DATE.** This section is effective July 1, 2024.

34.28 Sec. 17. **[86B.306] MOTORBOAT RENTAL BUSINESSES.**

34.29 Subdivision 1. **Requirements.** A motorboat rental business must not rent or lease a
34.30 motorboat, including a personal watercraft, to any person for operation on the waters of the
34.31 state unless the renter or lessee:

34.32 (1) has a valid watercraft operator's permit or is an exempt operator; and

35.1 (2) is 18 years of age or older.

35.2 Subd. 2. **Authorized operators.** A motorboat rental business must list on each motorboat
 35.3 rental or lease agreement the name and age of each operator who is authorized to operate
 35.4 the motorboat or personal watercraft. The renter or lessee of the motorboat must ensure that
 35.5 only listed authorized operators operate the motorboat or personal watercraft.

35.6 Subd. 3. **Summary of boating regulations; examination.** (a) A motorboat rental
 35.7 business must provide each authorized operator a summary of the statutes and rules governing
 35.8 operation of motorboats and personal watercraft in the state and instructions for safe
 35.9 operation.

35.10 (b) Each authorized operator must review the summary provided under this subdivision
 35.11 and must take a short boater safety examination in a form approved by the commissioner
 35.12 before the motorboat or personal watercraft leaves the motorboat rental business premises,
 35.13 unless the authorized operator has taken the examination during the previous 60 days.

35.14 Subd. 4. **Safety equipment for personal watercraft.** A motorboat rental business must
 35.15 provide at no additional cost a United States Coast Guard (USCG) approved wearable
 35.16 personal flotation device with a USCG label indicating it either is approved for or does not
 35.17 prohibit use with personal watercraft or water-skiing and any other required safety equipment
 35.18 to all persons who rent a personal watercraft.

35.19 **EFFECTIVE DATE.** This section is effective July 1, 2024.

35.20 Sec. 18. Minnesota Statutes 2020, section 86B.313, subdivision 4, is amended to read:

35.21 **Subd. 4. Dealers and rental operations.** (a) A dealer of personal watercraft shall
 35.22 distribute a summary of the laws and rules governing the operation of personal watercraft
 35.23 and, upon request, shall provide instruction to a purchaser regarding:

35.24 (1) the laws and rules governing personal watercraft; and

35.25 (2) the safe operation of personal watercraft.

35.26 (b) ~~A person who offers personal watercraft for rent:~~

35.27 ~~(1) shall provide a summary of the laws and rules governing the operation of personal~~
 35.28 ~~watercraft and provide instruction regarding the laws and rules and the safe operation of~~
 35.29 ~~personal watercraft to each person renting a personal watercraft;~~

35.30 ~~(2) shall provide a United States Coast Guard (USCG) approved wearable personal~~
 35.31 ~~flotation device with a USCG label indicating it either is approved for or does not prohibit~~

36.1 ~~use with personal watercraft or water skiing and any other required safety equipment to all~~
 36.2 ~~persons who rent a personal watercraft at no additional cost; and~~

36.3 ~~(3) shall require that a watercraft operator's permit from this state or from the operator's~~
 36.4 ~~state of residence be shown each time a personal watercraft is rented to any person younger~~
 36.5 ~~than age 18 and shall record the permit on the form provided by the commissioner.~~

36.6 ~~(e) Each dealer of personal watercraft or person offering personal watercraft for rent~~
 36.7 ~~shall have the person who purchases or rents a personal watercraft sign a form provided by~~
 36.8 ~~the commissioner acknowledging that the purchaser or renter has been provided a copy of~~
 36.9 ~~the laws and rules regarding personal watercraft operation and has read them. The form~~
 36.10 ~~must be retained by the dealer or person offering personal watercraft for rent for a period~~
 36.11 ~~of six months following the date of signature and must be made available for inspection by~~
 36.12 ~~sheriff's deputies or conservation officers during normal business hours.~~

36.13 **EFFECTIVE DATE.** This section is effective July 1, 2024.

36.14 Sec. 19. Minnesota Statutes 2020, section 89A.03, subdivision 5, is amended to read:

36.15 Subd. 5. **Membership regulation.** Terms, compensation, nomination, appointment, and
 36.16 removal of council members are governed by section 15.059, except that a council member
 36.17 may be compensated at the rate of up to \$125 a day.

36.18 Sec. 20. Minnesota Statutes 2020, section 90.181, subdivision 2, is amended to read:

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

36.28 (b) The proceeds of the sale ~~shall~~ must be applied, first, to the payment of the expenses
 36.29 of seizure and sale; and, second, to the payment of the amount due for the timber, with
 36.30 interest; ~~and.~~ The surplus, if any, ~~shall belong~~ belongs to the state; ~~and.~~ In case a sufficient
 36.31 amount is not realized to pay these amounts in full, the balance ~~shall~~ must be collected by
 36.32 the attorney general. ~~Neither~~ Payment of the amount, ~~nor~~ the recovery of judgment ~~therefor~~

37.1 for the amount, nor satisfaction of the judgment, nor the or seizure and sale of timber, shall
37.2 does not:

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

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

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

37.7 Sec. 21. Minnesota Statutes 2020, section 97A.015, is amended by adding a subdivision
37.8 to read:

37.9 Subd. 32b. **Native swan.** "Native swan" means trumpeter swans and tundra swans and
37.10 does not include mute swans.

37.11 Sec. 22. Minnesota Statutes 2020, section 97A.126, as amended by Laws 2021, First
37.12 Special Session chapter 6, article 2, section 52, is amended to read:

37.13 **97A.126 WALK-IN ACCESS PROGRAM.**

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

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

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

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

37.30 (d) The general provisions for use of wildlife management areas adopted under sections
37.31 86A.06 and 97A.137, relating to overnight use, alcoholic beverages, use of motorboats,

38.1 firearms and target shooting, hunting stands, abandonment of trash and property, destruction
 38.2 or removal of property, introduction of plants or animals, and animal trespass, apply to
 38.3 ~~hunters on~~ use of lands enrolled in the walk-in access program.

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

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

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

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

38.10 Subd. 3. **Walk-in-access ~~hunter~~ validation; fee.** The fee for a walk-in-access ~~hunter~~
 38.11 validation is \$3.

38.12 Sec. 23. Minnesota Statutes 2020, section 97A.137, subdivision 3, is amended to read:

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

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

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

38.24 Sec. 24. Minnesota Statutes 2020, section 97A.475, subdivision 41, is amended to read:

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

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

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

39.1 Sec. 25. [97B.673] NONTOXIC SHOT REQUIRED FOR TAKING SMALL GAME
 39.2 IN CERTAIN AREAS.

39.3 Subdivision 1. Nontoxic shot on wildlife management areas in farmland zone. After
 39.4 July 1, 2023, a person may not take small game, rails, or common snipe on any wildlife
 39.5 management area within the farmland zone with shot other than:

39.6 (1) steel shot;

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

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

39.10 Subd. 2. Farmland zone. For the purposes of this section, the farmland zone is the
 39.11 portion of the state that falls south and west of Minnesota Highway 70 westward from the
 39.12 Wisconsin border to Minnesota Highway 65 to Minnesota Highway 23 to U.S. Highway
 39.13 169 at Milaca to Minnesota Highway 18 at Garrison to Minnesota Highway 210 at Brainerd
 39.14 to U.S. Highway 10 at Motley to U.S. Highway 59 at Detroit Lakes northward to the
 39.15 Canadian border.

39.16 Sec. 26. [97B.735] SWANS.

39.17 A person who takes, harasses, destroys, buys, sells, possesses, transports, or ships a
 39.18 native swan in violation of the game and fish laws is guilty of a gross misdemeanor.

39.19 Sec. 27. Minnesota Statutes 2020, section 97C.605, subdivision 1, is amended to read:

39.20 Subdivision 1. ~~Resident angling license required~~ Taking turtles; requirements. ~~In~~
 39.21 ~~addition to any other license required in this section, (a) A person may not take, possess,~~
 39.22 ~~or transport turtles without a resident angling license, except as provided in subdivision 2c~~
 39.23 ~~and a recreational turtle license.~~

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

39.25 Sec. 28. Minnesota Statutes 2020, section 97C.605, subdivision 2c, is amended to read:

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

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

39.29 ~~(2)~~ (1) when buying a turtle at a retail outlet; or

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

40.6 ~~(4)~~ (2) to take, possess, and rent or sell up to 25 turtles greater than four inches in length
 40.7 for the purpose of providing the turtles to participants at a nonprofit turtle race, if the person
 40.8 is a resident under age 18. The person is responsible for the well-being of the turtles.

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

40.13 Sec. 29. Minnesota Statutes 2021 Supplement, section 97C.605, subdivision 3, is amended
 40.14 to read:

40.15 Subd. 3. **Taking; methods prohibited.** ~~(a)~~ A person may not take turtles by using:

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

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

40.18 (3) nets other than anglers' fish landing nets;

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

40.20 (5) firearms and ammunition;

40.21 (6) bow and arrow or crossbow; or

40.22 (7) spears, harpoons, or any other implements that impale turtles.

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

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

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

41.1 Sec. 30. Minnesota Statutes 2021 Supplement, section 97C.611, is amended to read:

41.2 **97C.611 TURTLE SPECIES; LIMITS.**

41.3 Subdivision 1. **Snapping turtles.** A person may not possess more than three snapping
41.4 turtles of the species *Chelydra serpentina* ~~without a turtle seller's license~~. Until new rules
41.5 are adopted under section 97C.605, a person may not take snapping turtles of a size less
41.6 than ten inches wide including curvature, measured from side to side across the shell at
41.7 midpoint. After new rules are adopted under section 97C.605, a person may only take
41.8 snapping turtles of a size specified in the adopted rules.

41.9 Subd. 2. **Western painted turtles.** (a) A person may not possess more than three Western
41.10 painted turtles of the species *Chrysemys picta* ~~without a turtle seller's license~~. Western
41.11 painted turtles must be between 4 and 5-1/2 inches in shell length.

41.12 (b) This subdivision does not apply to persons acting under section 97C.605, subdivision
41.13 2c, paragraph (a), clause ~~(4)~~ (2).

41.14 Subd. 3. **Spiny softshell.** A person may not possess spiny softshell turtles of the species
41.15 *Apalone spinifera* ~~after December 1, 2021~~, without an aquatic farm or private fish hatchery
41.16 license with a turtle endorsement.

41.17 Subd. 4. **Other species.** A person may not possess any other species of turtle ~~without~~
41.18 except with an aquatic farm or private fish hatchery license with a turtle endorsement or as
41.19 specified under section 97C.605, subdivision 2c.

41.20 Sec. 31. Minnesota Statutes 2020, section 103B.101, subdivision 2, is amended to read:

41.21 Subd. 2. **Voting members.** (a) The members are:

41.22 (1) three county commissioners;

41.23 (2) three soil and water conservation district supervisors;

41.24 (3) three watershed district or watershed management organization representatives;

41.25 (4) three citizens who are not employed by, or the appointed or elected officials of, a
41.26 state governmental office, board, or agency;

41.27 (5) one township officer;

41.28 (6) two elected city officials, one of whom must be from a city located in the metropolitan
41.29 area, as defined under section 473.121, subdivision 2;

41.30 (7) the commissioner of agriculture;

42.1 (8) the commissioner of health;

42.2 (9) the commissioner of natural resources;

42.3 (10) the commissioner of the Pollution Control Agency; and

42.4 (11) the director of the University of Minnesota Extension Service.

42.5 (b) Members in paragraph (a), clauses (1) to (6), must be distributed across the state
42.6 with at least four members but not more than six members from the metropolitan area, as
42.7 defined by section 473.121, subdivision 2.

42.8 (c) Members in paragraph (a), clauses (1) to (6), are appointed by the governor. In making
42.9 the appointments, the governor may consider persons recommended by the Association of
42.10 Minnesota Counties, the Minnesota Association of Townships, the League of Minnesota
42.11 Cities, the Minnesota Association of Soil and Water Conservation Districts, and the
42.12 Minnesota Association of Watershed Districts. The list submitted by an association must
42.13 contain at least three nominees for each position to be filled.

42.14 (d) The membership terms, compensation, removal of members and filling of vacancies
42.15 on the board for members in paragraph (a), clauses (1) to (6), are as provided in section
42.16 15.0575, except that a member may be compensated at the rate of up to \$125 a day.

42.17 Sec. 32. Minnesota Statutes 2020, section 103B.103, is amended to read:

42.18 **103B.103 EASEMENT STEWARDSHIP ACCOUNTS.**

42.19 Subdivision 1. **Accounts established; sources.** (a) The water and soil conservation
42.20 easement stewardship account and the mitigation easement stewardship account are created
42.21 in the special revenue fund. The accounts consist of money credited to the accounts and
42.22 interest and other earnings on money in the accounts. The State Board of Investment must
42.23 manage the accounts to maximize long-term gain.

42.24 (b) Revenue from contributions and money appropriated for any purposes of the account
42.25 as described in subdivision 2 must be deposited in the water and soil conservation easement
42.26 stewardship account. Revenue from contributions, ~~wetland banking~~ mitigation fees designated
42.27 for stewardship purposes by the board, easement stewardship payments authorized under
42.28 subdivision 3, and money appropriated for any purposes of the account as described in
42.29 subdivision 2 must be deposited in the mitigation easement stewardship account.

42.30 Subd. 2. **Appropriation; purposes of accounts.** (a) Five percent of the balance on July
42.31 1 each year in the water and soil conservation easement stewardship account and five percent
42.32 of the balance on July 1 each year in the mitigation easement stewardship account are

43.1 annually appropriated to the board and may be spent ~~only~~ to cover the costs of managing
43.2 easements held by the board, including costs associated with:

43.3 (1) repairing or replacing structures;

43.4 (2) monitoring;

43.5 (3) landowner contacts;

43.6 (4) records storage and management;

43.7 (5) processing landowner notices;

43.8 (6) requests for approval or amendments;

43.9 (7) enforcement; and

43.10 (8) legal services associated with easement management activities.

43.11 (b) In addition to the amounts appropriated under paragraph (a), up to ten percent of the
43.12 balance on July 1 each year in the water and soil conservation easement stewardship account
43.13 and up to ten percent of the balance on July 1 each year in the mitigation easement
43.14 stewardship account are annually appropriated to the board for emergency repair and
43.15 replacement of water control structures when the amount appropriated in paragraph (a) is
43.16 insufficient to cover the costs. The board must include a summary of how money appropriated
43.17 under this paragraph in the prior two fiscal years was used in the report required under
43.18 section 103B.101, subdivision 9, paragraph (a), clause (7).

43.19 Subd. 3. **Financial contributions.** The board shall seek a financial contribution to the
43.20 water and soil conservation easement stewardship account for each conservation easement
43.21 acquired by the board. The board shall seek a financial contribution or assess an easement
43.22 stewardship payment to the mitigation easement stewardship account for each wetland
43.23 ~~banking~~ mitigation easement acquired by the board. Unless otherwise provided by law, the
43.24 board shall determine the amount of the contribution or payment, which must be an amount
43.25 calculated to earn sufficient money to meet the costs of managing the easement at a level
43.26 that neither significantly overrecovers nor underrecovers the costs. In determining the
43.27 amount of the financial contribution, the board shall consider:

43.28 (1) the estimated annual staff hours needed to manage the conservation easement, taking
43.29 into consideration factors such as easement type, size, location, and complexity;

43.30 (2) the average hourly wages for the class or classes of state and local employees expected
43.31 to manage the easement;

43.32 (3) the estimated annual travel expenses to manage the easement;

44.1 (4) the estimated annual miscellaneous costs to manage the easement, including supplies
44.2 and equipment, information technology support, and aerial flyovers;

44.3 (5) the estimated annualized costs of legal services, including the cost to enforce the
44.4 easement in the event of a violation; ~~and~~

44.5 (6) the estimated annualized costs for repairing or replacing water control structures;
44.6 and

44.7 ~~(6)~~ (7) the expected rate of return on investments in the account.

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

44.9 Sec. 33. **[103B.104] LAWNS TO LEGUMES PROGRAM.**

44.10 The Board of Water and Soil Resources must establish a program to provide grants or
44.11 payments to plant residential lawns with native vegetation and pollinator-friendly forbs and
44.12 legumes to protect a diversity of pollinators. The board must establish criteria for grants or
44.13 payments awarded under this section. Grants or payments awarded under this section may
44.14 be made for up to 75 percent of the costs of the project, except that, in areas identified by
44.15 the United States Fish and Wildlife Service as areas where there is a high potential for rusty
44.16 patched bumble bees to be present, grants may be awarded for up to 90 percent of the costs
44.17 of the project.

44.18 Sec. 34. **[103C.701] SOIL HEALTH GOALS.**

44.19 The state of Minnesota's soil health goals are that:

44.20 (1) at least 5,750,000 acres employ cover crops, perennial crops, no-till, or managed
44.21 rotational grazing by 2030;

44.22 (2) at least 11,500,000 acres employ cover crops, perennial crops, no-till, or managed
44.23 rotational grazing by 2035; and

44.24 (3) at least 23,000,000 acres employ cover crops, perennial crops, no-till, or managed
44.25 rotational grazing by 2040.

44.26 Sec. 35. **[103E.122] DRAINAGE REGISTRY INFORMATION PORTAL.**

44.27 (a) The executive director of the Board of Water and Soil Resources must establish and
44.28 maintain a drainage registry information portal that includes a searchable electronic database
44.29 of all documents initiating proceedings and nonpetitioned repairs under this chapter. The
44.30 database must permit members of the public to easily search for and retrieve documents by:

45.1 (1) the name of the county or watershed district where the petition or document was
45.2 filed;

45.3 (2) the type of petition or document filed;

45.4 (3) the date of the petition or document; and

45.5 (4) other identifiers that allow members of the public to easily access information on
45.6 the proceeding or repair.

45.7 (b) For each proceeding, the database must include the contact information for a local
45.8 contact that can provide additional information on the proceeding or repair.

45.9 (c) For any proceeding or nonpetitioned repair brought under this chapter, the drainage
45.10 authority must file with the executive director an electronic copy of the petition or other
45.11 document initiating the drainage project or repair. The petition or other document must be
45.12 filed within ten calendar days of filing the petition or other document with the county auditor
45.13 or secretary or, for nonpetitioned repairs, within ten days of ordering the repair. A drainage
45.14 authority may not take any action on a drainage proceeding or repair if the proceeding does
45.15 not comply with this section.

45.16 (d) For any repair or maintenance undertaken under this chapter without a petition, the
45.17 drainage authority must file with the executive director an electronic copy of the drainage
45.18 inspection report or other document initiating the repair or maintenance within ten calendar
45.19 days of the drainage inspection report or other document being presented to the drainage
45.20 authority. A drainage authority may not take any action on a drainage inspector's report or
45.21 otherwise order a repair or maintenance until the drainage inspector's report has been posted
45.22 on the drainage registry information portal for 30 days.

45.23 **Sec. 36. [103F.49] SOIL HEALTH COST-SHARE PROGRAM.**

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

45.26 (b) "Board" means the Board of Water and Soil Resources.

45.27 (c) "Local units of government" has the meaning given under section 103B.305,
45.28 subdivision 5.

45.29 (d) "Soil health" has the meaning given under section 103C.101, subdivision 10a.

45.30 Subd. 2. **Establishment.** The board must administer a cost-share program consistent
45.31 with section 103C.501 to establish soil health practices that mitigate climate change impacts,
45.32 improve water quality, and provide related public benefits.

46.1 Subd. 3. **Financial assistance.** (a) The board may provide financial assistance to local
46.2 units of government, private sector providers, and farmers for the costs of soil health and
46.3 related water-quality practices consistent with a plan approved according to chapter 103B,
46.4 103C, or 103D. The board must establish costs eligible for financial and technical assistance
46.5 under this section.

46.6 (b) The board may enter into agreements with local units of government receiving
46.7 financial assistance under this subdivision.

46.8 (c) Financial assistance under this subdivision must give priority to multiyear contracts
46.9 and to leveraging contributions from nonstate sources.

46.10 (d) Financial assistance under this subdivision must give priority to multiyear contracts
46.11 that prioritize long-term soil health practices, including but not limited to no-till, field
46.12 borders, prairie strips, and other practices sanctioned by the board or the United States
46.13 Department of Agriculture's Natural Resources Conservation Service, that, separately or
46.14 together with other conservation practices, provide durable soil health and related benefits.

46.15 Subd. 4. **Technical assistance; review.** (a) The board may employ or contract with
46.16 experts to implement the soil health program under this section.

46.17 (b) When implementing the soil health program, the board must:

46.18 (1) assist local units of government in achieving the objectives of the program;

46.19 (2) review and assess practice standards; and

46.20 (3) evaluate the effectiveness of completed practices.

46.21 Subd. 5. **Federal aid availability.** The board must regularly complete an analysis of the
46.22 availability of federal funds and programs to supplement or complement state and local
46.23 efforts consistent with the purposes of this section.

46.24 Sec. 37. **[103G.134] ORDERS AND INVESTIGATIONS.**

46.25 (a) The commissioner has the following powers and duties when acting pursuant to the
46.26 enforcement provisions of this chapter:

46.27 (1) to adopt, issue, reissue, modify, deny, revoke, enter into, or enforce reasonable orders,
46.28 schedules of compliance, and stipulation agreements;

46.29 (2) to issue notices of violation;

46.30 (3) to require a person holding a permit issued under this chapter or otherwise impacting
46.31 the public waters of the state without a permit issued under this chapter to:

- 47.1 (i) make reports;
- 47.2 (ii) install, use, and maintain monitoring equipment or methods;
- 47.3 (iii) perform tests according to methods, at locations, at intervals, and in a manner as
47.4 the commissioner prescribes; and
- 47.5 (iv) provide other information as the commissioner may reasonably require; and
- 47.6 (4) to conduct investigations; issue notices, public and otherwise; and order hearings as
47.7 the commissioner deems necessary or advisable to discharge duties under this chapter,
47.8 including but not limited to issuing permits and authorizing an employee or agent appointed
47.9 by the commissioner to conduct the investigations and other authorities cited in this section.

47.10 **Sec. 38. [103G.146] DUTY OF CANDOR.**

47.11 (a) A person must not knowingly:

47.12 (1) make a false statement of fact or fail to correct a false statement of material fact
47.13 regarding any matter pertaining to this chapter;

47.14 (2) fail to disclose information that the person knows is necessary for the commissioner
47.15 to make an informed decision under this chapter; or

47.16 (3) offer information that the person knows to be false.

47.17 (b) If a person has offered material information to the commissioner and the person
47.18 comes to know the information is false, the person must take reasonable remedial measures
47.19 to provide the accurate information.

47.20 **Sec. 39. Minnesota Statutes 2020, section 103G.271, is amended by adding a subdivision**
47.21 **to read:**

47.22 Subd. 2a. **Public meeting.** Before issuing a water-use permit or a plan for consumptive
47.23 use of more than 100,000,000 gallons per year average, the commissioner must hold a public
47.24 meeting. The meeting may be held in the county affected most by the potential impact to
47.25 the public groundwater resource or by using interactive technology that allows members of
47.26 the public to participate from a remote location, including providing public comments during
47.27 the public comment period of the meeting. At least 21 days before the public meeting, the
47.28 commissioner must publish notice of the meeting in a newspaper of general circulation in
47.29 the county and must mail the notice to persons who have registered their names with the
47.30 commissioner for this purpose.

48.1 Sec. 40. Minnesota Statutes 2020, section 103G.287, subdivision 5, is amended to read:

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

48.7 (b) When determining whether a consumptive use of groundwater is sustainable, the
48.8 commissioner must make a determination that the level of recharge to the aquifer impacted
48.9 is sufficient to replenish the groundwater supply to meet the needs of future generations.

48.10 Sec. 41. Minnesota Statutes 2020, section 103G.299, subdivision 1, is amended to read:

48.11 Subdivision 1. **Authority to issue administrative penalty orders.** (a) As provided in
48.12 paragraph (b), the commissioner may issue an order requiring violations to be corrected
48.13 and administratively assessing monetary penalties for violations of sections 103G.271 and
48.14 103G.275, and any rules adopted under those sections.

48.15 (b) An order under this section may be issued to a person for water appropriation activities
48.16 without a required permit or for violating the terms of a required permit.

48.17 (c) The order must be issued as provided in this section and in accordance with the plan
48.18 prepared under subdivision 12.

48.19 Sec. 42. Minnesota Statutes 2020, section 103G.299, subdivision 2, is amended to read:

48.20 Subd. 2. **Amount of penalty; considerations.** (a) The commissioner may issue orders
48.21 assessing administrative penalties ~~based on potential for harm and deviation from compliance.~~
48.22 ~~For a violation that presents:~~ up to \$40,000.

48.23 ~~(1) a minor potential for harm and deviation from compliance, the penalty will be no~~
48.24 ~~more than \$1,000;~~

48.25 ~~(2) a moderate potential for harm and deviation from compliance, the penalty will be~~
48.26 ~~no more than \$10,000; and~~

48.27 ~~(3) a severe potential for harm and deviation from compliance, the penalty will be no~~
48.28 ~~more than \$20,000.~~

48.29 (b) In determining the amount of a penalty the commissioner may consider:

48.30 (1) the gravity of the violation, including potential for, or real, damage to the public
48.31 interest or natural resources of the state;

49.1 (2) the history of past violations;

49.2 (3) the number of violations;

49.3 (4) the economic benefit gained by the person by allowing or committing the violation
49.4 based on data from local or state bureaus or educational institutions; and

49.5 (5) other factors as justice may require, if the commissioner specifically identifies the
49.6 additional factors in the commissioner's order.

49.7 (c) For a violation after an initial violation, including a continuation of the initial violation,
49.8 the commissioner must, in determining the amount of a penalty, consider the factors in
49.9 paragraph (b) and the:

49.10 (1) similarity of the most recent previous violation and the violation to be penalized;

49.11 (2) time elapsed since the last violation;

49.12 (3) number of previous violations; and

49.13 (4) response of the person to the most recent previous violation identified.

49.14 Sec. 43. Minnesota Statutes 2020, section 103G.299, subdivision 5, is amended to read:

49.15 Subd. 5. **Penalty.** (a) Except as provided in paragraph (b), if the commissioner determines
49.16 that the violation has been corrected or appropriate steps have been taken to correct the
49.17 action, the penalty must be forgiven. Unless the person requests review of the order under
49.18 subdivision 6 or 7 before the penalty is due, the penalty in the order is due and payable:

49.19 (1) on the 31st day after the order was received, if the person subject to the order fails
49.20 to provide information to the commissioner showing that the violation has been corrected
49.21 or that appropriate steps have been taken toward correcting the violation; or

49.22 (2) on the 20th day after the person receives the commissioner's determination under
49.23 subdivision 4, paragraph (c), if the person subject to the order has provided information to
49.24 the commissioner that the commissioner determines is not sufficient to show that the violation
49.25 has been corrected or that appropriate steps have been taken toward correcting the violation.

49.26 (b) For repeated or serious violations, the commissioner may issue an order with a penalty
49.27 that is not forgiven after the corrective action is taken. The penalty is due ~~by~~ 31 days after
49.28 the order ~~was~~ is received, unless review of the order under subdivision 6 or 7 ~~has been~~ is
49.29 sought.

49.30 (c) Interest at the rate established in section 549.09 begins to accrue on penalties under
49.31 this subdivision on the 31st day after the order with the penalty ~~was~~ is received.

50.1 Sec. 44. Minnesota Statutes 2020, section 103G.299, subdivision 10, is amended to read:

50.2 Subd. 10. **Cumulative remedy.** The authority of the commissioner to issue a corrective
50.3 order assessing penalties is in addition to other remedies available under statutory or common
50.4 law, ~~except that the state may not seek civil penalties under any other provision of law for~~
50.5 ~~the violations covered by the administrative penalty order.~~ The payment of a penalty does
50.6 not preclude the use of other enforcement provisions, ~~under which penalties are not assessed,~~
50.7 in connection with the violation for which the penalty was assessed.

50.8 Sec. 45. **[103G.2991] PENALTIES; ENFORCEMENT.**

50.9 Subdivision 1. Civil penalties. (a) The commissioner, according to section 103G.134,
50.10 may issue a notice to a person who violates:

50.11 (1) this chapter;

50.12 (2) a permit issued under this chapter or a term or condition of a permit issued under
50.13 this chapter;

50.14 (3) a duty under this chapter to permit an inspection, entry, or monitoring activity or a
50.15 duty under this chapter to carry out an inspection or monitoring activity;

50.16 (4) a rule adopted under this chapter;

50.17 (5) a stipulation agreement, variance, or schedule of compliance entered into under this
50.18 chapter; or

50.19 (6) an order issued by the commissioner under this chapter.

50.20 (b) A person issued a notice forfeits and must pay to the state a penalty, in an amount
50.21 to be determined by the district court, of not more than \$10,000 per day of violation.

50.22 (c) In the discretion of the district court, a defendant under this section may be required
50.23 to:

50.24 (1) forfeit and pay to the state a sum that adequately compensates the state for the
50.25 reasonable value of restoration, monitoring, and other expenses directly resulting from the
50.26 unauthorized use of or damage to natural resources of the state; and

50.27 (2) forfeit and pay to the state an additional sum to constitute just compensation for any
50.28 damage, loss, or destruction of the state's natural resources and for other actual damages to
50.29 the state caused by an unauthorized use of natural resources of the state.

50.30 (d) As a defense to damages assessed under paragraph (c), a defendant may prove that
50.31 the violation was caused solely by:

- 51.1 (1) an act of God;
51.2 (2) an act of war;
51.3 (3) negligence on the part of the state;
51.4 (4) an act or failure to act that constitutes sabotage or vandalism; or
51.5 (5) any combination of clauses (1) to (5).

51.6 (e) The civil penalties and damages provided for in this subdivision may be recovered
51.7 by a civil action brought by the attorney general in the name of the state in Ramsey County
51.8 District Court. Civil penalties and damages provided for in this subdivision may be resolved
51.9 by the commissioner through a negotiated stipulation agreement according to the authority
51.10 granted to the commissioner in section 103G.134.

51.11 Subd. 2. **Enforcement.** This chapter and rules, standards, orders, stipulation agreements,
51.12 schedules of compliance, and permits adopted or issued by the commissioner under this
51.13 chapter or any other law for preventing, controlling, or abating damage to natural resources
51.14 may be enforced by one or more of the following:

- 51.15 (1) criminal prosecution;
51.16 (2) action to recover civil penalties;
51.17 (3) injunction;
51.18 (4) action to compel performance; or
51.19 (5) other appropriate action according to this chapter.

51.20 Subd. 3. **Injunctions.** A violation of this chapter or rules, standards, orders, stipulation
51.21 agreements, variances, schedules of compliance, and permits adopted or issued under this
51.22 chapter constitutes a public nuisance and may be enjoined as provided by law in an action,
51.23 in the name of the state, brought by the attorney general.

51.24 Subd. 4. **Actions to compel performance.** (a) In an action to compel performance of
51.25 an order issued by the commissioner for any purpose related to preventing, controlling, or
51.26 abating damage to natural resources under this chapter, the court may require a defendant
51.27 adjudged responsible to do and perform any and all acts and things within the defendant's
51.28 power that are reasonably necessary to accomplish the purposes of the order.

51.29 (b) In case a municipality or its governing or managing body or any of its officers is a
51.30 defendant, the court may require the municipality to exercise its powers, without regard to
51.31 any limitation of a requirement for an election or referendum imposed thereon by law and

52.1 without restricting the powers of the commissioner, to do any or all of the following, without
52.2 limiting the generality hereof:

52.3 (1) levy taxes or special assessments;

52.4 (2) prescribe service or use charges;

52.5 (3) borrow money;

52.6 (4) issue bonds;

52.7 (5) employ assistance;

52.8 (6) acquire real or personal property;

52.9 (7) let contracts;

52.10 (8) otherwise provide for doing work or constructing, installing, maintaining, or operating
52.11 facilities; and

52.12 (9) do all other acts and things reasonably necessary to accomplish the purposes of the
52.13 order.

52.14 (c) The court must grant a municipality under paragraph (b) the opportunity to determine
52.15 the appropriate financial alternatives to be used to comply with the court-imposed
52.16 requirements.

52.17 (d) An action brought under this subdivision must be venued in Ramsey County District
52.18 Court.

52.19 Sec. 46. Minnesota Statutes 2020, section 115.061, is amended to read:

52.20 **115.061 DUTY TO NOTIFY; AVOIDING WATER POLLUTION.**

52.21 (a) Except as provided in paragraph (b), it is the duty of every person to notify the agency
52.22 immediately of the discharge, accidental or otherwise, of any substance or material under
52.23 its control which, if not recovered, may cause pollution of waters of the state, and the
52.24 responsible person shall recover as rapidly and as thoroughly as possible such substance or
52.25 material and take immediately such other action as may be reasonably possible to minimize
52.26 or abate pollution of waters of the state caused thereby.

52.27 (b) Notification is not required under paragraph (a) for a discharge of five gallons or
52.28 less of petroleum, as defined in section 115C.02, subdivision 10. This paragraph does not
52.29 affect the other requirements of paragraph (a).

53.1 (c) Promptly after notifying the agency of a discharge under paragraph (a), a publicly
53.2 owned treatment works or a publicly or privately owned domestic sewer system owner must
53.3 provide notice to the potentially impacted public and to any downstream drinking water
53.4 facility that may be impacted by the discharge. Notice to the public and to any drinking
53.5 water facility must be made using the most efficient communications system available to
53.6 the facility owner such as in person, phone call, radio, social media, web page, or another
53.7 expedited form. In addition, signs in sufficient number to alert the public must be posted at
53.8 all impacted public use areas within the same jurisdiction or notice must be provided to the
53.9 entity that has jurisdiction over any impacted public use areas. A notice under this paragraph
53.10 must include the date and time of the discharge, a description of the material released, a
53.11 warning of the potential public health risk, and the permittee's contact information. The
53.12 agency must provide guidance that includes but is not limited to methods and protocols for
53.13 providing timely notice under this section.

53.14 Sec. 47. Minnesota Statutes 2020, section 115.071, is amended by adding a subdivision
53.15 to read:

53.16 Subd. 3a. **Public informational meeting.** (a) The commissioner, before finalizing a
53.17 stipulation agreement or consent decree with a facility in which the agency is seeking a
53.18 settlement amount greater than \$25,000, must hold a public informational meeting at a
53.19 convenient time at a location near the facility to:

53.20 (1) notwithstanding section 13.39, subdivision 2, describe the amount, frequency,
53.21 duration, and chemical nature of the pollution released or emitted by the facility and the
53.22 risks to public health and the environment from that exposure; and

53.23 (2) allow members of the public, including those persons potentially exposed to pollution
53.24 released or emitted from the facility, to make the agency aware of:

53.25 (i) interactions between the facility and the public regarding the facility's operations;

53.26 (ii) operational problems or incidents that have occurred at the facility; and

53.27 (iii) suggestions regarding supplemental environmental projects that the public may
53.28 prefer as part of a stipulation agreement or consent decree between the facility and the
53.29 agency.

53.30 (b) For the purposes of this section, "supplemental environmental project" means a
53.31 project that benefits the environment or public health and that a regulated facility agrees to
53.32 undertake as part of a settlement with respect to an enforcement action taken by the agency
53.33 to resolve noncompliance.

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

54.2 Sec. 48. **[115A.5591] COMPOSTING; MULTIFAMILY BUILDINGS;**
54.3 **COMPETITIVE GRANT PROGRAM.**

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

54.6 (b) "Common interest community" has the meaning given in section 515B.1-103, clause
54.7 (10).

54.8 (c) "Composting" means the controlled biological decomposition of source-separated
54.9 food wastes through an aerobic method of accelerating natural decomposition that takes
54.10 place at a site separate from the residence or location of any generator of source-separated
54.11 food wastes.

54.12 (d) "Homeowners association" means an association of residential unit owners that is
54.13 organized to govern and administer a common interest community, regardless of whether
54.14 the common interest community is subject to chapter 515B.

54.15 (e) "Minnesota Tribal government" has the meaning given in section 10.65, subdivision
54.16 2, paragraph (a), clause (4).

54.17 (f) "Multifamily building" means an apartment facility containing four or more dwelling
54.18 units, each to be rented by a person or family for use as a residence.

54.19 (g) "Source-separated food wastes" means food wastes that are separated at the source
54.20 by waste generators for the purpose of preparing them for composting.

54.21 Subd. 2. **Grant program established.** The commissioner must establish a competitive
54.22 grant program to provide financial assistance to develop and implement pilot projects that
54.23 encourage and increase composting by residents of multifamily buildings in areas where
54.24 compost is not collected at curbside. Each grant must include an educational component on
54.25 the methods and benefits of composting.

54.26 Subd. 3. **Eligible applicants.** A grant may be awarded under this section to:

54.27 (1) a political subdivision;

54.28 (2) an owner of a multifamily building;

54.29 (3) an organization that is exempt from taxation under section 501(c)(3) of the Internal
54.30 Revenue Code;

54.31 (4) a Minnesota Tribal government; or

55.1 (5) a homeowners association.

55.2 Subd. 4. **Application.** The commissioner must develop forms and procedures for
55.3 soliciting and reviewing applications for grants under this section.

55.4 Subd. 5. **Eligible expenditures.** Appropriations made for the grant program under this
55.5 section may be used only to:

55.6 (1) provide grants as specified in this section; and

55.7 (2) reimburse the reasonable expenses of the Pollution Control Agency in administering
55.8 the grant program.

55.9 Subd. 6. **Grant awards.** In awarding grants under this section, the commissioner shall
55.10 give priority to applications filed by applicants who meet the conditions of subdivision 3,
55.11 clause (3).

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

55.13 Sec. 49. [115A.561] **ZERO-WASTE GRANT PROGRAM.**

55.14 Subdivision 1. **Definitions.** (a) For the purposes of this section, the following definitions
55.15 apply.

55.16 (b) "Adaptive management practices" means the integration of project design,
55.17 management, and monitoring to identify project impacts and outcomes as they arise and
55.18 adjust behaviors to improve outcomes.

55.19 (c) "Eligible entity" means a nonprofit or unit of government.

55.20 (d) "Embodied energy" means energy that was used to create a product or material.

55.21 (e) "Living wage" means the minimum income necessary to allow a person working 40
55.22 hours per week to afford the cost of housing, food, and other material necessities.

55.23 (f) "Organics recycling" means the biological processes by which organics streams are
55.24 converted to compost that is not harmful to humans, plants, or animals.

55.25 (g) "Recycling" means the mechanical processing of materials that have reached the end
55.26 of their current use into materials to be used in the production of new products. Recycling
55.27 does not include incineration or any energy recovery process or depolymerization or a
55.28 similar process.

55.29 (h) "Reuse" does not mean incineration, but does mean:

56.1 (1) using a product, packaging, or resource more than once for the same or a new function
56.2 with little or no processing; or

56.3 (2) repairing a product so it can be used longer, sharing or renting it, or selling or donating
56.4 it to another party.

56.5 (i) "Source reduction" does not mean incineration, but does mean:

56.6 (1) activities that reduce consumption of products or services that create physical outputs,
56.7 such as packaging, that are secondary to the intended use of the item being consumed;

56.8 (2) measures or techniques that reduce the amount of waste generated during production
56.9 processes; and

56.10 (3) reducing or eliminating use of materials that are not able to be recycled without
56.11 degrading the quality of the material.

56.12 (j) "Source-separated" means the separation of a stream of recyclable materials at the
56.13 point of waste creation before materials are collected and centralized. Source-separated
56.14 does not include technologies that sort mixed municipal solid waste into recyclable and
56.15 nonrecyclable materials.

56.16 (k) "Waste prevention" means reuse, recycling, and other methods to reduce the amount
56.17 of materials disposed of in landfills or incinerated.

56.18 (l) "Zero waste" means conservation of all resources by means of responsible production,
56.19 consumption, reuse, and recovery of products, packaging, and materials without burning
56.20 or otherwise destroying embodied energy, with no discharges to land, water, or air that
56.21 threaten the environment or human health.

56.22 (m) "Zero-waste practice" means a practice used to help achieve zero waste, including
56.23 source reduction and waste prevention.

56.24 Subd. 2. **Establishment.** The commissioner must establish a competitive grant program
56.25 for eligible entities to pursue projects that are consistent with zero-waste practices, including
56.26 projects in the following four categories:

56.27 (1) electronic waste reuse and recycling under subdivision 3;

56.28 (2) source reduction under subdivision 4;

56.29 (3) market development under subdivision 5; and

56.30 (4) organics recycling infrastructure under subdivision 6.

57.1 Subd. 3. **Electronic waste reuse and recycling.** Projects under this subdivision must
57.2 relate to electronic waste reuse and recycling and must be carried out by an organization
57.3 certified in sustainable electronic waste standards by an organization accredited by the
57.4 National Accreditation Board of the American National Standards Institute and the American
57.5 Society for Quality, or another accrediting body as determined by the commissioner. Grant
57.6 funds for the projects may be used for infrastructure, technology, research and development,
57.7 and product refurbishment. Projects must not include an electronic waste buy-back program
57.8 that provides compensation for used electronics as a credit toward the purchase of additional
57.9 electronics.

57.10 Subd. 4. **Source reduction.** Projects under this subdivision must relate to source
57.11 reduction. Grants for the projects may be used for educational programming and outreach
57.12 activities to encourage consumer behavior change or for product or manufacturing redesign
57.13 or redevelopment to reduce by-products, packaging, and other outputs. For projects involving
57.14 product or manufacturing redesign or redevelopment, the applicable manufacturer must pay
57.15 a living wage and the redevelopment or redesign must not result in higher toxicity or more
57.16 complicated recyclability of the product or by-products or increased volume of the
57.17 by-products.

57.18 Subd. 5. **Market development.** Projects under this subdivision must relate to market
57.19 development with respect to source reduction or waste prevention, including creating demand
57.20 for sorted recyclable commodities and refurbished goods. The projects must target easily
57.21 or commonly recycled materials that are disproportionately disposed of in landfills or
57.22 incinerated and must reduce the volume, weight, or toxicity of waste and waste by-products.
57.23 Projects must not conflict with other laws or requirements as identified by the commissioner.

57.24 Subd. 6. **Organics recycling infrastructure.** Projects under this subdivision must relate
57.25 to organics recycling infrastructure. Grants for the projects may be used for facilities,
57.26 machinery, equipment, and other physical necessities required for organics collection or
57.27 processing on a city- or county-wide scale. Projects under this subdivision must result in
57.28 increased capacity for residential and commercial source-separated organics streams and
57.29 generate a usable product that has demonstrable environmental benefits when compared to
57.30 the input materials, such as compost with added nutritional content. Projects may not include
57.31 mixed-waste composting.

57.32 Subd. 7. **Grant process.** (a) The commissioner must award grants to eligible entities
57.33 through a competitive grant process.

58.1 (b) To receive a grant, an eligible entity must submit a written application to the
58.2 commissioner using the form developed by the commissioner and including any information
58.3 requested by the commissioner.

58.4 (c) The application must demonstrate that the eligible entity has set specific source
58.5 reduction or waste prevention targets and that the project will take place in a community in
58.6 the 80th percentile or higher for one or more pollutants as noted in the EJScreen tool, or
58.7 any successor system, of the federal Environmental Protection Agency.

58.8 Subd. 8. **Award criteria.** In awarding grants under this section, the commissioner must
58.9 give priority to eligible entities with projects that:

58.10 (1) could lead to the creation of new jobs that pay a living wage, with additional
58.11 preference for jobs for individuals with barriers to employment;

58.12 (2) achieve source reduction or waste prevention in schools;

58.13 (3) employ adaptive management practices to identify, prevent, or address any negative
58.14 environmental consequences of the proposed project;

58.15 (4) demonstrate need for additional investment in infrastructure and projects to achieve
58.16 source reduction and waste prevention targets set by the local unit of government responsible
58.17 for waste and recycling projects in the geographic area;

58.18 (5) will develop innovative or new technologies or strategies for source reduction and
58.19 waste prevention;

58.20 (6) will encourage further investment in source reduction and waste prevention projects;

58.21 or

58.22 (7) will incorporate multistakeholder involvement, including nonprofit, commercial,
58.23 and public sector partners.

58.24 Subd. 9. **Report to the legislature.** By January 15, 2024, the commissioner must submit
58.25 a report as required under section 3.195 that details the use of grant money. A copy of this
58.26 report must also be sent to the chairs and ranking minority members of the legislative
58.27 committees with jurisdiction over economic development and environment.

58.28 Sec. 50. **[115A.993] PROHIBITED DISPOSAL METHODS.**

58.29 A person must not dispose of seed treated with neonicotinoid pesticide in a manner
58.30 inconsistent with the product label, where applicable, or by:

- 59.1 (1) burying near a drinking water source or any creek, stream, river, lake, or other surface
 59.2 water;
- 59.3 (2) composting; or
- 59.4 (3) incinerating within a home or other dwelling.

59.5 Sec. 51. Minnesota Statutes 2020, section 115B.17, subdivision 14, is amended to read:

59.6 Subd. 14. **Requests for review, investigation, and oversight.** (a) The commissioner
 59.7 may, upon request, assist a person in determining whether real property has been the site
 59.8 of a release or threatened release of a hazardous substance, pollutant, or contaminant. The
 59.9 commissioner may also assist in, or supervise, the development and implementation of
 59.10 reasonable and necessary response actions. Assistance may include review of agency records
 59.11 and files, and review and approval of a requester's investigation plans and reports and
 59.12 response action plans and implementation.

59.13 (b) Except as otherwise provided in this paragraph, the person requesting assistance
 59.14 under this subdivision shall pay the agency for the agency's cost, as determined by the
 59.15 commissioner, of providing assistance. A state agency, political subdivision, or other public
 59.16 entity is not required to pay for the agency's cost to review agency records and files. ~~Money~~
 59.17 ~~received by the agency for assistance under this section~~ The first \$350,000 received annually
 59.18 by the agency for assistance under this subdivision from persons who are not otherwise
 59.19 responsible under sections 115B.01 to 115B.18 must be deposited in the remediation fund
 59.20 and is exempt from section 16A.1285. Money received after the first \$350,000 must be
 59.21 deposited in the state treasury and credited to an account in the special revenue fund. Money
 59.22 in the account is annually appropriated to the commissioner for the purposes of administering
 59.23 this subdivision.

59.24 (c) When a person investigates a release or threatened release in accordance with an
 59.25 investigation plan approved by the commissioner under this subdivision, the investigation
 59.26 does not associate that person with the release or threatened release for the purpose of section
 59.27 115B.03, subdivision 3, paragraph (a), clause (4).

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

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

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

60.1 (i) determine how the priorities in the settlement will be met and how the spending will
60.2 move from the first priority to the second priority and the second priority to the third priority
60.3 outlined in the settlement; and

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

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

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

60.13 Sec. 53. Minnesota Statutes 2020, section 116.06, subdivision 1, is amended to read:

60.14 Subdivision 1. **Applicability.** The definitions given in this section shall obtain for the
60.15 purposes of sections 116.01 to ~~116.075~~ 116.076 except as otherwise expressly provided or
60.16 indicated by the context.

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

60.18 Sec. 54. Minnesota Statutes 2020, section 116.06, is amended by adding a subdivision to
60.19 read:

60.20 **Subd. 6a. Commissioner.** "Commissioner" means the commissioner of the Pollution
60.21 Control Agency.

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

60.23 Sec. 55. Minnesota Statutes 2020, section 116.06, is amended by adding a subdivision to
60.24 read:

60.25 **Subd. 10a. Environmental justice.** "Environmental justice" means that:

60.26 (1) communities of color, Indigenous communities, and low-income communities have
60.27 a healthy environment and are treated fairly when environmental statutes, rules, and policies
60.28 are developed, adopted, implemented, and enforced; and

60.29 (2) in all decisions that have the potential to affect the environment of an environmental
60.30 justice area or the public health of its residents, due consideration is given to the history of

61.1 the area's and its residents' cumulative exposure to pollutants and to any current
61.2 socioeconomic conditions that increase the physical sensitivity of those residents to additional
61.3 exposure to pollutants.

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

61.5 Sec. 56. Minnesota Statutes 2020, section 116.06, is amended by adding a subdivision to
61.6 read:

61.7 Subd. 10b. **Environmental justice area.** "Environmental justice area" means one or
61.8 more census tracts in the state:

61.9 (1) in which, based on the most recent data published by the United States Census Bureau:

61.10 (i) 40 percent or more of the population is nonwhite;

61.11 (ii) 35 percent or more of the households have an income at or below 200 percent of the
61.12 federal poverty level; or

61.13 (iii) 40 percent or more of the population over the age of five has limited English
61.14 proficiency; or

61.15 (2) that is in Indian Country, as defined in United States Code, title 18, section 1151.

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

61.17 Sec. 57. Minnesota Statutes 2020, section 116.06, is amended by adding a subdivision to
61.18 read:

61.19 Subd. 14a. **Microplastics.** "Microplastics" means small pieces of plastic debris in the
61.20 environment that are less than five millimeters in length and that result from the disposal
61.21 and breakdown of consumer products and industrial waste.

61.22 Sec. 58. Minnesota Statutes 2020, section 116.06, is amended by adding a subdivision to
61.23 read:

61.24 Subd. 14b. **Nanoplastics.** "Nanoplastics" means particles with a size ranging from one
61.25 to 1,000 nanometers that are unintentionally produced from the manufacture or degradation
61.26 of plastic objects and that exhibit a colloidal behavior.

62.1 Sec. 59. Minnesota Statutes 2020, section 116.06, is amended by adding a subdivision to
62.2 read:

62.3 Subd. 17a. **Plastic.** "Plastic" means an organic or petroleum derivative synthetic or a
62.4 semisynthetic organic solid that is moldable and to which additives or other substances may
62.5 have been added. Plastic does not mean natural polymers that have not been chemically
62.6 modified.

62.7 Sec. 60. **[116.062] AIR TOXICS EMISSIONS REPORTING.**

62.8 (a) The commissioner must require each facility operating under an air quality permit
62.9 issued by the agency to annually report the facility's air toxics emissions to the agency,
62.10 including a facility not required as a condition of its air quality permit to keep records of
62.11 air toxics emissions. The commissioner must determine the method to be used by a facility
62.12 to directly measure or estimate air toxics emissions. The commissioner must incorporate
62.13 the requirement to annually report air toxics emissions into the air quality permit of each
62.14 facility subject to this section.

62.15 (b) For the purposes of this section, "air toxic" means a chemical compound or compound
62.16 class that is emitted into the air by a permitted facility and that is listed, reported, or identified
62.17 under any of the following categories:

62.18 (1) hazardous air pollutants listed under the federal Clean Air Act, United States Code,
62.19 title 42, section 7412, as amended;

62.20 (2) chemicals reported as released into the atmosphere by a facility located in the state
62.21 for the Toxic Release Inventory under the federal Emergency Planning and Community
62.22 Right-to-Know Act, United States Code, title 42, section 11023, as amended;

62.23 (3) chemicals of high concern, as listed by the Department of Health under section
62.24 116.9402;

62.25 (4) chemicals for which the Department of Health has adopted health-based values or
62.26 risk assessment advice;

62.27 (5) chemicals for which the risk to human health has been assessed by the federal
62.28 Environmental Protection Agency's Integrated Risk Information System;

62.29 (6) chemicals for which emission limits are incorporated into current facility permits;
62.30 and

62.31 (7) chemicals reported by facilities in the agency's triennial emissions inventory.

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

63.1 Sec. 61. Minnesota Statutes 2020, section 116.07, subdivision 4a, is amended to read:

63.2 Subd. 4a. **Permits.** (a) ~~The Pollution Control Agency commissioner~~ may issue, continue
63.3 in effect or deny permits, under such conditions as it may prescribe for the prevention of
63.4 pollution, for the emission of air contaminants, or for the installation or operation of any
63.5 emission facility, air contaminant treatment facility, treatment facility, potential air
63.6 contaminant storage facility, or storage facility, or any part thereof, or for the sources or
63.7 emissions of noise pollution.

63.8 (b) ~~The Pollution Control Agency commissioner~~ may also issue, continue in effect or
63.9 deny permits, under such conditions as it may prescribe for the prevention of pollution, for
63.10 the storage, collection, transportation, processing, or disposal of waste, or for the installation
63.11 or operation of any system or facility, or any part thereof, related to the storage, collection,
63.12 transportation, processing, or disposal of waste.

63.13 (c) ~~The agency commissioner~~ may not issue ~~a permit, renew, or approve a major~~
63.14 amendment to a facility permit that potentially increases pollution levels or the toxicity of
63.15 emissions in an environmental justice area without analyzing and considering:

63.16 (1) ~~the cumulative levels and effects of past and current environmental pollution from~~
63.17 ~~all sources on the environment and residents of the geographic area within which the facility's~~
63.18 ~~emissions are likely to be deposited, provided that the facility is located in a community in~~
63.19 ~~a city of the first class in Hennepin County that meets all of the following conditions:~~
63.20 environmental justice area, including mobile sources and toxic chemicals contaminating
63.21 soils; and

63.22 (2) the demographic, social, and economic characteristics of the exposed population in
63.23 the environmental justice area that affect the population's sensitivity to exposure to additional
63.24 pollution, as required under subdivision 4m.

63.25 (1) ~~is within a half mile of a site designated by the federal government as an EPA~~
63.26 ~~superfund site due to residential arsenic contamination;~~

63.27 (2) ~~a majority of the population are low-income persons of color and American Indians;~~

63.28 (3) ~~a disproportionate percent of the children have childhood lead poisoning, asthma,~~
63.29 ~~or other environmentally related health problems;~~

63.30 (4) ~~is located in a city that has experienced numerous air quality alert days of dangerous~~
63.31 ~~air quality for sensitive populations between February 2007 and February 2008; and~~

63.32 (5) ~~is located near the junctions of several heavily trafficked state and county highways~~
63.33 ~~and two one-way streets which carry both truck and auto traffic.~~

64.1 (d) The ~~Pollution Control Agency~~ commissioner may revoke or modify any permit issued
64.2 under this subdivision and section 116.081 whenever it is necessary, in the opinion of the
64.3 ~~agency~~ commissioner, to prevent or abate pollution.

64.4 (e) The ~~Pollution Control Agency~~ commissioner has the authority for approval over the
64.5 siting, expansion, or operation of a solid waste facility with regard to environmental issues.
64.6 However, ~~the agency's~~ issuance of a permit does not release the permittee from any liability,
64.7 penalty, or duty imposed by any applicable county ordinances. Nothing in this chapter
64.8 precludes, or shall be construed to preclude, a county from enforcing land use controls,
64.9 regulations, and ordinances existing at the time of the permit application and adopted
64.10 pursuant to sections 366.10 to 366.181, 394.21 to 394.37, or 462.351 to 462.365, with regard
64.11 to the siting, expansion, or operation of a solid waste facility.

64.12 (f) Except as prohibited by federal law, a person may commence construction,
64.13 reconstruction, replacement, or modification of any facility ~~prior to the issuance of a~~
64.14 ~~construction permit by the agency~~ before the commissioner issues a construction permit.

64.15 (g) A permit application must indicate whether the permit action sought is likely to
64.16 impact the environment or the health of residents of an environmental justice area and must
64.17 include the data used by the applicant to make the determination. If the application is filed
64.18 before the commissioner identifies all environmental justice areas in the state under section
64.19 116.076, the commissioner must determine whether, based on the application's projected
64.20 impacts of issuing the permit, the area impacted qualifies as an environmental justice area
64.21 and whether, as a result, a cumulative analysis is required.

64.22 (h) The commissioner must review the applicant's determination made under paragraph
64.23 (g), and is responsible for determining whether a proposed permit will impact the environment
64.24 or health of an environmental justice area.

64.25 (i) The agency's reasonable costs of complying with this subdivision are to be reimbursed
64.26 by the permit applicant.

64.27 **EFFECTIVE DATE.** This section is effective the day following final enactment and
64.28 applies to an application for a new permit, permit renewal, or major permit amendment filed
64.29 with the commissioner on or after that date.

64.30 Sec. 62. Minnesota Statutes 2020, section 116.07, is amended by adding a subdivision to
64.31 read:

64.32 Subd. 4m. **Demographic analysis.** (a) A permit applicant subject to subdivision 4a,
64.33 paragraph (c), must provide the information listed in clauses (1) to (15), if available, in the

65.1 permit application. The commissioner, in collaboration with the State Demographic Center,
65.2 the Minnesota Department of Health, and other state agencies, must provide an applicant
65.3 with a list of sources for the information required in clauses (1) to (15). The information is
65.4 intended to indicate the degree of sensitivity of the exposed population to incremental
65.5 pollution emitted from a facility seeking a permit or permit amendment and the exposed
65.6 population's ability to withstand, respond to, or recover from exposure to additional pollution.
65.7 This required information includes:

65.8 (1) racial and ethnic characteristics;

65.9 (2) income and poverty levels;

65.10 (3) the age distribution;

65.11 (4) the birth rate;

65.12 (5) education levels;

65.13 (6) the incidence of and hospital admission rates for respiratory disease, pulmonary
65.14 disease, cancer, diabetes, asthma, high levels of blood lead concentrations, compromised
65.15 immune systems, and other conditions that may be exacerbated by exposure to pollution;

65.16 (7) the incidence of substandard housing conditions;

65.17 (8) the proportion of the population without access to health insurance and medical care;

65.18 (9) the proportion of the population receiving public assistance and medical assistance;

65.19 (10) the incidence of low and very low food security, as defined by the United States
65.20 Department of Agriculture publication Food Security in the U.S., Definitions of Food
65.21 Security (2006 and as subsequently amended);

65.22 (11) biomonitoring data indicating body burdens of environmental pollutants;

65.23 (12) the presence of subpopulations that may be particularly sensitive to exposure to
65.24 additional pollutants, including workers exposed to toxic chemicals in the workplace and
65.25 subsistence fishers and hunters;

65.26 (13) microclimate or topographical factors of the area that affect exposure levels;

65.27 (14) other environmental stressors, including but not limited to noise, that impact the
65.28 area population; and

65.29 (15) how the factors examined under this paragraph may interact to increase the likelihood
65.30 of portions of the population sustaining an adverse effect from exposure to the additional
65.31 pollution emitted by the permitted facility.

66.1 (b) A permit applicant must provide the information required under this subdivision to
66.2 the commissioner in a format and at a level of quality and completeness required by the
66.3 commissioner.

66.4 (c) The costs of complying with this subdivision must be paid by the permit applicant.

66.5 **EFFECTIVE DATE.** This section is effective the day following final enactment and
66.6 applies to an application for a new permit, permit renewal, or major permit amendment filed
66.7 with the commissioner on or after that date.

66.8 Sec. 63. Minnesota Statutes 2020, section 116.07, is amended by adding a subdivision to
66.9 read:

66.10 Subd. 4n. **Permits; environmental justice area.** (a) At a public meeting held on a permit
66.11 application required to undergo a cumulative analysis under subdivision 4a, paragraph (c),
66.12 the commissioner must ensure that an accurate and complete reporting of public comments
66.13 is made part of the public record on which the decision on permit issuance is based.

66.14 (b) Notwithstanding any other law, the commissioner must, after reviewing the permit
66.15 application, the analysis of cumulative pollution conducted under subdivision 4a, paragraph
66.16 (c), the permit applicant's demographic analysis under subdivision 4m, and any additional
66.17 relevant information, including testimony and written comments received at a public meeting,
66.18 determine whether the incremental environmental impacts that would result in an
66.19 environmental justice area from approving the permit will, in conjunction with the cumulative
66.20 pollution impacts and any heightened sensitivity to additional pollution of residents of the
66.21 environmental justice area, cause or contribute to increased levels of environmental or health
66.22 impacts compared with denying the permit.

66.23 (b) If the commissioner determines that approving the permit would cause or contribute
66.24 to increased levels of environmental or health impacts compared with denying the permit,
66.25 the commissioner must:

66.26 (1) deny the permit; or

66.27 (2) place conditions on the permit that eliminate any contribution to increased levels of
66.28 environmental or health impacts from the permitted facility in an environmental justice
66.29 area.

66.30 **EFFECTIVE DATE.** This section is effective the day following final enactment and
66.31 applies to an application for a new permit, permit renewal, or major permit amendment filed
66.32 with the agency on or after that date.

67.1 Sec. 64. Minnesota Statutes 2020, section 116.07, is amended by adding a subdivision to
67.2 read:

67.3 Subd. 7f. **Financial assurance.** (a) Before the commissioner issues or renews a permit
67.4 for a feedlot with a capacity of 1,000 or more animal units, the permit applicant must submit
67.5 to the commissioner proof of financial assurance that satisfies the requirements under this
67.6 subdivision. Financial assurance must be of an amount sufficient to pay the closure costs
67.7 determined under paragraph (c) for the feedlot and manure storage area, with all terms and
67.8 conditions of the financial assurance instrument approved by the commissioner. The
67.9 commissioner, in evaluating financial assurance, may consult individuals with documented
67.10 experience in the analysis. The applicant must pay all costs incurred by the commissioner
67.11 to obtain this analysis.

67.12 (b) A permittee must maintain sufficient financial assurance for the duration of the permit
67.13 and demonstrate to the commissioner's satisfaction that:

67.14 (1) the funds will be available and made payable to the commissioner if the commissioner
67.15 determines the permittee is not in full compliance with the closure requirements established
67.16 by the commissioner in rule for feedlots and manure storage areas;

67.17 (2) the financial assurance instrument is fully valid, binding, and enforceable under state
67.18 and federal law;

67.19 (3) the financial assurance instrument is not dischargeable through bankruptcy; and

67.20 (4) the financial assurance provider will give the commissioner at least 120 days' notice
67.21 before cancelling the financial assurance instrument.

67.22 (c) The permit applicant must submit to the commissioner a documented estimate of
67.23 costs required to implement the closure requirements established by the commissioner in
67.24 rule for feedlots and manure storage areas. Cost estimates must incorporate current dollar
67.25 values at the time of estimate and any additional costs required by the commissioner to
67.26 oversee and hire a third party to implement the closure requirements. The applicant must
67.27 not incorporate the estimated salvage or market value of manure, animals, structures,
67.28 equipment, land, or other assets. The commissioner must evaluate and may modify the
67.29 applicant's cost estimates and may consult individuals with documented experience in feedlot
67.30 or manure storage area closure or remediation. The applicant must pay all costs incurred
67.31 by the commissioner to obtain this consultation.

68.1 Sec. 65. Minnesota Statutes 2020, section 116.07, is amended by adding a subdivision to
68.2 read:

68.3 Subd. 7g. **Abandoned manure storage areas.** At least annually, the commissioner must
68.4 compile a list of abandoned manure storage areas in this state. A list compiled under this
68.5 subdivision is not a feedlot inventory for purposes of subdivision 7b. For purposes of this
68.6 subdivision, "abandoned manure storage areas" means solid and liquid manure storage areas
68.7 that have:

68.8 (1) been previously registered with the state as a feedlot with a manure storage area; and

68.9 (2) permanently ceased operation and are subject to, but not in compliance with, the
68.10 closure requirements established by the commissioner in rule for feedlots and manure storage
68.11 areas; or

68.12 (3) been unused for at least three years.

68.13 Sec. 66. **[116.076] ENVIRONMENTAL JUSTICE AREAS; BOUNDARIES; MAPS.**

68.14 (a) No later than December 1, 2022, the commissioner must determine the boundaries
68.15 of all environmental justice areas in Minnesota. The determination of the geographic
68.16 boundaries of an environmental justice area may be appealed by filing a petition that contains
68.17 evidence to support amending the commissioner's determination. The petition must be
68.18 signed by at least 100 residents of census tracts within or adjacent to the environmental
68.19 justice area, as determined by the commissioner. The commissioner may, after reviewing
68.20 the petition, amend the boundaries of an environmental justice area.

68.21 (b) The commissioner must post updated maps of each environmental justice area in the
68.22 state on the agency website.

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

68.24 Sec. 67. Minnesota Statutes 2020, section 116C.03, subdivision 2a, is amended to read:

68.25 Subd. 2a. **Public members.** The membership terms, compensation, removal, and filling
68.26 of vacancies of public members of the board shall be as provided in section 15.0575, except
68.27 that a public member may be compensated at the rate of up to \$125 a day.

68.28 Sec. 68. Minnesota Statutes 2020, section 116D.04, is amended by adding a subdivision
68.29 to read:

68.30 Subd. 2c. **Demographic analysis.** An environmental assessment worksheet and
68.31 environmental impact statement that indicate that a proposed project increases pollution

69.1 levels or the toxicity of emissions in an environmental justice area, as defined under section
69.2 116.06, must contain a demographic analysis of the population exposed to the proposed
69.3 project's impacts as required under section 116.07, subdivision 4m.

69.4 **EFFECTIVE DATE.** This section is effective the day following final enactment and
69.5 applies to an environmental assessment worksheet that has been determined by a responsible
69.6 governmental unit to be complete on or after that date and to an environmental impact
69.7 statement determined by a responsible governmental unit to be adequate on or after that
69.8 date.

69.9 Sec. 69. Minnesota Statutes 2020, section 116P.05, subdivision 1, is amended to read:

69.10 Subdivision 1. **Membership.** (a) A Legislative-Citizen Commission on Minnesota
69.11 Resources of 17 members is created in the legislative branch, consisting of the chairs of the
69.12 house of representatives and senate committees on environment and natural resources finance
69.13 or designees appointed for the terms of the chairs, four members of the senate appointed
69.14 by the Subcommittee on Committees of the Committee on Rules and Administration, and
69.15 four members of the house of representatives appointed by the speaker.

69.16 (b) At least two members from the senate and two members from the house of
69.17 representatives must be from the minority caucus. Members are entitled to reimbursement
69.18 for per diem expenses plus travel expenses incurred in the services of the commission.

69.19 (c) Seven citizens are members of the commission, five appointed by the governor, one
69.20 appointed by the Senate Subcommittee on Committees of the Committee on Rules and
69.21 Administration, and one appointed by the speaker of the house. The citizen members are
69.22 selected and recommended to the appointing authorities according to subdivision 1a and
69.23 must:

69.24 (1) have experience or expertise in the science, policy, or practice of the protection,
69.25 conservation, preservation, and enhancement of the state's air, water, land, fish, wildlife,
69.26 and other natural resources;

69.27 (2) have strong knowledge in the state's environment and natural resource issues around
69.28 the state; and

69.29 (3) have demonstrated ability to work in a collaborative environment.

69.30 (d) Members shall develop procedures to elect a chair that rotates between legislative
69.31 and citizen members each meeting. A citizen member, a senate member, and a house of
69.32 representatives member shall serve as chairs. The citizen members, senate members, and

70.1 house of representatives members must select their respective chairs. The chair shall preside
70.2 and convene meetings as often as necessary to conduct duties prescribed by this chapter.

70.3 (e) Appointed legislative members shall serve on the commission for two-year terms,
70.4 beginning in January of each odd-numbered year and continuing through the end of December
70.5 of the next even-numbered year. Appointed citizen members shall serve four-year terms,
70.6 beginning in January of the first year and continuing through the end of December of the
70.7 final year. Citizen and legislative members continue to serve until their successors are
70.8 appointed.

70.9 (f) A citizen member may be removed by an appointing authority for cause. Vacancies
70.10 occurring on the commission shall not affect the authority of the remaining members of the
70.11 commission to carry out their duties, and vacancies shall be filled for the remainder of the
70.12 term in the same manner under paragraphs (a) to (c).

70.13 (g) Citizen members are entitled to per diem and reimbursement for expenses incurred
70.14 in the services of the commission, as provided in section 15.059, subdivision 3, except that
70.15 a citizen member may be compensated at the rate of up to \$125 a day.

70.16 (h) The governor's appointments are subject to the advice and consent of the senate.

70.17 Sec. 70. Minnesota Statutes 2020, section 171.07, is amended by adding a subdivision to
70.18 read:

70.19 Subd. 20. **Watercraft operator's permit.** (a) The department must maintain in its
70.20 records information transmitted electronically from the commissioner of natural resources
70.21 identifying each person to whom the commissioner of natural resources has issued a
70.22 watercraft operator's permit. The records transmitted from the Department of Natural
70.23 Resources must contain the full name and date of birth as required for the driver's license
70.24 or identification card. Records that are not matched to a driver's license or identification
70.25 card record may be deleted after seven years.

70.26 (b) After receiving information under paragraph (a) that a person has received a watercraft
70.27 operator's permit, the department must include on all drivers' licenses or Minnesota
70.28 identification cards subsequently issued to the person a graphic or written indication that
70.29 the person has received the permit.

70.30 (c) If a person who has received a watercraft operator's permit applies for a driver's
70.31 license or Minnesota identification card before that information has been transmitted to the
70.32 department, the department may accept a copy of the certificate as proof of its issuance and
70.33 must then follow the procedures in paragraph (b).

71.1 **EFFECTIVE DATE.** This section is effective July 1, 2024.

71.2 Sec. 71. Minnesota Statutes 2020, section 282.08, is amended to read:

71.3 **282.08 APPORTIONMENT OF PROCEEDS TO TAXING DISTRICTS.**

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

71.7 (1) the portion required to pay any amounts included in the appraised value under section
71.8 282.01, subdivision 3, as representing increased value due to any public improvement made
71.9 after forfeiture of the parcel to the state, but not exceeding the amount certified by the
71.10 appropriate governmental authority must be apportioned to the governmental subdivision
71.11 entitled to it;

71.12 (2) the portion required to pay any amount included in the appraised value under section
71.13 282.019, subdivision 5, representing increased value due to response actions taken after
71.14 forfeiture of the parcel to the state, but not exceeding the amount of expenses certified by
71.15 the Pollution Control Agency or the commissioner of agriculture, must be apportioned to
71.16 the agency or the commissioner of agriculture and deposited in the fund from which the
71.17 expenses were paid;

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

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

71.22 (i) The county board may annually by resolution set aside no more than 30 percent of
71.23 the receipts remaining to be used for forest development on tax-forfeited land and dedicated
71.24 memorial forests, to be expended under the supervision of the county board. It must be
71.25 expended only on projects improving the health and management of the forest resource.

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

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

71.32 (1) according to section 282.09, subdivision 2;

72.1 (2) for remediating contamination at tax-forfeited properties; or

72.2 (3) for correcting blighted conditions at tax-forfeited properties.

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

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

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

72.10 Sec. 72. Minnesota Statutes 2020, section 297A.94, is amended to read:

72.11 **297A.94 DEPOSIT OF REVENUES.**

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

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

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

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

72.21 The commissioner of management and budget shall certify to the commissioner the date on
72.22 which the project received the conditional commitment. The amount deposited in the loan
72.23 guaranty account must be reduced by any refunds and by the costs incurred by the Department
72.24 of Revenue to administer and enforce the assessment and collection of the taxes.

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

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

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

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

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

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

73.17 (g) Starting after July 1, 2017, the commissioner shall deposit an amount of the
73.18 remittances monthly into the state treasury and credit them to the highway user tax
73.19 distribution fund as a portion of the estimated amount of taxes collected from the sale and
73.20 purchase of motor vehicle repair parts in that month. For the remittances between July 1,
73.21 2017, and June 30, 2019, the monthly deposit amount is \$2,628,000. For remittances in
73.22 each subsequent fiscal year, the monthly deposit amount is \$12,137,000. For purposes of
73.23 this paragraph, "motor vehicle" has the meaning given in section 297B.01, subdivision 11,
73.24 and "motor vehicle repair and replacement parts" includes (i) all parts, tires, accessories,
73.25 and equipment incorporated into or affixed to the motor vehicle as part of the motor vehicle
73.26 maintenance and repair, and (ii) paint, oil, and other fluids that remain on or in the motor
73.27 vehicle as part of the motor vehicle maintenance or repair. For purposes of this paragraph,
73.28 "tire" means any tire of the type used on highway vehicles, if wholly or partially made of
73.29 rubber and if marked according to federal regulations for highway use.

73.30 (h) ~~72.43~~ 97 percent of the revenues, including interest and penalties, transmitted to the
73.31 commissioner under section 297A.65, must be deposited by the commissioner in the state
73.32 treasury as follows:

73.33 (1) 50 percent of the receipts must be deposited in the heritage enhancement account in
73.34 the game and fish fund, and may be spent only on activities that improve, enhance, or protect

74.1 fish and wildlife resources, including conservation, restoration, and enhancement of land,
74.2 water, and other natural resources of the state;

74.3 (2) 22.5 percent of the receipts must be deposited in the natural resources fund, and may
74.4 be spent only for state parks and trails;

74.5 (3) 22.5 percent of the receipts must be deposited in the natural resources fund, and may
74.6 be spent only on metropolitan park and trail grants;

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

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

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

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

74.25 (1) 25 percent to the volunteer fire assistance grant account established under section
74.26 88.068;

74.27 (2) 25 percent to the fire safety account established under section 297I.06, subdivision
74.28 3; and

74.29 (3) the remainder to the general fund.

74.30 For purposes of this paragraph, the percentage of total sales and use tax revenue derived
74.31 from the sale of items regulated under section 624.20, subdivision 1, that are allowed to be
74.32 sold to persons 18 years old or older and are not prohibited from use by the general public
74.33 under section 624.21, is a set percentage of the total sales and use tax revenues collected in

75.1 the state, with the percentage determined under Laws 2017, First Special Session chapter
75.2 1, article 3, section 39.

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

75.7 Sec. 73. [325E.3892] LEAD AND CADMIUM IN CONSUMER PRODUCTS;
75.8 PROHIBITION.

75.9 Subdivision 1. Definitions. For purposes of this section, "covered product" means any
75.10 of the following products or product components:

75.11 (1) jewelry;

75.12 (2) toys;

75.13 (3) cosmetics and personal care products;

75.14 (4) puzzles, board games, card games, and similar games;

75.15 (5) play sets and play structures;

75.16 (6) outdoor games;

75.17 (7) school supplies;

75.18 (8) pots and pans;

75.19 (9) cups, bowls, and other food containers;

75.20 (10) craft supplies and jewelry-making supplies;

75.21 (11) chalk, crayons, paints, and other art supplies;

75.22 (12) fidget spinners;

75.23 (13) costumes, costume accessories, and children's and seasonal party supplies;

75.24 (14) keys, key chains, and key rings; and

75.25 (15) clothing, footwear, headwear, and accessories.

75.26 Subd. 2. Prohibition. (a) A person must not import, manufacture, sell, hold for sale, or
75.27 distribute or offer for use in this state any covered product containing:

75.28 (1) lead at more than 0.009 percent by total weight (90 parts per million); or

75.29 (2) cadmium at more than 0.0075 percent by total weight (75 parts per million).

76.1 (b) This section does not apply to covered products containing lead or cadmium, or both,
76.2 when regulation is preempted by federal law.

76.3 Subd. 3. **Enforcement.** The commissioners of the Pollution Control Agency, commerce,
76.4 and health may coordinate in enforcing this section. The commissioner of the Pollution
76.5 Control Agency or commerce may, with the attorney general, enforce any federal restrictions
76.6 on the sale of products containing lead or cadmium, or both, as allowed under federal law.
76.7 The commissioner of the Pollution Control Agency may enforce this section under sections
76.8 115.071 and 116.072. The commissioner of commerce may enforce this section under
76.9 section 45.027, subdivisions 1 to 6, 325F.10 to 325F.12, and 325F.14 to 325F.16. The
76.10 attorney general may enforce this section under section 8.31.

76.11 **EFFECTIVE DATE.** This section is effective July 1, 2023.

76.12 Sec. 74. Minnesota Statutes 2020, section 394.36, subdivision 4, is amended to read:

76.13 Subd. 4. **Nonconformities; certain classes of property.** This subdivision applies to
76.14 homestead and nonhomestead residential real estate and seasonal residential real estate
76.15 occupied for recreational purposes. Except as otherwise provided by law, a nonconformity,
76.16 including the lawful use or occupation of land or premises existing at the time of the adoption
76.17 of an official control under this chapter, may be continued, including through repair,
76.18 replacement, restoration, maintenance, or improvement, but not including expansion. If the
76.19 nonconformity or occupancy is discontinued for a period of more than one year, or any
76.20 nonconforming building or structure is destroyed by fire or other peril to the extent of greater
76.21 than 50 percent of its estimated market value, as indicated in the records of the county
76.22 assessor at the time of damage, and no building permit has been applied for within 180 days
76.23 of when the property is damaged, any subsequent use or occupancy of the land or premises
76.24 must be a conforming use or occupancy. If a nonconforming building or structure is destroyed
76.25 by fire or other peril to the extent of greater than 50 percent of its estimated market value,
76.26 as indicated in the records of the county assessor at the time of damage, the board may
76.27 impose reasonable conditions upon a zoning or building permit in order to mitigate any
76.28 newly created impact on adjacent property or water body. When a nonconforming structure
76.29 in the shoreland district with less than 50 percent of the required setback from the water is
76.30 destroyed by fire or other peril to greater than 50 percent of its estimated market value, as
76.31 indicated in the records of the county assessor at the time of damage, the structure setback
76.32 may be increased if practicable and reasonable conditions are placed upon a zoning or
76.33 building permit to mitigate created impacts on the adjacent property or water body. A county

77.1 may, by ordinance, permit an expansion or impose upon nonconformities reasonable
77.2 regulations to prevent and abate nuisances and to protect the public health, welfare, or safety.

77.3 Sec. 75. Minnesota Statutes 2020, section 473.121, is amended by adding a subdivision
77.4 to read:

77.5 Subd. 37. **Community water system.** "Community water system" has the meaning
77.6 given in United States Code, title 42, section 300f(15).

77.7 Sec. 76. Minnesota Statutes 2020, section 473.121, is amended by adding a subdivision
77.8 to read:

77.9 Subd. 38. **Lead service line.** "Lead service line" means a water supply connection that
77.10 is made of or lined with a material consisting of lead and that connects a water main to a
77.11 building. A lead pigtail, lead gooseneck, or other lead fitting is considered a lead service
77.12 line, regardless of the composition of the service line or other portions of piping to which
77.13 the piece is attached. A galvanized service line is considered a lead service line.

77.14 Sec. 77. Minnesota Statutes 2020, section 473.121, is amended by adding a subdivision
77.15 to read:

77.16 Subd. 39. **Service line.** "Service line" means any piping, tubing, or fitting connecting a
77.17 water main to a building. Service line includes the property owner side and the system side
77.18 of a service line.

77.19 Sec. 78. Minnesota Statutes 2020, section 473.121, is amended by adding a subdivision
77.20 to read:

77.21 Subd. 40. **System side.** "System side" means the portion of a service line that is owned
77.22 by a community water system.

77.23 Sec. 79. **PERSON WITH A DISABILITY; RULEMAKING.**

77.24 (a) The commissioner of natural resources must amend Minnesota Rules, part 6230.0250,
77.25 subpart 10, item A, subitem (2), by changing the word "hunter" to "person."

77.26 (b) The commissioner may use the good-cause exemption under Minnesota Statutes,
77.27 section 14.388, subdivision 1, clause (3), to adopt rules under this section, and Minnesota
77.28 Statutes, section 14.386, does not apply except as provided under Minnesota Statutes, section
77.29 14.388.

78.1 **Sec. 80. COMMUNITY AIR MONITORING SYSTEM PILOT GRANT PROGRAM.**

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

78.4 (b) "Agency" means the Minnesota Pollution Control Agency.

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

78.6 (d) "Community air monitoring system" means a system of devices monitoring ambient
78.7 air quality at many locations within a small geographic area that is subject to air pollution
78.8 from a variety of stationary and mobile sources in order to obtain frequent measurements
78.9 of pollution levels, to detect differences in exposure to pollution over distances no larger
78.10 than a city block, and to identify areas where pollution levels are inordinately elevated.

78.11 (e) "Environmental justice area" has the meaning given in Minnesota Statutes, section
78.12 116.06, subdivision 10b.

78.13 (f) "Nonprofit organization" means an organization that is exempt from taxation under
78.14 section 501(c)(3) of the Internal revenue Code.

78.15 **Subd. 2. Establishment of program.** A community air monitoring system pilot grant
78.16 program is established in the Pollution Control Agency to measure air pollution levels at
78.17 many locations within an environmental justice area in Minneapolis.

78.18 **Subd. 3. Eligible applicants.** Grants under this section may be awarded to applicants
78.19 consisting of a partnership between a nonprofit organization located in an environmental
78.20 justice area in which the community air monitoring system is to be deployed and an entity
78.21 that has experience deploying, operating, and interpreting data from air monitoring systems.

78.22 **Subd. 4. Eligible projects.** Grants may be awarded under this section to applicants
78.23 whose proposals:

78.24 (1) use a variety of air monitoring technologies approved for use by the commissioner,
78.25 including but not limited to stationary monitors, sensor-based handheld devices, and mobile
78.26 devices that can be attached to vehicles or drones to measure air pollution levels;

78.27 (2) obtain data at fixed locations and from handheld monitoring devices that are carried
78.28 by residents of the community on designated walking routes in the targeted community and
78.29 that can provide high-frequency measurements; and

78.30 (3) use the monitoring data to generate maps of pollution levels throughout the monitored
78.31 area.

78.32 **Subd. 5. Eligible expenditures.** Grants may be used only for the following activities:

- 79.1 (1) planning the configuration and deployment of the community air monitoring system;
79.2 (2) purchasing and installing air monitoring devices as part of the community air
79.3 monitoring system;
79.4 (3) training and paying persons who operate stationary, handheld, and mobile devices
79.5 to measure air pollution;
79.6 (4) developing data and mapping systems to analyze, organize, and present the air
79.7 monitoring data collected; and
79.8 (5) writing a final report on the project according to subdivision 9.

79.9 **Subd. 6. Air monitoring technologies; commissioner approval.** The commissioner
79.10 must approve air monitoring technologies proposed to be used in a project awarded a grant
79.11 under this section. Approved air monitoring technologies must meet a reasonable level of
79.12 accuracy and consistency.

79.13 **Subd. 7. Application and grant award process.** An eligible applicant must submit an
79.14 application to the commissioner on a form prescribed by the commissioner. The
79.15 commissioner must develop administrative procedures governing the application and grant
79.16 award process. The commissioner must act as fiscal agent for the grant program and is
79.17 responsible for receiving and reviewing grant applications and awarding grants under this
79.18 section.

79.19 **Subd. 8. Grant awards; priorities.** In awarding grants under this section, the
79.20 commissioner must give priority to proposed projects that:

79.21 (1) take place in areas with high rates of illness associated with exposure to air pollution,
79.22 including asthma, chronic obstructive pulmonary disease, heart disease, chronic bronchitis,
79.23 and cancer;

79.24 (2) promote public access to and transparency of air monitoring data developed through
79.25 the project; and

79.26 (3) conduct outreach activities to promote community awareness of and engagement
79.27 with the project.

79.28 **Subd. 9. Report to agency.** No later than 90 days after a project ends, the grantee must
79.29 submit a written report to the commissioner describing the project's findings and results,
79.30 and any recommendations for agency actions, programs, or activities to reduce levels of air
79.31 pollution measured by the community air monitoring system. The grantee must also forward
79.32 to the commissioner all air monitoring data developed by the project.

80.1 Subd. 10. Report to legislature. No later than January 15, 2024, the commissioner must
80.2 submit a report to the chairs and ranking minority members of the legislative committees
80.3 with primary jurisdiction over environment policy and finance on the results of the grant
80.4 program, including:

80.5 (1) any changes in the agency's air monitoring network that will occur as a result of data
80.6 developed under the program;

80.7 (2) any actions the agency has taken or proposes to take to reduce levels of pollution
80.8 that impact the environmental justice areas that received grants under the program; and

80.9 (3) any recommendations for legislation, including whether the program should be
80.10 extended or expanded.

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

80.12 Sec. 81. RULEMAKING; AIR TOXICS EMISSIONS.

80.13 Subdivision 1. Definitions. For the purposes of this section:

80.14 (1) "agency" means the Minnesota Pollution Control Agency;

80.15 (2) "air toxic" has the meaning given under section 116.062;

80.16 (3) "commissioner" has the meaning given in Minnesota Statutes, section 116.06,
80.17 subdivision 6a;

80.18 (4) "continuous emission monitoring system" has the meaning given in Minnesota Rules,
80.19 part 7017.1002, subpart 4;

80.20 (5) "environmental justice area" has the meaning given in Minnesota Statutes, section
80.21 116.06, subdivision 10b;

80.22 (6) "performance test" has the meaning given in Minnesota Rules, part 7017.2005,
80.23 subpart 4; and

80.24 (7) "volatile organic compound" means any compound of carbon that participates in
80.25 atmospheric photochemical reactions, except for carbon monoxide, carbon dioxide, carbonic
80.26 acid, metallic carbides or carbonates, and ammonium carbonate.

80.27 Subd. 2. Rulemaking required. No later than January 15, 2023, the commissioner of
80.28 the Pollution Control Agency must initiate rulemaking under Minnesota Statutes, chapter
80.29 14, to regulate air toxics emissions by providing notice of a rulemaking hearing according
80.30 to Minnesota Statutes, section 14.14, subdivision 1a.

81.1 Subd. 3. Content of rules. (a) The rules required under subdivision 2 must address, at
81.2 a minimum, the following issues:

81.3 (1) the specific air toxics to be regulated, including, at a minimum, those defined in
81.4 section 116.062;

81.5 (2) the types of facilities to be regulated, including, at a minimum, facilities that have
81.6 been issued an air quality permit by the commissioner and:

81.7 (i) emit air toxics, whether or not the emissions are limited in a permit; or

81.8 (ii) purchase or use material containing volatile organic compounds;

81.9 (3) performance tests conducted by facilities to measure the volume of air toxics emissions
81.10 and testing methods, procedures, protocols, and frequency;

81.11 (4) required air monitoring, including using continuous emission monitoring systems
81.12 for certain facilities;

81.13 (5) requirements for reporting information to the agency to assist the agency in
81.14 determining the volume of the facility's air toxics emissions and the facility's compliance
81.15 with emission limits in the facility's permit;

81.16 (6) record keeping related to air toxics emissions; and

81.17 (7) frequency of facility inspections and inspection activities that provide information
81.18 about air toxics emissions.

81.19 (b) In developing rules, the commissioner must establish testing, monitoring, reporting,
81.20 record-keeping, and inspection requirements for facilities that reflect:

81.21 (1) the different risks to human health and the environment posed by the specific air
81.22 toxics and volumes emitted by a facility, such that facilities posing greater risks are required
81.23 to more frequently conduct performance tests and air monitoring, receive inspections, and
81.24 report to the agency;

81.25 (2) the facility's record of compliance with air toxics emission limits and other permit
81.26 conditions; and

81.27 (3) any exposure of residents of an environmental justice area to the facility's air toxics
81.28 emissions.

81.29 (c) The rules developed under this section must specify that the commissioner, in
81.30 developing air toxics emission limits for a specific facility, must consider the additive nature
81.31 of risk posed by exposure to all the air toxics emitted by the facility.

82.1 Subd. 4. **Modifying permits.** After adopting the rules required in subdivision 2, the
82.2 commissioner must incorporate air toxics emission limits to conform with the rule changes
82.3 in existing air quality permits that:

82.4 (1) contain emission limits for air toxics; or

82.5 (2) do not contain emission limits for air toxics but are held by facilities that emit air
82.6 toxics.

82.7 Subd. 5. **Relation to federal law.** The commissioner must implement this section
82.8 consistent with federal law and to the fullest extent allowed by federal law. Nothing in this
82.9 section may be construed to conflict with federal law.

82.10 Subd. 6. **Rulemaking cost.** The commissioner must collect the agency's costs to adopt
82.11 rules required under this section and to conduct regulatory activities required as a result of
82.12 the adopted rules through the annual fee paid by owners or operators of facilities required
82.13 to obtain air quality permits from the agency, as required under Minnesota Statutes, section
82.14 116.07, subdivision 4d, paragraph (b).

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

82.16 **Sec. 82. PIG'S EYE LANDFILL TASK FORCE.**

82.17 Subdivision 1. **Pig's Eye Landfill Task Force.** The commissioner of the Pollution
82.18 Control Agency must establish a Pig's Eye Landfill Task Force to coordinate efforts to
82.19 remediate and restore the Pig's Eye Landfill Superfund site and address perfluoroalkyl and
82.20 polyfluoroalkyl substances (PFAS) contamination of Battle Creek, Pig's Eye Lake, and
82.21 nearby groundwater. The task force is subject to Minnesota Statutes, section 15.059,
82.22 subdivision 6.

82.23 Subd. 2. **Membership.** The task force must consist of:

82.24 (1) the commissioner of the Pollution Control Agency;

82.25 (2) the commissioner of natural resources;

82.26 (3) the commissioner of health;

82.27 (4) a representative from the Metropolitan Council;

82.28 (5) a representative from the United States Army Corps of Engineers;

82.29 (6) a representative from the United States Coast Guard;

82.30 (7) a representative from the federal Environmental Protection Agency;

- 83.1 (8) a representative from the National Park Service;
- 83.2 (9) a representative from the Ramsey-Washington Metro Watershed District; and
- 83.3 (10) one representative from each of the following impacted local governments:
- 83.4 (i) St. Paul;
- 83.5 (ii) South St. Paul;
- 83.6 (iii) Ramsey County; and
- 83.7 (iv) Dakota County.
- 83.8 Subd. 3. **Organization.** (a) By October 15, 2022, the commissioner or the commissioner's
- 83.9 designee must convene the first meeting of the task force.
- 83.10 (b) The task force must meet monthly or as determined by the chair. Meetings of the
- 83.11 task force must be open to the public.
- 83.12 (c) The members of the task force must annually elect a chair, vice chair, and other
- 83.13 officers as the members deem necessary.
- 83.14 Subd. 4. **Staff.** The commissioner must provide support staff, office space, and
- 83.15 administrative services for the task force.
- 83.16 Subd. 5. **Reports.** By February 15 each year, the commissioner must submit an annual
- 83.17 report to the chairs and ranking minority members of the legislative committees and divisions
- 83.18 with jurisdiction over the environment and natural resources on the status of the task force's
- 83.19 work. The final report, due February 15, 2026, must:
- 83.20 (1) summarize the history of the Pig's Eye Landfill, including cleanup efforts and impacts;
- 83.21 (2) include a coordinated plan to:
- 83.22 (i) cleanup and remediate the brownfield site;
- 83.23 (ii) restore and enhance wildlife habitat;
- 83.24 (iii) prevent future water contamination; and
- 83.25 (iv) address existing water quality issues;
- 83.26 (3) identify infrastructure needs;
- 83.27 (4) identify potential funding sources; and
- 83.28 (5) include any recommendations for legislative action.
- 83.29 Subd. 6. **Sunset.** The task force expires June 30, 2026.

84.1 **Sec. 83. TURTLE SELLER'S LICENSES; TRANSFER AND RENEWAL.**

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

84.4 **Sec. 84. SEED DISPOSAL RULEMAKING REQUIRED.**

84.5 The commissioner of the Pollution Control Agency, in consultation with the commissioner
84.6 of agriculture and the University of Minnesota, must adopt rules under Minnesota Statutes,
84.7 chapter 14, providing for the safe and lawful disposal of unwanted or unused seed treated
84.8 with neonicotinoid pesticide. The rules must clearly identify the regulatory jurisdiction of
84.9 state agencies and local governments with regard to such seed.

84.10 **Sec. 85. DESIGNATED SWAN RESTING AREAS.**

84.11 Subdivision 1. **Swan resting areas.** The commissioner of natural resources may designate
84.12 waters within Minnesota's swan migration corridor as swan resting areas.

84.13 Subd. 2. **Public notice and meeting.** (a) Before the commissioner designates or removes
84.14 a designation of a swan resting area, public comment must be received and a public meeting
84.15 must be held in the county where the largest portion of the water is located.

84.16 (b) At least 90 days before the public meeting, notice of the proposed designation or
84.17 removal of the designation must be posted at publicly maintained access points on the water.

84.18 (c) Before the public meeting, notice of the meeting must be published in a news release
84.19 issued by the commissioner and in a newspaper of general circulation in the area where the
84.20 proposed swan resting area is located. The notice must be published at least once between
84.21 30 and 60 days before the meeting and at least once between seven and 30 days before the
84.22 meeting.

84.23 (d) The notices required in this subdivision must summarize the proposed action, invite
84.24 public comment, and specify a deadline for receiving public comments. The commissioner
84.25 must send each required notice to persons who have registered their names with the
84.26 commissioner for this purpose. The commissioner must consider any public comments
84.27 received in making a final decision.

84.28 Subd. 3. **Using lead sinkers.** A person may not use lead sinkers on a water designated
84.29 by the commissioner as a swan resting area under subdivision 1. The commissioner must
84.30 maintain a list of swan resting areas and information on the lead sinker restrictions on the
84.31 department's website and in any summary of fishing regulations required under Minnesota
84.32 Statutes, section 97A.051.

85.1 Subd. 4. **Report.** By January 15, 2025, the commissioner of natural resources must
85.2 submit a report to the chairs and ranking minority members of the legislative committees
85.3 and divisions with jurisdiction over the environment and natural resources on the
85.4 implementation of this section and any recommendations.

85.5 Subd. 5. **Sunset.** This section expires January 1, 2026.

85.6 **Sec. 86. SWAN RESTITUTION VALUES; RULE AMENDMENTS.**

85.7 (a) The commissioner of natural resources must amend Minnesota Rules, part 6133.0030,
85.8 to increase the restitution value of a tundra swan from \$200 to \$1,000 and the restitution
85.9 value of a trumpeter swan from \$1,000 to \$2,500.

85.10 (b) The commissioner may use the good cause exemption under Minnesota Statutes,
85.11 section 14.388, subdivision 1, clause (3), to adopt rules under this section, and Minnesota
85.12 Statutes, section 14.386, does not apply except as provided under Minnesota Statutes, section
85.13 14.388.

85.14 **Sec. 87. MANURE STORAGE AREA REPORTS REQUIRED.**

85.15 (a) No later than December 15, 2022, the commissioner of the Pollution Control Agency
85.16 must develop a list based on registration data for each county of potentially abandoned
85.17 manure storage areas.

85.18 (b) No later than January 15, 2024, each delegated county must report to the commissioner
85.19 of the Pollution Control Agency a list of abandoned manure storage areas located in the
85.20 county. The report must be submitted by the county feedlot officer.

85.21 (c) No later than January 15, 2024, the Pollution Control Agency regional feedlot staff
85.22 must compile a list of abandoned manure storage areas located in counties under their
85.23 regulatory jurisdiction that do not have delegation agreements with the agency.

85.24 (d) No later than February 15, 2024, the commissioner of the Pollution Control Agency
85.25 must submit a compilation report and list of abandoned manure storage areas to the legislative
85.26 committees with jurisdiction over agriculture and environment. The report must include
85.27 recommendations for remediation. The commissioner must seek advice from the Minnesota
85.28 Association of County Feedlot Officers and livestock associations for recommendations,
85.29 including existing and any proposed options for remediation.

85.30 (e) For purposes of this section, "abandoned manure storage areas" has the meaning
85.31 given in Minnesota Statutes, section 116.07, subdivision 7g.

86.1 (f) Reports and lists required under this section are not feedlot inventories for purposes
86.2 of Minnesota Statutes, section 116.07, subdivision 7b.

86.3 **Sec. 88. PETROLEUM TANK RELEASE CLEANUP; REPORT TO**
86.4 **LEGISLATURE.**

86.5 The commissioner of the Pollution Control Agency must perform the duties under clauses
86.6 (1) to (5) with respect to the petroleum tank release cleanup program governed by Minnesota
86.7 Statutes, chapter 115C, and must, no later than January 15, 2023, report the results to the
86.8 chairs and ranking minority members of the senate and house of representatives committees
86.9 with primary jurisdiction over environment policy and finance. The report must include any
86.10 recommendations for legislation. The commissioner must:

86.11 (1) explicitly define the conditions that must be present in order for the commissioner
86.12 to classify a site as posing a low potential risk to public health and the environment and
86.13 ensure that all agency staff use the definition in assessing potential risks. In determining
86.14 the conditions that indicate that a site poses a low risk, the commissioner must consider the
86.15 biodegradable nature of the petroleum contaminants found at the site and relevant site
86.16 conditions, including but not limited to the nature of groundwater flow, soil type, and
86.17 proximity of features at or near the site that could potentially become contaminated;

86.18 (2) develop guidelines to incorporate consideration of potential future uses of a
86.19 contaminated property into all agency staff decisions regarding site remediation;

86.20 (3) develop measurable objectives that allow the quality of the agency's performance in
86.21 remediating petroleum-contaminated properties to be evaluated and conduct such evaluations
86.22 periodically;

86.23 (4) in collaboration with the Petroleum Tank Release Compensation Board and the
86.24 commissioner of commerce, examine whether and how to establish technical qualifications
86.25 for consultants hired to remediate petroleum-contaminated properties as a strategy to improve
86.26 the quality of remediation work, and how agencies can share information on consultant
86.27 performance; and

86.28 (5) in collaboration with the commissioner of commerce, make consultants who remediate
86.29 petroleum-contaminated sites more accountable for the quality of their work by:

86.30 (i) developing a formal system of measures and procedures by which to evaluate the
86.31 work; and

86.32 (ii) sharing evaluations with the commissioner of commerce and with responsible parties.

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

87.2 Sec. 89. **CARPET STEWARDSHIP PROGRAM; REPORT.**

87.3 Subdivision 1. **Carpet stewardship program plan.** The commissioner of the Pollution
87.4 Control Agency must develop a plan for establishing a carpet stewardship program designed
87.5 to reduce carpet-related waste generation by promoting the collection and recycling of
87.6 discarded carpet. The plan must include:

87.7 (1) an organizational structure for the program, including roles for the state, carpet
87.8 producers, retailers, collection site operators, and recyclers;

87.9 (2) a timeline for implementing the program;

87.10 (3) a fee structure that ensures the costs of the program are recovered, including
87.11 recommendations for determining the amount, methods of collecting the fee, and how fee
87.12 revenues will be managed;

87.13 (4) a plan for how discarded carpet will be collected and transported to recyclers in this
87.14 state;

87.15 (5) strategies for improving education and training of retailers, carpet installers, and
87.16 collection site operators to improve the recycling rates of carpet; and

87.17 (6) draft legislation necessary for implementing the plan.

87.18 Subd. 2. **Task force; public engagement.** (a) The commissioner must convene a task
87.19 force to assist with developing the plan required under subdivision 1. The task force must
87.20 include:

87.21 (1) one representative of a statewide association representing retailers;

87.22 (2) two representatives of producers;

87.23 (3) two representatives of recyclers;

87.24 (4) one representative of statewide associations representing waste disposal companies;

87.25 (5) one representative of an environmental organization;

87.26 (6) one representative of county or municipal waste management programs;

87.27 (7) two representatives of companies that use discarded carpet to manufacture products
87.28 other than new carpet;

87.29 (8) one representative of carpet installers; and

87.30 (9) two members of the general public.

88.1 (b) Members of the task force must not be registered lobbyists.

88.2 (c) The commissioner must provide opportunities for the public to provide input on the
88.3 program.

88.4 Subd. 3. **Report.** The commissioner must submit a report with the plan required under
88.5 this section to the chairs and ranking minority members of the legislative committees and
88.6 divisions with jurisdiction over the environment by January 15, 2023.

88.7 **Sec. 90. REPEALER.**

88.8 (a) Minnesota Statutes 2020, section 97C.605, subdivisions 2, 2a, 2b, and 5, and
88.9 Minnesota Rules, part 6256.0500, subparts 2, 2a, 2b, 4, 5, 6, 7, and 8, are repealed.

88.10 (b) Minnesota Statutes 2020, sections 325E.389; and 325E.3891, are repealed.

88.11 (c) Minnesota Statutes 2020, sections 86B.101; 86B.305; and 86B.313, subdivisions 2
88.12 and 3, are repealed.

88.13 **EFFECTIVE DATE.** Paragraph (b) is effective July 1, 2023. Paragraph (c) is effective
88.14 July 1, 2024.

88.15 **ARTICLE 3**

88.16 **FARMED CERVIDAE**

88.17 Section 1. Minnesota Statutes 2020, section 13.643, subdivision 6, is amended to read:

88.18 **Subd. 6. Animal premises data.** (a) Except for farmed Cervidae premises location data
88.19 collected and maintained under section 35.155, the following data collected and maintained
88.20 by the Board of Animal Health related to registration and identification of premises and
88.21 animals under chapter 35, are classified as private or nonpublic:

88.22 (1) the names and addresses;

88.23 (2) the location of the premises where animals are kept; and

88.24 (3) the identification number of the premises or the animal.

88.25 (b) Except as provided in section 347.58, subdivision 5, data collected and maintained
88.26 by the Board of Animal Health under sections 347.57 to 347.64 are classified as private or
88.27 nonpublic.

88.28 (c) The Board of Animal Health may disclose data collected under paragraph (a) or (b)
88.29 to any person, agency, or to the public if the board determines that the access will aid in the
88.30 law enforcement process or the protection of public or animal health or safety.

89.1 Sec. 2. Minnesota Statutes 2020, section 35.155, subdivision 1, is amended to read:

89.2 Subdivision 1. **Running at large prohibited.** (a) An owner may not allow farmed
89.3 Cervidae to run at large. The owner must make all reasonable efforts to return escaped
89.4 farmed Cervidae to their enclosures as soon as possible. The owner must immediately notify
89.5 the commissioner of natural resources of the escape of farmed Cervidae if the farmed
89.6 Cervidae are not returned or captured by the owner within 24 hours of their escape.

89.7 (b) An owner is liable for expenses of another person in capturing, caring for, and
89.8 returning farmed Cervidae that have left their enclosures if the person capturing the farmed
89.9 Cervidae contacts the owner as soon as possible.

89.10 (c) If an owner is unwilling or unable to capture escaped farmed Cervidae, the
89.11 commissioner of natural resources may destroy the escaped farmed Cervidae. The
89.12 commissioner of natural resources must allow the owner to attempt to capture the escaped
89.13 farmed Cervidae prior to destroying the farmed Cervidae. Farmed Cervidae that are not
89.14 captured by 24 hours after escape may be destroyed.

89.15 (d) A hunter licensed by the commissioner of natural resources under chapter 97A may
89.16 kill and possess escaped farmed Cervidae in a lawful manner and is not liable to the owner
89.17 for the loss of the animal.

89.18 (e) Escaped farmed Cervidae killed by a hunter or destroyed by the commissioner of
89.19 natural resources must be tested for chronic wasting disease at the owner's expense.

89.20 (f) The owner is responsible for proper disposal, as determined by the board, of farmed
89.21 Cervidae that are killed or destroyed under this subdivision and test positive for chronic
89.22 wasting disease.

89.23 (g) An owner is liable for any additional costs associated with escaped farmed Cervidae
89.24 that are infected with chronic wasting disease, including the cost of additional surveillance
89.25 and capture caused by the escape. This paragraph may be enforced by the attorney general
89.26 on behalf of any state agency affected.

89.27 **EFFECTIVE DATE.** This section is effective September 1, 2022.

89.28 Sec. 3. Minnesota Statutes 2020, section 35.155, subdivision 4, is amended to read:

89.29 Subd. 4. **Fencing.** Farmed Cervidae must be confined in a manner designed to prevent
89.30 escape. Except as provided in subdivision 4a, all perimeter fences for farmed Cervidae must
89.31 be at least 96 inches in height and be constructed and maintained in a way that prevents the
89.32 escape of farmed Cervidae ~~or~~ entry into the premises by free-roaming Cervidae, and physical

90.1 contact between farmed Cervidae and free-roaming Cervidae. After July 1, 2019, All new
90.2 fencing installed and all fencing used to repair deficiencies must be high tensile. By
90.3 December 1, 2019, All entry areas for farmed Cervidae enclosure areas must have two
90.4 redundant gates, which must be maintained to prevent the escape of animals through an
90.5 open gate. If a fence deficiency allows entry or exit by farmed or wild Cervidae, the owner
90.6 must repair the deficiency within a reasonable time, as determined by the Board of Animal
90.7 Health, not to exceed 45 14 days. If a fence deficiency is detected during an inspection, the
90.8 facility must be reinspected at least once in the subsequent three months. The farmed
90.9 Cervidae owner must pay a reinspection fee equal to one-half the applicable annual inspection
90.10 fee under subdivision 7a for each reinspection related to a fence violation. If the facility
90.11 experiences more than one escape incident in any six-month period or fails to correct a
90.12 deficiency found during an inspection, the board may revoke the facility's registration and
90.13 order the owner to remove or destroy the animals as directed by the board. If the board
90.14 revokes a facility's registration, the commissioner of natural resources may seize and destroy
90.15 animals at the facility.

90.16 **EFFECTIVE DATE.** This section is effective September 1, 2023.

90.17 Sec. 4. Minnesota Statutes 2020, section 35.155, is amended by adding a subdivision to
90.18 read:

90.19 Subd. 4a. **Fencing; commercial herds.** In addition to the requirements in subdivision
90.20 4, commercially farmed white-tailed deer must be confined by two or more perimeter fences,
90.21 with each perimeter fence at least 120 inches in height.

90.22 **EFFECTIVE DATE.** This section is effective September 1, 2023.

90.23 Sec. 5. Minnesota Statutes 2020, section 35.155, subdivision 6, is amended to read:

90.24 Subd. 6. **Identification.** (a) Farmed Cervidae must be identified by means approved by
90.25 the Board of Animal Health. The identification must include a distinct number that has not
90.26 been used during the previous three years and must be visible to the naked eye during
90.27 daylight under normal conditions at a distance of 50 yards. Within 14 days of birth,
90.28 white-tailed deer must be identified before October 31 of the year in which the animal is
90.29 born, at the time of weaning, or before movement from the premises, whichever occurs first
90.30 with an ear tag that adheres to the National Uniform Ear-Tagging System (NUES) or the
90.31 Animal Identification Number (AIN) system. Elk and other cervids must be identified by
90.32 December 31 of the year in which the animal is born or before movement from the premises,

91.1 whichever occurs first. As coordinated by the board, the commissioner of natural resources
91.2 may destroy any animal that is not identified as required under this subdivision.

91.3 (b) The Board of Animal Health shall register farmed Cervidae. The owner must submit
91.4 the registration request on forms provided by the board. The forms must include sales
91.5 receipts or other documentation of the origin of the Cervidae. The board must provide copies
91.6 of the registration information to the commissioner of natural resources upon request. The
91.7 owner must keep written records of the acquisition and disposition of registered farmed
91.8 Cervidae.

91.9 **EFFECTIVE DATE.** This section is effective September 1, 2023.

91.10 Sec. 6. Minnesota Statutes 2020, section 35.155, subdivision 10, is amended to read:

91.11 Subd. 10. **Mandatory registration.** (a) A person may not possess live Cervidae in
91.12 Minnesota unless the person is registered with the Board of Animal Health and meets all
91.13 the requirements for farmed Cervidae under this section. Cervidae possessed in violation
91.14 of this subdivision may be seized and destroyed by the commissioner of natural resources.

91.15 (b) A person whose registration is revoked by the board is ineligible for future registration
91.16 under this section unless the board determines that the person has undertaken measures that
91.17 make future escapes extremely unlikely.

91.18 (c) The board must not allow new registrations under this section for possessing
91.19 white-tailed deer. This paragraph does not prohibit a person holding a valid registration
91.20 under this subdivision from selling or transferring the person's registration to a family
91.21 member who resides in this state and is related to the person within the third degree of
91.22 kindred according to the rules of civil law. A valid registration may be sold or transferred
91.23 only once under this paragraph. Before the board approves a sale or transfer under this
91.24 paragraph, the board must verify that the herd is free from chronic wasting disease and the
91.25 person or eligible family member must pay a onetime transfer fee of \$500 to the board.

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

91.27 Sec. 7. Minnesota Statutes 2021 Supplement, section 35.155, subdivision 11, is amended
91.28 to read:

91.29 Subd. 11. **Mandatory surveillance for chronic wasting disease; depopulation.** (a)
91.30 An inventory for each farmed Cervidae herd must be verified by an accredited veterinarian
91.31 and filed with the Board of Animal Health every 12 months.

92.1 (b) Movement of farmed Cervidae from any premises to another location must be reported
92.2 to the Board of Animal Health within 14 days of the movement on forms approved by the
92.3 Board of Animal Health. A person must not move farmed white-tailed deer from any premises
92.4 to another location.

92.5 (c) All animals from farmed Cervidae herds that are over ~~12~~ six months of age that die
92.6 or are slaughtered must be tested for chronic wasting disease.

92.7 (d) The owner of a premises where chronic wasting disease is detected must:

92.8 (1) allow and cooperate with inspections of the premises as determined by the Board of
92.9 Animal Health and Department of Natural Resources conservation officers and wildlife
92.10 managers;

92.11 ~~(1)~~ (2) depopulate the premises of Cervidae after the federal indemnification process
92.12 has been completed or, if an indemnification application is not submitted, within ~~a reasonable~~
92.13 ~~time determined by the board in consultation with the commissioner of natural resources~~
92.14 30 days;

92.15 ~~(2)~~ (3) maintain the fencing required under ~~subdivision~~ subdivisions 4 and 4a on the
92.16 premises for ~~five~~ ten years after the date of detection; ~~and~~

92.17 ~~(3)~~ (4) post the fencing on the premises with biohazard signs as directed by the board;

92.18 (5) not raise farmed Cervidae on the premises for at least ten years;

92.19 (6) before any sale or transfer of the premises, test the soil for evidence of chronic wasting
92.20 disease using a method approved by the board and report the results to the board; and

92.21 (7) record with the county recorder or registrar of titles a notice, in the form required by
92.22 the board, that includes the location and legal description of the premises, the date of
92.23 detection, the date of depopulation, the landowner requirements under this paragraph, and
92.24 any other information required by the board.

92.25 (e) An owner of farmed Cervidae that test positive for chronic wasting disease is
92.26 responsible for proper disposal of the animals, as determined by the board.

92.27 Sec. 8. Minnesota Statutes 2020, section 35.155, subdivision 12, is amended to read:

92.28 Subd. 12. **Importation.** (a) A person must not import live Cervidae or Cervidae semen
92.29 into the state from a herd that is:

92.30 (1) infected with or has been exposed to chronic wasting disease; or

93.1 (2) from a known state or province where chronic wasting disease endemic area, as
 93.2 determined by the board is present in farmed or wild Cervidae populations.

93.3 (b) A person may import live Cervidae or Cervidae semen into the state only from a
 93.4 herd that:

93.5 (1) is not in a known located in a state or province where chronic wasting disease endemic
 93.6 area, as determined by the board, is present in farmed or wild Cervidae populations; and
 93.7 the herd

93.8 (2) has been subject to a state or provincial approved state- or provincial-approved
 93.9 chronic wasting disease monitoring program for at least three years.

93.10 (c) Cervidae or Cervidae semen imported in violation of this section may be seized and
 93.11 destroyed by the commissioner of natural resources.

93.12 **Sec. 9. WHITE-TAILED DEER TESTING REQUIRED; CHRONIC WASTING**
 93.13 **DISEASE.**

93.14 Subdivision 1. Live-animal testing. No later than December 31, 2022, an owner of
 93.15 farmed white-tailed deer registered with the Board of Animal Health under Minnesota
 93.16 Statutes, section 35.155, must have each farmed white-tailed deer tested for chronic wasting
 93.17 disease using a real-time quaking-induced conversion (RT-QuIC) test and report the results
 93.18 to the Board of Animal Health in the form required by the board. If a white-tailed deer tests
 93.19 positive, the owner must have the animal tested a second time using an RT-QuIC test.

93.20 Subd. 2. Postmortem testing. If a farmed white-tailed deer tests positive twice under
 93.21 subdivision 1, the owner must have the animal destroyed and tested for chronic wasting
 93.22 disease using a postmortem test approved by the Board of Animal Health.

93.23 Subd. 3. Herd depopulation. If a farmed white-tailed deer tests positive for chronic
 93.24 wasting disease under subdivision 2, the owner must depopulate the premises of farmed
 93.25 Cervidae as required under Minnesota Statutes, section 35.155.

93.26 **Sec. 10. TRANSFER OF DUTIES; FARMED CERVIDAE.**

93.27 (a) Except as provided in paragraph (b), the responsibilities for administering and
 93.28 enforcing the statutes and rules listed in clauses (1) and (2) are transferred pursuant to
 93.29 Minnesota Statutes, section 15.039, from the Board of Animal Health to the commissioner
 93.30 of natural resources:

93.31 (1) Minnesota Statutes, sections 35.153 and 35.155; and

94.1 (2) Minnesota Rules, parts 1721.0370 to 1721.0420.

94.2 (b) Notwithstanding Minnesota Statutes, section 15.039, subdivision 7, the transfer of
94.3 personnel will not take place. The commissioner of natural resources may contract with the
94.4 Board of Animal Health for any veterinary services required to administer this program.

94.5 **EFFECTIVE DATE.** This section is effective July 1, 2024.

94.6 Sec. 11. **REVISOR INSTRUCTION.**

94.7 The revisor of statutes must recodify the relevant sections in Minnesota Statutes, chapter
94.8 35, and Minnesota Rules, chapter 1721, as necessary to conform with section 10. The revisor
94.9 must also change the responsible agency, remove obsolete language, and make necessary
94.10 cross-reference changes consistent with section 10 and the renumbering.

94.11 **ARTICLE 4**

94.12 **POLLUTION CONTROL; PFAS**

94.13 Section 1. **[116.943] PFAS IN CARPETS AND TEXTILES.**

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

94.16 (1) "carpet or rug" means a fabric marketed or intended for use as a floor covering;

94.17 (2) "fabric treatment" means a substance applied to fabric to give the fabric one or more
94.18 characteristics, including but not limited to stain resistance or water resistance;

94.19 (3) "perfluoroalkyl and polyfluoroalkyl substances" or "PFAS" means substances that
94.20 include any member of the class of fluorinated organic chemicals containing at least one
94.21 fully fluorinated carbon atom;

94.22 (4) "upholstered furniture" means an article of furniture that is designed to be used for
94.23 sitting, resting, or reclining and that is wholly or partly stuffed or filled with any filling
94.24 material;

94.25 (5) "textile" means an item made in whole or part from a natural or synthetic fiber, yarn,
94.26 or fabric. Textile includes but is not limited to leather, cotton, silk, jute, hemp, wool, nylon,
94.27 and polyester; and

94.28 (6) "textile furnishings" means textile goods of a type customarily used in households
94.29 and businesses, including but not limited to draperies, floor coverings, furnishings, beddings,
94.30 towels, and tablecloths.

95.1 Subd. 2. **Prohibition.** (a) A person must not manufacture, sell, offer to sell, or distribute
95.2 for sale in the state any of the following that contains perfluoroalkyl and polyfluoroalkyl
95.3 substances:

95.4 (1) a carpet or rug;

95.5 (2) a fabric treatment;

95.6 (3) upholstered furniture; or

95.7 (4) textile furnishings.

95.8 (b) This subdivision does not apply to sale or resale of used products.

95.9 Subd. 3. **Enforcement.** (a) The commissioner of the Pollution Control Agency may
95.10 enforce this section under sections 115.071 and 116.072. The commissioner may coordinate
95.11 with the commissioners of commerce and health in enforcing this section.

95.12 (b) When requested by the commissioner of the Pollution Control Agency, a person
95.13 must furnish to the commissioner any information that the person may have or may
95.14 reasonably obtain that is relevant to show compliance with this section.

95.15 **EFFECTIVE DATE.** This section is effective January 1, 2025.

95.16 **Sec. 2. [116.944] PFAS IN COOKWARE.**

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

95.19 (1) "cookware" means durable houseware items that are used in homes and restaurants
95.20 to prepare, dispense, or store food, foodstuffs, or beverages. Cookware includes pots, pans,
95.21 skillets, grills, baking sheets, baking molds, trays, bowls, and cooking utensils; and

95.22 (2) "perfluoroalkyl and polyfluoroalkyl substances" or "PFAS" means substances that
95.23 include any member of the class of fluorinated organic chemicals containing at least one
95.24 fully fluorinated carbon atom.

95.25 Subd. 2. **Prohibition.** (a) A person must not manufacture, distribute, sell, or offer for
95.26 sale in the state any cookware that contains perfluoroalkyl and polyfluoroalkyl substances.

95.27 (b) This subdivision does not apply to the sale or resale of used products.

95.28 Subd. 3. **Enforcement.** (a) The commissioner of the Pollution Control Agency may
95.29 enforce this section under sections 115.071 and 116.072. The commissioner may coordinate
95.30 with the commissioners of commerce and health in enforcing this section.

96.1 (b) When requested by the commissioner of the Pollution Control Agency, a person
96.2 must furnish to the commissioner any information that the person may have or may
96.3 reasonably obtain that is relevant to show compliance with this section.

96.4 **EFFECTIVE DATE.** This section is effective January 1, 2025.

96.5 Sec. 3. **[116.945] PFAS IN COSMETICS.**

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

96.8 (1) "cosmetic product" means an article intended to be applied to the human body for
96.9 cleansing, beautifying, promoting attractiveness, or altering appearance. Cosmetic product
96.10 does not include a product for which a prescription is required for distribution or dispensing;
96.11 and

96.12 (2) "perfluoroalkyl and polyfluoroalkyl substances" or "PFAS" means substances that
96.13 include any member of the class of fluorinated organic chemicals containing at least one
96.14 fully fluorinated carbon atom.

96.15 Subd. 2. **Prohibition.** A person must not manufacture, distribute, sell, or offer for sale
96.16 in the state any cosmetic product that contains perfluoroalkyl and polyfluoroalkyl substances.

96.17 Subd. 3. **Enforcement.** (a) The commissioner of the Pollution Control Agency may
96.18 enforce this section under sections 115.071 and 116.072. The commissioner may coordinate
96.19 with the commissioners of commerce and health in enforcing this section.

96.20 (b) When requested by the commissioner of the Pollution Control Agency, a person
96.21 must furnish to the commissioner any information that the person may have or may
96.22 reasonably obtain that is relevant to show compliance with this section.

96.23 **EFFECTIVE DATE.** This section is effective January 1, 2025.

96.24 Sec. 4. **[116.946] PFAS IN JUVENILE PRODUCTS.**

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

96.27 (1) "adult mattress" means a mattress other than a crib mattress or toddler mattress;

96.28 (2) "juvenile product" means a product designed or marketed for use by infants and
96.29 children under 12 years of age:

97.1 (i) including but not limited to a baby or toddler foam pillow; bassinet; bedside sleeper;
97.2 booster seat; changing pad; child restraint system for use in motor vehicles and aircraft;
97.3 co-sleeper; crib mattress; highchair; highchair pad; infant bouncer; infant carrier; infant
97.4 seat; infant sleep positioner; infant swing; infant travel bed; infant walker; nap cot; nursing
97.5 pad; nursing pillow; play mat; playpen; play yard; polyurethane foam mat, pad, or pillow;
97.6 portable foam nap mat; portable infant sleeper; portable hook-on chair; soft-sided portable
97.7 crib; stroller; and toddler mattress; and

97.8 (ii) not including a children's electronic product such as a personal computer, audio and
97.9 video equipment, calculator, wireless phone, game console, handheld device incorporating
97.10 a video screen, or any associated peripheral such as a mouse, keyboard, power supply unit,
97.11 or power cord; a medical device; or an adult mattress;

97.12 (3) "medical device" has the meaning given "device" under United States Code, title 21,
97.13 section 321, subsection (h); and

97.14 (4) "perfluoroalkyl and polyfluoroalkyl substances" or "PFAS" means substances that
97.15 include any member of the class of fluorinated organic chemicals containing at least one
97.16 fully fluorinated carbon atom.

97.17 Subd. 2. **Prohibition.** (a) A person must not manufacture, sell, offer for sale, or distribute
97.18 in commerce in the state any new juvenile product that contains perfluoroalkyl and
97.19 polyfluoroalkyl substances.

97.20 (b) This subdivision does not apply to sale or resale of used juvenile products.

97.21 Subd. 3. **Enforcement.** (a) The commissioner of the Pollution Control Agency may
97.22 enforce this section under sections 115.071 and 116.072. The commissioner may coordinate
97.23 with the commissioners of commerce and health in enforcing this section.

97.24 (b) When requested by the commissioner of the Pollution Control Agency, a person
97.25 must furnish to the commissioner any information that the person may have or may
97.26 reasonably obtain that is relevant to show compliance with this section.

97.27 **EFFECTIVE DATE.** This section is effective January 1, 2025.

97.28 Sec. 5. **[116.947] PFAS IN SKI WAX.**

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

98.1 (1) "perfluoroalkyl and polyfluoroalkyl substances" or "PFAS" means substances that
98.2 include any member of the class of fluorinated organic chemicals containing at least one
98.3 fully fluorinated carbon atom; and

98.4 (2) "ski wax" means a lubricant applied to the bottom of snow runners, including skis
98.5 and snowboards, to improve their grip and glide properties.

98.6 Subd. 2. **Prohibition.** (a) A person must not manufacture, distribute, sell, or offer for
98.7 sale in the state ski wax or a related tuning product that contains perfluoroalkyl and
98.8 polyfluoroalkyl substances.

98.9 (b) This subdivision does not apply to the sale or resale of used products.

98.10 Subd. 3. **Enforcement.** (a) The commissioner of the Pollution Control Agency may
98.11 enforce this section under sections 115.071 and 116.072. The commissioner may coordinate
98.12 with the commissioners of commerce and health in enforcing this section.

98.13 (b) When requested by the commissioner of the Pollution Control Agency, a person
98.14 must furnish to the commissioner any information that the person may have or may
98.15 reasonably obtain that is relevant to show compliance with this section.

98.16 **EFFECTIVE DATE.** This section is effective January 1, 2025.

98.17 Sec. 6. **[116.948] DISCLOSURE OF PFAS IN PRODUCTS.**

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

98.20 (1) "commissioner" means the commissioner of the Pollution Control Agency;

98.21 (2) "intentionally added PFAS" means PFAS that a manufacturer intentionally adds to
98.22 a product and that have a functional or technical effect in the product, including the PFAS
98.23 components of intentionally added chemicals and PFAS that are intentional breakdown
98.24 products of an added chemical that also have a functional or technical effect in the product;

98.25 (3) "manufacturer" means the person that manufactures a product or whose brand name
98.26 is affixed to the product. In the case of a product imported into the United States,
98.27 manufacturer includes the importer or first domestic distributor of the product if the person
98.28 that manufactured or assembled the product or whose brand name is affixed to the product
98.29 does not have a presence in the United States;

98.30 (4) "perfluoroalkyl and polyfluoroalkyl substances" or "PFAS" means substances that
98.31 include any member of the class of fluorinated organic chemicals containing at least one
98.32 fully fluorinated carbon atom;

99.1 (5) "product" means an item manufactured, assembled, packaged, or otherwise prepared
99.2 for sale to consumers, including the product components, sold or distributed for personal,
99.3 residential, commercial, or industrial use, including for use in making other products. Product
99.4 does not mean used products offered for sale or resale; and

99.5 (6) "product component" means an identifiable component of a product, regardless of
99.6 whether the manufacturer of the product is the manufacturer of the component.

99.7 Subd. 2. **Notice required.** (a) Except as provided under subdivision 3 and rules adopted
99.8 under subdivision 4, a manufacturer of a product for sale in the state that contains
99.9 intentionally added PFAS must submit to the commissioner a written notice that includes:

99.10 (1) a brief description of the product;

99.11 (2) the function served by PFAS in the product, including in any product components;

99.12 (3) the amount of each of the PFAS, identified by its Chemical Abstracts Service Registry
99.13 number, in the product, reported as an exact quantity determined using commercially
99.14 available analytical methods or as falling within a range approved for reporting purposes
99.15 by the commissioner;

99.16 (4) the name and address of the manufacturer and the name, address, and telephone
99.17 number of a contact person for the manufacturer; and

99.18 (5) any other information, as required by rule adopted by the commissioner, necessary
99.19 to implement this section.

99.20 (b) This subdivision does not apply to the sale or resale of used products.

99.21 (c) For products containing intentionally added PFAS that are sold, offered for sale, or
99.22 distributed in the state as of the effective date of this subdivision, a manufacturer must
99.23 submit the notice required under paragraph (a) to the commissioner before April 1, 2025.

99.24 For products containing intentionally added PFAS that are first sold, offered for sale, or
99.25 distributed in the state after the effective date of this subdivision, a manufacturer must
99.26 submit the notice required under paragraph (a) to the commissioner no later than 30 days
99.27 before the initial sale, offer for sale, or distribution of the products in the state.

99.28 Subd. 3. **Commissioner's authority.** (a) The commissioner may waive all or part of the
99.29 notice requirement under subdivision 2 if the commissioner determines that substantially
99.30 equivalent information is already publicly available.

100.1 (b) The commissioner may enter into an agreement with one or more other states or
100.2 political subdivisions of a state to collect notices and may accept notices to a shared system
100.3 as meeting the notice requirement under subdivision 2.

100.4 (c) The commissioner may extend the deadline for a manufacturer to submit the notice
100.5 under subdivision 2 if the commissioner determines that more time is needed by the
100.6 manufacturer to comply.

100.7 Subd. 4. **Rulemaking.** The commissioner must adopt rules to implement this section.

100.8 The rules:

100.9 (1) may prioritize products subject to subdivision 2 based on the products that, in the
100.10 commissioner's judgment, are most likely to cause contamination of the state's land or water
100.11 resources;

100.12 (2) may allow a manufacturer to supply the notice under subdivision 2 for a category or
100.13 type of product rather than for each individual product;

100.14 (3) must require a manufacturer to update and revise the information required in the
100.15 notice under subdivision 2 when there is a substantive change in the information; and

100.16 (4) notwithstanding section 16A.1283, may establish a fee to be paid by a manufacturer
100.17 upon submitting the notice under subdivision 2 to cover the commissioner's reasonable costs
100.18 in developing rules to implement this section. The fees may be based on the volume of
100.19 PFAS, volume of sales, or type of PFAS.

100.20 **EFFECTIVE DATE.** Subdivisions 1, 3, and 4 are effective the day following final
100.21 enactment. Subdivision 2 is effective January 1, 2025.

100.22 Sec. 7. Minnesota Statutes 2020, section 325E.046, is amended to read:

100.23 **325E.046 STANDARDS FOR LABELING ~~PLASTIC BAGS, FOOD OR~~**
100.24 **BEVERAGE PRODUCTS, AND PACKAGING.**

100.25 Subdivision 1. **"Biodegradable" label.** A manufacturer, distributor, or wholesaler may
100.26 not sell or offer for sale and any other person may not knowingly sell or offer for sale in
100.27 this state a ~~plastic bag covered product~~ labeled "biodegradable," "degradable,"
100.28 "decomposable," or any form of those terms, or in any way imply that the ~~bag covered~~
100.29 ~~product~~ will chemically decompose into innocuous elements in a reasonably short period
100.30 ~~of time in a landfill, composting, or other terrestrial environment unless a scientifically~~
100.31 ~~based standard for biodegradability is developed and the bags are certified as meeting the~~
100.32 ~~standard.~~ break down, fragment, degrade, biodegrade, or decompose in a landfill or other

101.1 environment, unless an ASTM standard specification is adopted for the term claimed and
101.2 the specification is approved by the legislature.

101.3 Subd. 2. **"Compostable" label.** (a) A manufacturer, distributor, or wholesaler may not
101.4 sell or offer for sale and any other person may not knowingly sell or offer for sale in this
101.5 state a ~~plastic bag~~ covered product labeled "compostable" unless, at the time of sale or offer
101.6 for sale, the ~~bag~~ covered product:

101.7 (1) meets the ASTM Standard Specification for ~~Compostable~~ Labeling of Plastics
101.8 Designed to be Aerobically Composted in Municipal or Industrial Facilities (D6400). ~~Each~~
101.9 ~~bag must be labeled to reflect that it meets the standard. For purposes of this subdivision,~~
101.10 "ASTM" has the meaning given in section 296A.01, subdivision 6., or its successor, or the
101.11 ASTM Standard Specification for Labeling of End Items that Incorporate Plastics and
101.12 Polymers as Coatings or Additives with Paper and Other Substrates Designed to be
101.13 Aerobically Composted in Municipal or Industrial Facilities (D6868), or its successor, and
101.14 the covered product is labeled to reflect that it meets the specification;

101.15 (2) is comprised of only wood without any coatings or additives; or

101.16 (3) is comprised of only paper without any coatings or additives.

101.17 (b) A covered product labeled "compostable" and meeting the criteria under paragraph
101.18 (a) must be clearly and prominently labeled on the product, or on the product's smallest unit
101.19 of sale, to reflect that it is intended for an industrial or commercial compost facility. The
101.20 label required under this paragraph must be in a legible text size and font.

101.21 Subd. 2a. **Certification of compostable products.** Beginning January 1, 2024, a
101.22 manufacturer, distributor, or wholesaler may not sell or offer for sale and any other person
101.23 may not knowingly sell or offer for sale in this state a covered product labeled as
101.24 "compostable" unless the covered product is certified as meeting the requirements of
101.25 subdivision 2 by an entity that:

101.26 (1) is a nonprofit corporation;

101.27 (2) as its primary focus of operation, promotes the production, use, and appropriate end
101.28 of life for materials and products that are designed to fully biodegrade in specific biologically
101.29 active environments such as industrial composting; and

101.30 (3) is technically capable of and willing to perform analysis necessary to determine a
101.31 product's compliance with subdivision 2.

101.32 Subd. 3. **Enforcement; civil penalty; injunctive relief.** (a) A manufacturer, distributor,
101.33 or wholesaler person who violates subdivision 1 or 2 this section is subject to a civil or

102.1 administrative penalty of \$100 for each prepackaged saleable unit sold or offered for sale
102.2 up to a maximum of \$5,000 and may be enjoined from those violations.

102.3 (b) The attorney general may bring an action in the name of the state in a court of
102.4 competent jurisdiction for recovery of civil penalties or for injunctive relief as provided in
102.5 this subdivision. The attorney general may accept an assurance of discontinuance of acts
102.6 in violation of ~~subdivision 1 or 2~~ this section in the manner provided in section 8.31,
102.7 subdivision 2b.

102.8 (c) The commissioner of the Pollution Control Agency may enforce this section under
102.9 sections 115.071 and 116.072.

102.10 (d) When requested by the attorney general or the commissioner of the Pollution Control
102.11 Agency, a person selling or offering for sale a covered product labeled as "compostable"
102.12 must furnish to the attorney general or the commissioner any information that the person
102.13 may have or may reasonably obtain that is relevant to show compliance with this section.

102.14 Subd. 4. Definitions. For purposes of this section, the following terms have the meanings
102.15 given:

102.16 (1) "ASTM" has the meaning given in section 296A.01, subdivision 6;

102.17 (2) "covered product" means a bag, food or beverage product, or packaging;

102.18 (3) "food or beverage product" means a product that is used to wrap, package, contain,
102.19 serve, store, prepare, or consume a food or beverage, such as plates, bowls, cups, lids, trays,
102.20 straws, utensils, and hinged or lidded containers; and

102.21 (4) "packaging" has the meaning given in section 115A.03, subdivision 22b.

102.22 EFFECTIVE DATE. This section is effective January 1, 2024.

102.23 Sec. 8. Minnesota Statutes 2020, section 325F.072, subdivision 1, is amended to read:

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

102.26 (b) "Class B firefighting foam" means foam designed ~~for flammable liquid fires to~~
102.27 prevent or extinguish a fire in flammable liquids, combustible liquids, petroleum greases,
102.28 tars, oils, oil-based paints, solvents, lacquers, alcohols, and flammable gases.

102.29 (c) "PFAS chemicals" or "perfluoroalkyl and polyfluoroalkyl substances" means, ~~for~~
102.30 the purposes of firefighting agents, a class of fluorinated organic chemicals containing at

103.1 least one fully fluorinated carbon atom ~~and designed to be fully functional in class B~~
103.2 ~~firefighting foam formulations.~~

103.3 (d) "Political subdivision" means a county, city, town, or a metropolitan airports
103.4 commission organized and existing under sections 473.601 to 473.679.

103.5 (e) "State agency" means an agency as defined in section 16B.01, subdivision 2.

103.6 (f) "Testing" means calibration testing, conformance testing, and fixed system testing.

103.7 Sec. 9. Minnesota Statutes 2020, section 325F.072, subdivision 3, is amended to read:

103.8 Subd. 3. **Prohibition of testing and training.** (a) ~~Beginning July 1, 2020,~~ No person,
103.9 political subdivision, or state agency shall ~~discharge class B firefighting foam that contains~~
103.10 ~~intentionally added~~ manufacture or knowingly sell, offer for sale, distribute for sale, or
103.11 distribute for use in this state, and no person shall use in this state, class B firefighting foam
103.12 containing PFAS chemicals.

103.13 (1) ~~for testing purposes, unless the testing facility has implemented appropriate~~
103.14 ~~containment, treatment, and disposal measures to prevent releases of foam to the environment;~~
103.15 ~~or~~

103.16 (2) ~~for training purposes, unless otherwise required by law, and with the condition that~~
103.17 ~~the training event has implemented appropriate containment, treatment, and disposal measures~~
103.18 ~~to prevent releases of foam to the environment. For training purposes, class B foam that~~
103.19 ~~contains intentionally added PFAS chemicals shall not be used.~~

103.20 (b) ~~This section does not restrict:~~

103.21 (1) ~~the manufacture, sale, or distribution of class B firefighting foam that contains~~
103.22 ~~intentionally added PFAS chemicals; or~~

103.23 (2) ~~the discharge or other use of class B firefighting foams that contain intentionally~~
103.24 ~~added PFAS chemicals in emergency firefighting or fire prevention operations.~~

103.25 (b) This subdivision does not apply to the manufacture, sale, distribution, or use of class
103.26 B firefighting foam for which the inclusion of PFAS chemicals is required by federal law,
103.27 including but not limited to Code of Federal Regulations, title 14, section 139.317. If a
103.28 federal requirement to include PFAS chemicals in class B firefighting foam is revoked after
103.29 January 1, 2023, class B firefighting foam subject to the revoked requirements is no longer
103.30 exempt under this paragraph effective one year following the day of revocation.

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

104.1 **Sec. 10. PFAS WATER QUALITY STANDARDS.**

104.2 The commissioner of the Pollution Control Agency must adopt rules establishing water
104.3 quality standards for perfluorooctanoic acid (PFOA) and perfluorooctanesulfonic acid
104.4 (PFOS). The commissioner must adopt the rules establishing the PFOA and PFOS water
104.5 quality standards by July 1, 2025, and Minnesota Statutes, section 14.125, does not apply.

104.6 **Sec. 11. HEALTH RISK LIMIT; PERFLUOROCTANE SULFONATE.**

104.7 By July 1, 2024, the commissioner of health must amend the health risk limit for
104.8 perfluorooctane sulfonate (PFOS) in Minnesota Rules, part 4717.7860, subpart 15, so that
104.9 the health risk limit does not exceed 0.015 parts per billion. In amending the health risk
104.10 limit for PFOS, the commissioner must comply with Minnesota Statutes, section 144.0751,
104.11 requiring a reasonable margin of safety to adequately protect the health of infants, children,
104.12 and adults.

104.13 **ARTICLE 5**

104.14 **STATE LANDS**

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

104.16 **84.63 CONVEYING INTERESTS IN LANDS TO STATE, FEDERAL, AND**
104.17 **TRIBAL GOVERNMENTS.**

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

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

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

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

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

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

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

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

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

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

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

105.28 **84.631 ROAD EASEMENTS ACROSS STATE LANDS.**

105.29 (a) Except as provided in section 85.015, subdivision 1b, the commissioner of natural
105.30 resources, on behalf of the state, may convey a road easement across state land under the
105.31 commissioner's jurisdiction to a private person requesting an easement for access to property
105.32 owned by the person only if the following requirements are met: (1) there are no reasonable

106.1 alternatives to obtain access to the property; and (2) the exercise of the easement will not
106.2 cause significant adverse environmental or natural resource management impacts.

106.3 (b) The commissioner shall:

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

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

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

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

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

106.12 (d) In addition to the payment for the market value of the easement and the application
106.13 fee, the commissioner of natural resources shall assess the applicant a monitoring fee to
106.14 cover the projected reasonable costs for monitoring the construction of the road and preparing
106.15 special terms and conditions for the easement. The commissioner must give the applicant
106.16 an estimate of the monitoring fee before the applicant submits the fee. The applicant shall
106.17 pay the application and monitoring fees to the commissioner of natural resources. The
106.18 commissioner shall not issue the easement until the applicant has paid in full the application
106.19 fee, the monitoring fee, and the market value payment for the easement.

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

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

106.25 (g) In addition to fees specified in this section, the applicant must reimburse the state
106.26 for costs incurred for cultural resources review, monitoring, or other services provided by
106.27 the Minnesota Historical Society under contract with the commissioner of natural resources
106.28 or the State Historic Preservation Office of the Department of Administration in connection
106.29 with the easement application, preparing the easement terms, or constructing the road.

106.30 (h) Notwithstanding paragraphs (a) to (g), the commissioner of natural resources may
106.31 elect to assume the application fee under paragraph (c) and waive or assume some or all of

107.1 the remaining fees and costs imposed under this section if the commissioner determines
107.2 that issuing the easement will benefit the state's land management interests.

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

107.4 **84.632 CONVEYANCE OF UNNEEDED STATE EASEMENTS.**

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

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

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

107.14 (d) In addition to payment under paragraph (b), the commissioner of natural resources
107.15 shall assess a landowner who applies for a release under this section an application fee of
107.16 \$2,000 for reviewing the application and preparing the release of easement. The applicant
107.17 shall pay the application fee to the commissioner of natural resources. The commissioner
107.18 shall not issue the release of easement until the applicant has paid the application fee in full.
107.19 The commissioner shall not return the application fee, even if the application is withdrawn
107.20 or denied.

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

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

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

107.29 **92.502 LEASING TAX-FORFEITED AND STATE LANDS.**

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

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

108.3 (c) The commissioner of natural resources may enter a 30-year lease of land administered
108.4 by the commissioner for recreational trails ~~and~~ or facilities. The commissioner may assess
108.5 the lease applicant a monitoring fee to cover the projected reasonable costs of monitoring
108.6 construction of the recreational trail or facility and preparing special terms and conditions
108.7 of the license to ensure proper construction. The commissioner must give the applicant an
108.8 estimate of the monitoring fee before the applicant is required to submit the fee. Upon
108.9 completion of construction of the trail or facility, the commissioner must refund the
108.10 unobligated balance from the monitoring fee revenue.

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

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

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

108.25 (b) Payment of the full sale price of all timber sold on tax-forfeited lands shall be made
108.26 in cash at the time of the timber sale, except in the case of oral or sealed bid auction sales,
108.27 the down payment shall be no less than 15 percent of the appraised value, and the balance
108.28 shall be paid prior to entry. In the case of auction sales that are partitioned and sold as a
108.29 single sale with predetermined cutting blocks, the down payment shall be no less than 15
108.30 percent of the appraised price of the entire timber sale which may be held until the satisfactory
108.31 completion of the sale or applied in whole or in part to the final cutting block. The value of
108.32 each separate block must be paid in full before any cutting may begin in that block. With
108.33 the permission of the county contract administrator the purchaser may enter unpaid blocks
108.34 and cut necessary timber incidental to developing logging roads as may be needed to log

109.1 other blocks provided that no timber may be removed from an unpaid block until separately
109.2 scaled and paid for. If payment is provided as specified in this paragraph as security under
109.3 paragraph (a) and no cutting has taken place on the contract, the county auditor may credit
109.4 the security provided, less any down payment required for an auction sale under this
109.5 paragraph, to any other contract issued to the contract holder by the county under this chapter
109.6 to which the contract holder requests in writing that it be credited, provided the request and
109.7 transfer is made within the same calendar year as the security was received.

109.8 (c) The county board may sell any timber, including biomass, as appraised or scaled.
109.9 Any parcels of land from which timber is to be sold by scale of cut products shall be so
109.10 designated in the published notice of sale under paragraph (a), in which case the notice shall
109.11 contain a description of the parcels, a statement of the estimated quantity of each species
109.12 of timber, and the appraised price of each species of timber for 1,000 feet, per cord or per
109.13 piece, as the case may be. In those cases any bids offered over and above the appraised
109.14 prices shall be by percentage, the percent bid to be added to the appraised price of each of
109.15 the different species of timber advertised on the land. The purchaser of timber from the
109.16 parcels shall pay in cash at the time of sale at the rate bid for all of the timber shown in the
109.17 notice of sale as estimated to be standing on the land, and in addition shall pay at the same
109.18 rate for any additional amounts which the final scale shows to have been cut or was available
109.19 for cutting on the land at the time of sale under the terms of the sale. Where the final scale
109.20 of cut products shows that less timber was cut or was available for cutting under terms of
109.21 the sale than was originally paid for, the excess payment shall be refunded from the forfeited
109.22 tax sale fund upon the claim of the purchaser, to be audited and allowed by the county board
109.23 as in case of other claims against the county. No timber, except hardwood pulpwood, may
109.24 be removed from the parcels of land or other designated landings until scaled by a person
109.25 or persons designated by the county board and approved by the commissioner of natural
109.26 resources. Landings other than the parcel of land from which timber is cut may be designated
109.27 for scaling by the county board by written agreement with the purchaser of the timber. The
109.28 county board may, by written agreement with the purchaser and with a consumer designated
109.29 by the purchaser when the timber is sold by the county auditor, and with the approval of
109.30 the commissioner of natural resources, accept the consumer's scale of cut products delivered
109.31 at the consumer's landing. No timber shall be removed until fully paid for in cash. Small
109.32 amounts of timber not exceeding 500 cords in appraised volume may be sold for not less
109.33 than the full appraised value at private sale to individual persons without first publishing
109.34 notice of sale or calling for bids, provided that in case of a sale involving a total appraised
109.35 value of more than \$200 the sale shall be made subject to final settlement on the basis of a

110.1 scale of cut products in the manner above provided and not more than two of the sales,
110.2 directly or indirectly to any individual shall be in effect at one time.

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

110.16 (e) As directed by the county board, the county auditor may lease tax-forfeited land to
110.17 individuals, corporations, or organized subdivisions of the state at public or private sale, at
110.18 the prices and under the terms as the county board may prescribe, for the purpose of taking
110.19 and removing for use for road construction and other purposes tax-forfeited stockpiled
110.20 iron-bearing material. The county auditor must determine that the material is needed and
110.21 suitable for use in the construction or maintenance of a road, tailings basin, settling basin,
110.22 dike, dam, bank fill, or other works on public or private property, and that the use would
110.23 be in the best interests of the public. No lease shall exceed ten years. The use of a stockpile
110.24 for these purposes must first be approved by the commissioner of natural resources. The
110.25 request shall be deemed approved unless the requesting county is notified to the contrary
110.26 by the commissioner of natural resources within six months after receipt of a request for
110.27 approval for use of a stockpile. Once use of a stockpile has been approved, the county may
110.28 continue to lease it for these purposes until approval is withdrawn by the commissioner of
110.29 natural resources.

110.30 (f) The county auditor, with the approval of the county board is authorized to grant
110.31 permits, licenses, and leases to tax-forfeited lands for the depositing of stripping, lean ores,
110.32 tailings, or waste products from mines or ore milling plants, or to use for facilities needed
110.33 to recover iron-bearing oxides from tailings basins or stockpiles, or for a buffer area needed
110.34 for a mining operation, upon the conditions and for the consideration and for the period of

111.1 time, not exceeding 25 years, as the county board may determine. The permits, licenses, or
111.2 leases are subject to approval by the commissioner of natural resources.

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

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

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

111.23 (j) In lieu of any payment or deposit required in paragraph (b), as directed by the county
111.24 board and under terms set by the county board, the county auditor may accept an irrevocable
111.25 bank letter of credit in the amount equal to the amount otherwise determined in paragraph
111.26 (b). If an irrevocable bank letter of credit is provided under this paragraph, at the written
111.27 request of the purchaser, the county may periodically allow the bank letter of credit to be
111.28 reduced by an amount proportionate to the value of timber that has been harvested and for
111.29 which the county has received payment. The remaining amount of the bank letter of credit
111.30 after a reduction under this paragraph must not be less than 20 percent of the value of the
111.31 timber purchased. If an irrevocable bank letter of credit or cash deposit is provided for the
111.32 down payment required in paragraph (b), and no cutting of timber has taken place on the
111.33 contract for which a letter of credit has been provided, the county may allow the transfer
111.34 of the letter of credit to any other contract issued to the contract holder by the county under
111.35 this chapter to which the contract holder requests in writing that it be credited.

112.1 (k) As directed by the county board, the county auditor may lease tax-forfeited land
112.2 under the terms and conditions prescribed by the county board for the purposes of
112.3 investigating, analyzing, and developing conservation easements that provide ecosystem
112.4 services.

112.5 Sec. 6. Minnesota Statutes 2020, section 282.04, is amended by adding a subdivision to
112.6 read:

112.7 Subd. 4b. **Conservation easements.** The county auditor, with prior review and
112.8 consultation with the commissioner of natural resources and under the terms and conditions
112.9 prescribed by the county board, including reversion in the event of nonuse, may convey
112.10 conservation easements as defined in section 84C.01 on tax-forfeited land.

112.11 Sec. 7. **ADDITION TO STATE PARK.**

112.12 **[85.012] [Subd. 27.] Myre-Big Island State Park, Freeborn County.** The following
112.13 area is added to Myre-Big Island State Park, Freeborn County: all that part of the Northeast
112.14 Quarter of the Southeast Quarter of Section 11, Township 102 North, Range 21 West of the
112.15 5th principal meridian, lying South of the Chicago, Milwaukee, St. Paul and Pacific Railway,
112.16 and subject to road easement on the easterly side thereof.

112.17 Sec. 8. **DELETION FROM STATE FOREST.**

112.18 **[89.021] [Subd. 13.] Cloquet Valley State Forest.** The following areas are deleted from
112.19 Cloquet Valley State Forest:

112.20 (1) those parts of St. Louis County in Township 52 North, Range 16 West, described as
112.21 follows:

112.22 (i) Government Lots 1, 2, 3, 4, and 5 and the Southeast Quarter of the Southeast Quarter,
112.23 Northeast Quarter of the Southwest Quarter, and Southwest Quarter of the Southwest Quarter,
112.24 Section 21;

112.25 (ii) Government Lots 2, 3, 4, 5, 6, 7, 8, 9, and 10 and the Northeast Quarter of the
112.26 Northwest Quarter and Northwest Quarter of the Northwest Quarter, Section 22;

112.27 (iii) Government Lot 3, Section 23;

112.28 (iv) Government Lot 2, Section 24;

112.29 (v) Government Lots 1, 4, 5, 6, 7, 8, 9, and 10, Section 25;

112.30 (vi) Government Lot 1, Section 26;

- 113.1 (vii) Government Lots 2 and 7, Section 26;
- 113.2 (viii) Government Lots 3 and 4, Section 27, reserving unto grantor and grantor's
113.3 successors and assigns a 66-foot-wide access road easement across said Government Lot 3
113.4 for the purpose of access to grantor's or grantor's successor's or assign's land and grantor's
113.5 presently owned land that may be sold, assigned, or transferred in Government Lot 1, Section
113.6 27, said access road being measured 33 feet from each side of the centerline of that road
113.7 that is presently existing at various widths and running in a generally
113.8 southwesterly-northeasterly direction;
- 113.9 (ix) Government Lots 1 and 2, Section 28;
- 113.10 (x) Government Lots 1, 2, 3, and 5 and the Northeast Quarter of the Northeast Quarter
113.11 and Southwest Quarter of the Northeast Quarter, Section 29;
- 113.12 (xi) Government Lots 1, 2, 3, and 4, Section 31, reserving unto grantor and grantor's
113.13 successors and assigns a 66-foot-wide access road easement across said Government Lots
113.14 1, 2, and 3 for the purpose of access to grantor's or grantor's successor's or assign's land and
113.15 grantor's presently owned lands that may be sold, assigned, or transferred in Government
113.16 Lot 4, Section 29, said access road being measured 33 feet from each side of the centerline
113.17 of that road that is presently existing at various widths and running in a generally East-West
113.18 direction and any future extensions thereof as may be reasonably necessary to provide the
113.19 access contemplated herein;
- 113.20 (xii) Government Lots 5, 7, 8, and 9, Section 31;
- 113.21 (xiii) Government Lots 1 and 2, an undivided two-thirds interest in the Northeast Quarter
113.22 of the Northwest Quarter, an undivided two-thirds interest in the Southeast Quarter of the
113.23 Northwest Quarter, and an undivided two-thirds interest in the Southwest Quarter of the
113.24 Northwest Quarter, Section 32, reserving unto grantor and grantor's successors and assigns
113.25 an access road easement across the West 66 feet of the North 66 feet of said Government
113.26 Lot 1 for the purpose of access to grantor's or grantor's successor's or assign's land and
113.27 grantor's presently owned land that may be sold, assigned, or transferred in Government
113.28 Lot 4, Section 29; and
- 113.29 (xiv) the Northeast Quarter of the Northeast Quarter, Section 35;
- 113.30 (2) those parts of St. Louis County in Township 53 North, Range 13 West, described as
113.31 follows:
- 113.32 (i) all that part of the Northwest Quarter of the Northwest Quarter lying North and West
113.33 of the Little Cloquet River, Section 4;

114.1 (ii) Government Lots 1, 2, 3, 4, and 5 and the Northeast Quarter of the Northeast Quarter,
114.2 Northwest Quarter of the Northeast Quarter, Southwest Quarter of the Northeast Quarter,
114.3 Northeast Quarter of the Northwest Quarter, Southeast Quarter of the Northwest Quarter,
114.4 Northeast Quarter of the Southwest Quarter, and Southwest Quarter of the Northwest Quarter,
114.5 Section 5;

114.6 (iii) Government Lots 1, 2, and 4 and the Northwest Quarter of the Southeast Quarter,
114.7 Southeast Quarter of the Southeast Quarter, Southwest Quarter of the Southeast Quarter,
114.8 Southeast Quarter of the Southwest Quarter, and Southwest Quarter of the Southwest Quarter,
114.9 Section 6;

114.10 (iv) Government Lots 1, 2, 3, 4, 5, 6, and 7 and the Northwest Quarter of the Northeast
114.11 Quarter, Northeast Quarter of the Northwest Quarter, Northwest Quarter of the Northwest
114.12 Quarter, Southeast Quarter of the Northwest Quarter, Southwest Quarter of the Northwest
114.13 Quarter, Southeast Quarter of the Southeast Quarter, and Northeast Quarter of the Southwest
114.14 Quarter, Section 7;

114.15 (v) Government Lots 1 and 2 and the Northeast Quarter of the Northeast Quarter,
114.16 Northwest Quarter of the Northeast Quarter, Southeast Quarter of the Northeast Quarter,
114.17 Southwest Quarter of the Northeast Quarter, Northeast Quarter of the Southwest Quarter,
114.18 Northwest Quarter of the Southwest Quarter, and Southwest Quarter of the Southwest
114.19 Quarter, Section 8; and

114.20 (vi) the Northeast Quarter of the Northwest Quarter, Northwest Quarter of the Northwest
114.21 Quarter, Southeast Quarter of the Northwest Quarter, and Southwest Quarter of the Northwest
114.22 Quarter, Section 17;

114.23 (3) those parts of St. Louis County in Township 54 North, Range 13 West, described as
114.24 follows:

114.25 (i) Government Lots 1, 4, 5, 6, and 7, Section 20;

114.26 (ii) Government Lots 3, 4, 6, 7, and 8 and the Southeast Quarter of the Southwest Quarter,
114.27 Section 21;

114.28 (iii) Government Lots 1, 2, 3, 4, 5, and 7, Section 29;

114.29 (iv) Government Lots 1, 2, 3, 4, 9, and 10, Section 30; and

114.30 (v) Government Lots 5, 6, and 7 and the Northeast Quarter of the Northeast Quarter,
114.31 Northwest Quarter of the Northeast Quarter, Southwest Quarter of the Northeast Quarter,
114.32 Southeast Quarter of the Northwest Quarter, and Northwest Quarter of the Southeast Quarter,
114.33 Section 31;

115.1 (4) those parts of St. Louis County in Township 54 North, Range 16 West, described as
115.2 follows:

115.3 (i) Government Lots 2, 3, and 4 and the Northwest Quarter of the Southwest Quarter,
115.4 Southeast Quarter of the Northwest Quarter, Southeast Quarter of the Northeast Quarter,
115.5 and Southwest Quarter of the Northeast Quarter, Section 1;

115.6 (ii) Government Lots 1, 2, 3, 4, 6, 7, and 8 and the Northwest Quarter of the Southeast
115.7 Quarter, Northeast Quarter of the Southeast Quarter, Southwest Quarter of the Southeast
115.8 Quarter, Southeast Quarter of the Southeast Quarter, Southeast Quarter of the Southwest
115.9 Quarter, and Southeast Quarter of the Northeast Quarter, Section 2;

115.10 (iii) all that part of Government Lot 9 lying South of the Whiteface River and West of
115.11 County Road 547, also known as Comstock Lake Road, Section 3; and

115.12 (iv) Government Lots 3 and 4 and the Southeast Quarter of the Northeast Quarter and
115.13 Southwest Quarter of the Northeast Quarter, Section 10;

115.14 (5) those parts of St. Louis County in Township 55 North, Range 15 West, described as
115.15 follows:

115.16 (i) Government Lots 1 and 2, Section 11;

115.17 (ii) Government Lot 9, except the Highway 4 right-of-way, Section 11;

115.18 (iii) Government Lot 10, except the Highway 4 right-of-way, Section 11;

115.19 (iv) Government Lots 2, 3, 4, 5, 6, and 7, Section 15;

115.20 (v) Government Lots 2, 3, 5, 6, 7, and 8 and the Northeast Quarter of the Southwest
115.21 Quarter, Section 21;

115.22 (vi) the Southwest Quarter of the Northeast Quarter, reserving unto grantor and grantor's
115.23 successors and assigns a 66-foot-wide access easement across said Southwest Quarter of
115.24 the Northeast Quarter for the purpose of access to grantor's or grantor's successor's or assign's
115.25 land and grantor's presently owned land that may be sold, assigned, or transferred in
115.26 Government Lot 4, Section 21, Township 55 North, Range 15 West, said access road being
115.27 measured 33 feet on each side of the centerline of that road that is presently existing and
115.28 known as the Whiteface Truck Trail, Section 21;

115.29 (vii) Government Lots 1, 2, and 3, Section 22;

115.30 (viii) Government Lots 1 and 2 and the Northeast Quarter of the Northwest Quarter,
115.31 Section 28;

116.1 (ix) Government Lots 1, 4, 6, 8, and 9 and the Northeast Quarter of the Northeast Quarter,
116.2 Northeast Quarter of the Southeast Quarter, and Northwest Quarter of the Southwest Quarter,
116.3 Section 29;

116.4 (x) Government Lots 3 and 4 and the Northeast Quarter of the Southeast Quarter,
116.5 Northeast Quarter of the Southwest Quarter, and Southeast Quarter of the Southwest Quarter,
116.6 Section 30;

116.7 (xi) Government Lots 2, 3, 4, 5, 6, 8, 9, 10, and 11 and the Northeast Quarter of the
116.8 Southwest Quarter, Section 31; and

116.9 (xii) Government Lot 1, Section 32; and

116.10 (6) those parts of St. Louis County in Township 55 North, Range 16 West, described as
116.11 follows:

116.12 (i) the Southwest Quarter of the Southeast Quarter, reserving unto grantor and grantor's
116.13 successors and assigns a 66-foot-wide access road easement across said Southwest Quarter
116.14 of the Southeast Quarter for the purpose of access to grantor's or grantor's successor's or
116.15 assign's land and grantor's presently owned land that may be sold, assigned, or transferred
116.16 in Government Lot 5, Section 1, Township 54 North, Range 16 West, Section 35; and

116.17 (ii) the Southeast Quarter of the Southeast Quarter, reserving unto grantor and grantor's
116.18 successors and assigns a 66-foot-wide access road easement across said Southeast Quarter
116.19 of the Southeast Quarter for the purpose of access to grantor's or grantor's successor's or
116.20 assign's land and grantor's presently owned land that may be sold, assigned, or transferred
116.21 in Government Lot 5, Section 1, Township 54 North, Range 16 West, Section 35.

116.22 **Sec. 9. ADDITION TO STATE FOREST.**

116.23 **[89.021] [Subd. 42a.] Riverlands State Forest.** Those parts of St. Louis County
116.24 described as follows are added to Riverlands State Forest:

116.25 (1) the Northwest Quarter of the Northwest Quarter, Section 16, Township 50 North,
116.26 Range 17 West;

116.27 (2) Government Lot 9, Section 26, Township 50 North, Range 17 West;

116.28 (3) the Northeast Quarter of the Southeast Quarter, Section 30, Township 51 North,
116.29 Range 19 West;

116.30 (4) Government Lot 6, Section 22, Township 51 North, Range 20 West; and

116.31 (5) Government Lot 9, Section 24, Township 52 North, Range 20 West.

117.1 **Sec. 10. PRIVATE SALE OF TAX-FORFEITED LAND; BELTRAMI COUNTY.**

117.2 (a) Notwithstanding the public sale provisions of Minnesota Statutes, chapter 282, or
117.3 other law to the contrary, Beltrami County may sell by private sale the tax-forfeited land
117.4 described in paragraph (c).

117.5 (b) The conveyance must be in a form approved by the attorney general. The attorney
117.6 general may make changes to the land description to correct errors and ensure accuracy.

117.7 (c) The land to be sold is part of parcel number 45.00258.00 described as: that part of
117.8 Government Lot 3, Section 31, Township 148 North, Range 31 West, Beltrami County,
117.9 Minnesota, described as follows:

117.10 Commencing at the southwest corner of said Section 31; thence North 89 degrees 46
117.11 minutes 25 seconds East, bearing based on the Beltrami County Coordinate System,
117.12 South Zone, along the south line of said Section 31, a distance of 960.47 feet; thence
117.13 North 01 degrees 00 minutes 40 seconds West a distance of 2,116.07 feet to the point
117.14 of beginning of land to be described, said point designated by an iron pipe, 1/2 inch in
117.15 diameter, stamped LS 15483; thence continue North 01 degree 00 minutes 40 seconds
117.16 West a distance of 108.00 feet to a point designated by an iron pipe, 1/2 inch in diameter,
117.17 stamped LS 15483; thence North 88 degrees 59 minutes 20 seconds East a distance of
117.18 60.00 feet to the intersection with the east line of said Government Lot 3; thence South
117.19 01 degree 00 minutes 40 seconds East, along said east line of Government Lot 3, a
117.20 distance of 108.00 feet to the intersection with a line bearing North 88 degrees 59 minutes
117.21 20 seconds East from the point of beginning; thence South 88 degrees 59 seconds 20
117.22 minutes West, along said line, a distance of 60.00 feet to the point of beginning (0.15
117.23 acre).

117.24 (d) The county has determined that the county's land management interests would best
117.25 be served if the lands were returned to private ownership.

117.26 **Sec. 11. PUBLIC SALE OF SURPLUS STATE LAND BORDERING PUBLIC**
117.27 **WATER; CASS COUNTY.**

117.28 (a) Notwithstanding Minnesota Statutes, section 92.45, the commissioner of natural
117.29 resources may sell by public sale the surplus land bordering public water that is described
117.30 in paragraph (c).

117.31 (b) The commissioner may make necessary changes to the legal description to correct
117.32 errors and ensure accuracy.

117.33 (c) The land that may be sold is located in Cass County and is described as:

117.34 (1) the West 970 feet of the Northeast Quarter of the Southwest Quarter of Section 32,
117.35 Township 135 North, Range 29 West, Cass County, Minnesota, EXCEPT therefrom a
117.36 rectangular piece in the southeast corner thereof 370 feet North and South by 420 feet East
117.37 and West; and

118.1 (2) that part of Government Lot 6 of said Section 32, described as follows: beginning
118.2 at the northwest corner of said Government Lot 6; thence East along the north line of said
118.3 Government Lot 6 550 feet; thence South 30 degrees West 528 feet, more or less, to shoreline
118.4 of Agate Lake; thence northwest along said shoreline of Agate Lake to the west line of said
118.5 Government Lot 6; thence northerly along said west line 260 feet, more or less, to the point
118.6 of beginning.

118.7 (d) The land borders Agate Lake and is not contiguous to other state lands. The
118.8 Department of Natural Resources has determined that the land is not needed for natural
118.9 resource purposes and that the state's land management interests would best be served if
118.10 the land was returned to private ownership.

118.11 **Sec. 12. PUBLIC SALE OF SURPLUS STATE LAND BORDERING PUBLIC**
118.12 **WATER; FILLMORE COUNTY.**

118.13 (a) Notwithstanding Minnesota Statutes, section 92.45, the commissioner of natural
118.14 resources may sell by public sale the surplus land bordering public water that is described
118.15 in paragraph (c), subject to the state's reservation of trout stream easements.

118.16 (b) The commissioner may make necessary changes to the legal description to correct
118.17 errors and ensure accuracy.

118.18 (c) The land that may be sold is located in Fillmore County and is described as: the South
118.19 13 acres, except the East 2 acres thereof, of the Northwest Quarter of the Southeast Quarter,
118.20 Section 21, Township 103, Range 10 West, Fillmore County, Minnesota, excepting therefrom
118.21 the Harmony-Preston Valley State Trail corridor, formerly the Chicago, Milwaukee, St.
118.22 Paul and Pacific Railroad Company right-of-way.

118.23 (d) The land borders the Root River and Watson Creek and is not contiguous to other
118.24 state lands. The Department of Natural Resources has determined that the land is not needed
118.25 for natural resource purposes, provided that trout stream easements are reserved on the Root
118.26 River and Watson Creek, and that the state's land management interests would best be served
118.27 if the land was returned to private ownership.

118.28 **Sec. 13. CONVEYANCE OF TAX-FORFEITED LAND BORDERING PUBLIC**
118.29 **WATER; GOODHUE COUNTY.**

118.30 (a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1, and
118.31 the public sale provisions of Minnesota Statutes, chapter 282, Goodhue County may convey

119.1 to the city of Wanamingo for no consideration the tax-forfeited land bordering public water
119.2 that is described in paragraph (c).

119.3 (b) The conveyance must be in a form approved by the attorney general and provide
119.4 that the land reverts to the state if the city of Wanamingo stops using the land for the public
119.5 purpose described in paragraph (d). The attorney general may make changes to the land
119.6 description to correct errors and ensure accuracy.

119.7 (c) The land to be conveyed is located in Goodhue County and is described as: That part
119.8 of the Southeast Quarter of Section 30, Township 110 North, Range 16 West, Goodhue
119.9 County, Minnesota, described as follows: Commencing at the northeast corner of Lot 7,
119.10 Block 2, Axelson's Hillcrest Addition, according to the recorded plat thereof; thence South
119.11 89 degrees 48 minutes 15 seconds East (assuming that the east line of Axelson's Hillcrest
119.12 Addition also being the west line of the Southeast Quarter of said Section 30, has a bearing
119.13 of North 00 degrees 11 minutes 45 seconds East), a distance of 30.00 feet; thence North 00
119.14 degrees 11 minutes 45 seconds East, a distance of 342.00 feet to the point of beginning;
119.15 thence South 89 degrees 48 minutes 15 seconds East, a distance of 60.00 feet; thence North
119.16 00 degrees 11 minutes 45 seconds East, a distance of 280.00 feet; thence South 89 degrees
119.17 48 minutes 15 seconds East, a distance of 60.00 feet; thence North 00 degrees 11 minutes
119.18 45 seconds East, a distance of 394 feet, more or less to the north line of the Southeast Quarter
119.19 of said Section 30, thence westerly, along said north line, a distance of 150.00 feet, more
119.20 or less, to the northwest corner of said Southeast Quarter; thence South 00 degrees 11
119.21 minutes 45 seconds West, along the west line of said Southeast Quarter, a distance of 674
119.22 feet, more or less, to an intersection with a line bearing North 89 degrees 48 minutes 15
119.23 seconds West from said point of beginning; thence South 89 degrees 48 minutes 15 seconds
119.24 East, a distance of 30.00 feet to the point of beginning. EXCEPT that part of the above
119.25 description now platted as Emerald Valley (parcel number 70.380.0710).

119.26 (d) The county has determined that the land is needed for a park trail extension.

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

119.28 **Sec. 14. PRIVATE SALE OF SURPLUS LAND BORDERING PUBLIC WATER;**
119.29 **HENNEPIN COUNTY.**

119.30 (a) Notwithstanding Minnesota Statutes, sections 92.45, 94.09, and 94.10, the
119.31 commissioner of natural resources may sell by private sale the surplus land bordering public
119.32 water that is described in paragraph (c) to a local unit of government for less than market
119.33 value.

120.1 (b) The commissioner may make necessary changes to the legal description to correct
120.2 errors and ensure accuracy.

120.3 (c) The land that may be conveyed is located in Hennepin County and is described as:
120.4 all those parts of Government Lot 5, Section 35, Township 118, Range 23, lying northerly
120.5 and northwesterly of East Long Lake Road, as it existed in 2021, easterly of a line drawn
120.6 parallel with and distant 924.88 feet westerly of the east line of said Government Lot 5, and
120.7 southerly of a line drawn westerly at a right angle to the east line of said Government Lot
120.8 5 from a point distant 620 feet South of the northeast corner of said Government Lot 5.

120.9 (d) The land borders Long Lake. The Department of Natural Resources has determined
120.10 that the land is not needed for natural resource purposes and that the state's land management
120.11 interests would best be served if the land were conveyed to a local unit of government.

120.12 **Sec. 15. PUBLIC SALE OF SURPLUS STATE LAND BORDERING PUBLIC**
120.13 **WATER; ITASCA COUNTY.**

120.14 (a) Notwithstanding Minnesota Statutes, section 92.45, the commissioner of natural
120.15 resources may sell by public sale the surplus land bordering public water that is described
120.16 in paragraph (c).

120.17 (b) The commissioner may make necessary changes to the legal description to correct
120.18 errors and ensure accuracy.

120.19 (c) The land that may be sold is located in Itasca County and is described as:

120.20 (1) the North 1,050.00 feet of Government Lot 1, Section 16, Township 55 North, Range
120.21 24 West of the fourth principal meridian, except that part described as follows: commencing
120.22 at the southeast corner of said Government Lot 1; thence North 0 degrees 46 minutes 09
120.23 seconds East, bearing assumed, along the east line thereof, a distance of 280.00 feet to the
120.24 point of beginning; thence North 89 degrees 13 minutes 51 seconds West, a distance of
120.25 345.00 feet; thence South 0 degrees 46 minutes 09 seconds West, a distance of 21.60 feet
120.26 to its intersection with the south line of the North 1,050.00 feet of said Government Lot 1;
120.27 thence South 89 degrees 08 minutes 51 seconds East along the south line of the North
120.28 1,050.00 feet of said Government Lot 1, a distance of 345.00 feet to the east line of said
120.29 Government Lot 1; thence North 0 degrees 46 minutes 09 seconds East, along the east line
120.30 of said Government Lot 1, a distance of 22.10 feet to the point of beginning. Subject to an
120.31 easement for ingress and egress over 66.00 feet in width, over, under, and across part of
120.32 Government Lot 1, Section 16, Township 55, Range 24. The centerline of said easement is
120.33 described as follows: commencing at the northeast corner of said Government Lot 1; thence

121.1 South 0 degrees 46 minutes 09 seconds West, bearing assumed, along the east line thereof,
121.2 a distance of 750.00 feet to the point of beginning of the centerline to be described; thence
121.3 North 89 degrees 08 minutes 51 seconds West, a distance of 845.00 feet; thence South 7
121.4 degrees 18 minutes 51 seconds East, a distance of 302.89 feet, and there terminating; and

121.5 (2) Lots 1 through 4 of Block 2 and Outlot "B," Loons Landing, according to the plat
121.6 thereof on file and of record in the Office of the Itasca County Recorder.

121.7 (d) The land borders Trout Lake. The Department of Natural Resources has determined
121.8 that the land is not needed for natural resource purposes and that the state's land management
121.9 interests would best be served if the land was returned to private ownership.

121.10 **Sec. 16. PRIVATE SALE OF SURPLUS STATE LAND; PINE COUNTY.**

121.11 (a) Notwithstanding Minnesota Statutes, sections 94.09 and 94.10, the commissioner of
121.12 natural resources may sell by private sale the surplus land that is described in paragraph (c),
121.13 subject to the state's reservation of a perpetual flowage easement.

121.14 (b) The commissioner may make necessary changes to the legal description to correct
121.15 errors and ensure accuracy.

121.16 (c) The land that may be sold is located in Pine County and is described as: the north 2
121.17 rods of the Southeast Quarter of Section 10, Township 38 North, Range 22 West, Pine
121.18 County, Minnesota.

121.19 (d) The Department of Natural Resources has determined that the land is not needed for
121.20 natural resource purposes and that the state's land management interests would best be
121.21 served if the land was returned to private ownership.

121.22 **Sec. 17. LAND EXCHANGE; ST. LOUIS COUNTY.**

121.23 (a) Notwithstanding Minnesota Statutes, section 92.461, and the riparian restrictions in
121.24 Minnesota Statutes, section 94.342, subdivision 3, St. Louis County may, with the approval
121.25 of the Land Exchange Board as required under the Minnesota Constitution, article XI,
121.26 section 10, and according to the remaining provisions of Minnesota Statutes, sections 94.342
121.27 to 94.347, exchange the land described in paragraph (c).

121.28 (b) The conveyance must be in the form approved by the attorney general. The attorney
121.29 general may make necessary changes to the legal description to correct errors and ensure
121.30 accuracy.

122.1 (c) The lands that may be conveyed are located in St. Louis County and are described
122.2 as:

122.3 (1) Sections 1 and 2, Township 53 North, Range 18 West;

122.4 (2) Sections 19, 20, 29, 30, 31, and 32, Township 54 North, Range 17 West;

122.5 (3) Sections 24, 25, 26, and 35, Township 54 North, Range 18 West;

122.6 (4) Sections 22, 23, 26, and 27, Township 54 North, Range 19 West; and

122.7 (5) Sections 8, 9, 17, and 18, Township 55 North, Range 18 West.

122.8 **Sec. 18. LAND ACQUISITION TRUST FUND; ST. LOUIS COUNTY.**

122.9 Notwithstanding Minnesota Statutes, chapter 282, and any other law relating to the
122.10 apportionment of proceeds from the sale of tax-forfeited land, St. Louis County may deposit
122.11 proceeds from the sale of tax-forfeited lands into a tax-forfeited land acquisition trust fund
122.12 established by St. Louis County under this section. The principal and interest from the fund
122.13 may be spent on the purchase of lands better suited for retention and management by St.
122.14 Louis County. Lands purchased with money from the land acquisition trust fund must:

122.15 (1) become subject to a trust in favor of the governmental subdivision wherein the lands
122.16 lie and all laws related to tax-forfeited lands; and

122.17 (2) be used for forestry, mineral management, or environmental services.

122.18 **Sec. 19. PRIVATE SALE OF TAX-FORFEITED LANDS; ST. LOUIS COUNTY.**

122.19 (a) Notwithstanding the public sale provisions of Minnesota Statutes, chapter 282, or
122.20 other law to the contrary, St. Louis County may sell by private sale the tax-forfeited lands
122.21 described in paragraph (c).

122.22 (b) The conveyances must be in a form approved by the attorney general. The attorney
122.23 general may make changes to the land descriptions to correct errors and ensure accuracy.

122.24 (c) The lands to be sold are located in St. Louis County and are described as:

122.25 (1) Lots 23 through 30, including part of adjacent vacant alley, Block 54, Bay View
122.26 Addition to Duluth No. 2, Township 49, Range 15, Section 11 (parcel identification number
122.27 010-0230-03300); and

122.28 (2) Lot 2, except the South 760 feet, Township 62, Range 20, Section 18 (part of parcel
122.29 identification number 430-0010-02916).

123.1 (d) The county has determined that the county's land management interests would best
123.2 be served if the lands were returned to private ownership.

123.3 **Sec. 20. PRIVATE SALE OF SURPLUS LAND BORDERING PUBLIC WATER;**
123.4 **SHERBURNE COUNTY.**

123.5 (a) Notwithstanding Minnesota Statutes, sections 92.45, 94.09, and 94.10, the
123.6 commissioner of natural resources may sell by private sale the surplus land bordering public
123.7 water that is described in paragraph (c) for less than market value.

123.8 (b) The commissioner may make necessary changes to the legal description to correct
123.9 errors and ensure accuracy.

123.10 (c) The land that may be conveyed is located in Sherburne County and is described as:
123.11 that part of the North 595.50 feet of Government Lot 6, Section 31, Township 34 North,
123.12 Range 27 West, Sherburne County, Minnesota, lying southerly of the following described
123.13 line: commencing at a Minnesota Department of Conservation monument on the south line
123.14 of the said North 595.50 feet; thence North 89 degrees 38 minutes 17 seconds West, bearing
123.15 per plat of Eagle Lake Estates Boundary Registration, along said south line 71.28 feet to a
123.16 Judicial Land Mark; thence North 21 degrees 51 minutes 43 seconds West, along the easterly
123.17 line of Outlot A of said Eagle Lake Estates Boundary Registration 27.5 feet to the point of
123.18 beginning; thence North 80 degrees East 72 feet, more or less, to the shoreline of Eagle
123.19 Lake and there terminating.

123.20 (d) The Department of Natural Resources has determined that the land is not needed for
123.21 natural resource purposes and that the state's land management interests would best be
123.22 served if the land were returned to private ownership.

123.23 **Sec. 21. AUTHORIZATION OF ADJUTANT GENERAL TO EXCHANGE**
123.24 **SURPLUS PROPERTY WITHIN THE CITY OF ROSEMOUNT.**

123.25 (a) Notwithstanding Minnesota Statutes, sections 94.3495 and 193.36, the adjutant
123.26 general of the Minnesota National Guard may, with the approval of the Land Exchange
123.27 Board as required under the Minnesota Constitution, article XI, section 10, exchange the
123.28 surplus land described in paragraph (b) for an equal amount of land owned by the city of
123.29 Rosemount, regardless of a difference in market value.

123.30 (b) The land to be exchanged is within the city of Rosemount adjacent to a Minnesota
123.31 National Guard field maintenance shop.

124.1 Sec. 22. **REPEALER.**

124.2 Laws 2012, chapter 236, section 28, subdivision 9, as amended by Laws 2016, chapter
124.3 154, section 11, and Laws 2019, First Special Session chapter 4, article 4, section 7, is
124.4 repealed.

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

86B.101 WATERCRAFT SAFETY PROGRAM.

Subdivision 1. **Safety program.** The commissioner shall continue and expand the comprehensive boat safety and education program. The commissioner shall cooperate with boaters, governmental subdivisions, state agencies, other states, and the federal government in the operation of the program.

Subd. 2. **Youth watercraft safety course.** (a) The commissioner shall establish an educational course and a testing program for personal watercraft and watercraft operators and for persons age 12 or older but younger than age 18 required to take the watercraft safety course. The commissioner shall prescribe a written test as part of the course. A personal watercraft educational course and testing program that emphasizes safe and legal operation must be required for persons age 13 or older but younger than age 18 operating personal watercraft.

(b) The commissioner shall issue a watercraft operator's permit to a person age 12 or older but younger than age 18 who successfully completes the educational program and the written test.

Subd. 3. **Operator's permit.** The commissioner shall issue a watercraft operator's permit to a person who successfully qualifies for a watercraft operator's permit under the boat safety education program.

Subd. 4. **Boat safety education program; reciprocity with other states.** The commissioner may enter into reciprocity agreements or otherwise certify boat safety education programs from other states that are substantially similar to in-state programs. The commissioner shall issue a watercraft operator's permit to a person who provides proof of completion of a program subject to a reciprocity agreement or certified as substantially similar.

86B.305 YOUTH OPERATORS.

Subdivision 1. **Under age 12.** (a) Except in case of an emergency, a person under age 12 may not operate or be allowed to operate a watercraft propelled by a motor with a factory rating of more than 25 horsepower unless there is present in the watercraft, in addition to the operator, at least one person age 21 or older who is within immediate reach of the controls of the motor. For purposes of section 169A.20, the person age 21 or older, as well as the actual operator, is in physical control of the motorboat.

(b) A person under age 12 may not operate or be allowed to operate a watercraft propelled by a motor with a factory rating of more than 75 horsepower.

Subd. 2. **Age 12 to 17; permit required.** Except as provided in this subdivision, a person age 12 or older and younger than age 18 may not operate a motorboat powered by a motor over 25 horsepower without possessing a valid watercraft operator's permit from this state or from the operator's state of residence unless there is a person age 21 or older in the motorboat who is within immediate reach of the controls of the motor. For purposes of section 169A.20, the person age 21 or older, as well as the actual operator, is in physical control of the motorboat.

Subd. 3. **Owners may not allow certain uses.** An owner of a watercraft may not allow a watercraft to be operated contrary to the provisions of subdivision 2.

86B.313 PERSONAL WATERCRAFT; REGULATIONS.

Subd. 2. **Age of operator.** Except in the case of an emergency, a person under the age of 13 years may not operate or be permitted to operate a personal watercraft, regardless of horsepower. It is unlawful for the owner of a personal watercraft to permit the personal watercraft to be operated contrary to this subdivision.

Subd. 3. **Operator's permit; adult supervision.** Except in the case of an emergency, a person 13 years of age or over but less than 18 years of age may not operate a personal watercraft, regardless of horsepower, without possessing a valid watercraft operator's permit as required by section 86B.305, unless there is a person 21 years of age or older on board the craft. In addition to the permit requirement, a person 13 years of age operating a personal watercraft must remain under visual supervision by a person who is 21 years of age or older. An owner of a personal watercraft may not permit the personal watercraft to be operated contrary to this subdivision.

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.

APPENDIX
Repealed Minnesota Statutes: H4492-1

(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.

325E.389 ITEMS CONTAINING LEAD PROHIBITED.

Subdivision 1. **Definitions.** For purposes of this section, the following definitions apply.

(a) "Body piercing jewelry" means any part of jewelry that is manufactured or sold for placement in a new piercing or a mucous membrane, but does not include any part of that jewelry that is not placed within a new piercing or a mucous membrane.

(b) "Children" means children age six and younger.

(c) "Children's jewelry" means jewelry that is made for, marketed for use by, or marketed to children. For purposes of this section, children's jewelry includes, but is not limited to, jewelry that meets any of the following conditions:

(1) is represented in its packaging, display, or advertising as appropriate for use by children;

(2) is sold in conjunction with, attached to, or packaged together with other products that are packaged, displayed, or advertised as appropriate for use by children;

(3) is sized for children and not intended for use by adults; or

(4) is sold in any of the following:

(i) a vending machine;

(ii) retail store, catalog, or website in which a person exclusively offers for sale products that are packaged, displayed, or advertised as appropriate for use by children; or

(iii) a discrete portion of a retail store, catalog, or website in which a person offers for sale products that are packaged, displayed, or advertised as appropriate for use by children.

(d) "Class 1 material" means any of the following materials:

(1) stainless or surgical steel;

(2) karat gold;

(3) sterling silver;

(4) platinum, palladium, iridium, ruthenium, rhodium, or osmium;

(5) natural or cultured pearls;

APPENDIX
Repealed Minnesota Statutes: H4492-1

(6) glass, ceramic, or crystal decorative components including cat's eye; cubic zirconia, including cubic zirconium or CZ; rhinestones; and cloisonne;

(7) a gemstone that is cut and polished for ornamental purposes, except that the following gemstones are not Class 1 materials: aragonite, bayldonite, boleite, cerussite, crocoite, ekanite, linarite, mimetite, phosgenite, samarskite, vanadinite, and wulfenite;

(8) elastic, fabric, ribbon, rope, or string, unless it contains intentionally added lead and is listed as a Class 2 material;

(9) all natural decorative material including amber, bone, coral, feathers, fur, horn, leather, shell, and wood that is in its natural state and is not treated in a way that adds lead; or

(10) adhesive.

(e) "Class 2 material" means any of the following materials:

(1) electroplated metal that meets the following standards:

(i) on and before August 30, 2009, a metal alloy with less than ten percent lead by weight that is electroplated with suitable under and finish coats; or

(ii) on and after August 31, 2009, a metal alloy with less than six percent lead by weight that is electroplated with suitable under and finish coats;

(2) unplated metal with less than 1.5 percent lead that is not otherwise listed as a Class 1 material;

(3) plastic or rubber including acrylic, polystyrene, plastic beads and stones, and polyvinyl chloride (PVC) that meets the following standards:

(i) on and before August 30, 2009, less than 0.06 percent (600 parts per million) lead by weight; and

(ii) on and after August 31, 2009, less than 0.02 percent (200 parts per million) lead by weight; and

(4) a dye or surface coating containing less than 0.06 percent (600 parts per million) lead by weight.

(f) "Class 3 material" means any portion of jewelry that meets both of the following criteria:

(1) is not a Class 1 or Class 2 material; and

(2) contains less than 0.06 percent (600 parts per million) lead by weight.

(g) "Component" means any part of jewelry.

(h) "EPA reference methods 3050B (Acid Digestion of Sediments, Sludges, and Soils) or 3051 (Microwave Assisted Digestion/Sludge, Soils)" means those test methods incorporated by reference in Code of Federal Regulations, title 40, section 260.11, paragraph (11), subdivision (a).

(i) "Jewelry" means:

(1) any of the following ornaments worn by a person: anklet, arm cuff, bracelet, brooch, chain, crown, cuff link, decorated hair accessories, earring, necklace, pin, ring, or body piercing jewelry; or

(2) any bead, chain, link, pendant, or other component of such an ornament.

(j) "Surface coating" means a fluid, semifluid, or other material, with or without a suspension of finely divided coloring matter, that changes to a solid film when a thin layer is applied to a metal, wood, stone, paper, leather, cloth, plastic, or other surface. Surface coating does not include a printing ink or a material that actually becomes a part of the substrate including, but not limited to, pigment in a plastic article or a material that is actually bonded to the substrate, such as by electroplating or ceramic glazing.

Subd. 2. **Sale prohibited.** (a) No person shall manufacture any jewelry that is offered for sale in Minnesota unless the jewelry is made entirely from a Class 1, Class 2, or Class 3 material, or any combination thereof.

(b) No person shall offer for sale, sell, label, or distribute for free any jewelry represented to contain safe levels of lead, unless the jewelry is made entirely from a Class 1, Class 2, or Class 3 material, or any combination thereof.

APPENDIX
Repealed Minnesota Statutes: H4492-1

(c) Notwithstanding paragraph (a), no person shall manufacture any children's jewelry that is offered for sale in Minnesota unless the children's jewelry is made entirely from one or more of the following materials:

- (1) a nonmetallic material that is a Class 1 material;
- (2) a nonmetallic material that is a Class 2 material;
- (3) a metallic material that is either a Class 1 material or contains less than 0.06 percent (600 parts per million) lead by weight;
- (4) glass or crystal decorative components that weigh in total no more than one gram, excluding any glass or crystal decorative component that contains less than 0.02 percent (200 parts per million) lead by weight and has no intentionally added lead;
- (5) printing ink or ceramic glaze that contains less than 0.06 percent (600 parts per million) lead by weight; or
- (6) Class 3 material that contains less than 0.02 percent (200 parts per million) lead by weight.

(d) Notwithstanding paragraph (b), no person shall offer for sale, sell, distribute for free, or label any jewelry as children's jewelry represented to contain safe levels of lead, unless the jewelry is made entirely from one or more of the following materials:

- (1) a nonmetallic material that is a Class 1 material;
- (2) a nonmetallic material that is a Class 2 material;
- (3) a metallic material that is either a Class 1 material or contains less than 0.06 percent (600 parts per million) lead by weight;
- (4) glass or crystal decorative components that weigh in total no more than one gram, excluding any glass or crystal decorative component that contains less than 0.02 percent (200 parts per million) lead by weight and has no intentionally added lead;
- (5) printing ink or ceramic glaze that contains less than 0.06 percent (600 parts per million) lead by weight; or
- (6) Class 3 material that contains less than 0.02 percent (200 parts per million) lead by weight.

(e) Notwithstanding paragraph (a), no person shall manufacture any body piercing jewelry that is offered for sale in Minnesota unless the body piercing jewelry is made of one or more of the following materials:

- (1) surgical implant stainless steel; or
- (2) surgical implant grade of titanium, niobium (Nb), solid 14-karat or higher white or yellow nickel-free gold, solid platinum, or a dense low-porosity plastic including, but not limited to, Tygon or polytetrafluoroethylene (PTFE), if the plastic contains no intentionally added lead.

(f) No person shall offer for sale, sell, label, or distribute for free any body piercing jewelry represented to contain safe levels of lead unless the body piercing jewelry is made of one or more of the following materials:

- (1) surgical implant stainless steel; or
- (2) surgical implant grade of titanium, niobium (Nb), solid 14-karat or higher white or yellow nickel-free gold, solid platinum, or a dense low-porosity plastic including, but not limited to, Tygon or polytetrafluoroethylene (PTFE), if the plastic contains no intentionally added lead.

(g) The prohibitions under this section do not apply to sales or free distribution of jewelry by a nonprofit organization described in section 501(c)(3) of the Internal Revenue Code or to isolated and occasional sales of jewelry not made in the normal course of business.

Subd. 3. **Testing methods.** (a) The testing methods for determining compliance with this section must be conducted using EPA reference method 3050B or 3051 for the material being tested, except as otherwise provided in subdivision 4 and in accordance with all of the following procedures:

- (1) when preparing a sample, the laboratory shall make every effort to ensure that the sample removed from a jewelry piece is representative of the component to be tested, and is free of contamination from extraneous dirt and material not related to the component to be tested;

APPENDIX
Repealed Minnesota Statutes: H4492-1

(2) all component samples must be washed before testing using standard laboratory detergent, rinsed with laboratory reagent-grade deionized water, and dried in a clean ambient environment;

(3) if a component is required to be cut or scraped to obtain a sample, the metal snips, scissors, or other cutting tools used for the cutting or scraping must be made of stainless steel and washed and rinsed before each use and between samples;

(4) a sample must be digested in a container that is known to be free of lead and with the use of an acid that is not contaminated by lead, including analytical reagent-grade digestion acids and reagent-grade deionized water;

(5) method blanks, consisting of all reagents used in sample preparation handled, digested, and made to volume in the same exact manner and in the same container type as samples, must be tested with each group of 20 or fewer samples tested; and

(6) the results for the method blanks must be reported with each group of sample results and must be below the stated reporting limit for sample results to be considered valid.

(b) A material does not meet an applicable lead standard set forth in this section if any of the following occurs:

(1) the mean lead level of one or two samples of the material exceeds 300 percent of the applicable limit for a component;

(2) the mean lead level of three samples of the material exceeds 200 percent of the applicable limit for a component; or

(3) the mean lead level of four or more samples of the material exceeds the applicable limit for a component.

Subd. 4. **Additional testing procedures.** In addition to the requirements of subdivision 3, the following procedures must be used for testing the following materials:

(1) for testing a metal plated with suitable undercoats and finish coats, the following protocols must be observed:

(i) digestion must be conducted using hot concentrated nitric acid with the option of using hydrochloric acid or hydrogen peroxide;

(ii) the sample size must be 0.050 gram to one gram;

(iii) the digested sample may require dilution prior to analysis;

(iv) the digestion and analysis must achieve a reported detection limit no greater than 0.1 percent for samples; and

(v) all necessary dilutions must be made to ensure that measurements are made within the calibrated range of the analytical instrument;

(2) for testing unplated metal and metal substrates that are not a Class 1 material, the following protocols must be observed:

(i) digestion must be conducted using hot concentrated nitric acid with the option of using hydrochloric acid and hydrogen peroxide;

(ii) the sample size must be 0.050 gram to one gram;

(iii) the digested sample may require dilution prior to analysis;

(iv) the digestion and analysis must achieve a reported detection limit no greater than 0.01 percent for samples; and

(v) all necessary dilutions must be made to ensure that measurements are made within the calibrated range of the analytical instrument;

(3) for testing polyvinyl chloride (PVC), the following protocols must be observed:

(i) the digestion must be conducted using hot concentrated nitric acid with the option of using hydrochloric acid and hydrogen peroxide;

(ii) the sample size must be a minimum of 0.05 gram if using microwave digestion or 0.5 gram if using hotplate digestion, and must be chopped or comminuted prior to digestion;

APPENDIX
Repealed Minnesota Statutes: H4492-1

(iii) digested samples may require dilution prior to analysis;

(iv) digestion and analysis must achieve a reported detection limit no greater than 0.001 percent (10 parts per million) for samples; and

(v) all necessary dilutions must be made to ensure that measurements are made within the calibrated range of the analytical instrument;

(4) for testing plastic or rubber that is not polyvinyl chloride (PVC), including acrylic, polystyrene, plastic beads, or plastic stones, the following protocols must be observed:

(i) the digestion must be conducted using hot concentrated nitric acid with the option of using hydrochloric acid or hydrogen peroxide;

(ii) the sample size must be a minimum of 0.05 gram if using microwave digestion or 0.5 gram if using hotplate digestion, and must be chopped or comminuted prior to digestion;

(iii) plastic beads or stones must be crushed prior to digestion;

(iv) digested samples may require dilution prior to analysis;

(v) digestion and analysis must achieve a reported detection limit no greater than 0.001 percent (10 parts per million) for samples; and

(vi) all necessary dilutions must be made to ensure that measurements are made within the calibrated range of the analytical instrument;

(5) for testing coatings on glass and plastic pearls, the following protocols must be observed:

(i) the coating of glass or plastic beads must be scraped onto a surface free of dust, including a clean weighing paper or pan, using a clean stainless steel razor blade or other clean sharp instrument that will not contaminate the sample with lead. The substrate pearl material must not be included in the scrapings;

(ii) the razor blade or sharp instrument must be rinsed with deionized water, wiped to remove particulate matter, rinsed again, and dried between samples;

(iii) the scrapings must be weighed and not less than 50 micrograms of scraped coating must be used for analysis. If less than 50 micrograms of scraped coating is obtained from an individual pearl, multiple pearls from that sample must be scraped and composited to obtain a sufficient sample amount;

(iv) the number of pearls used to make the composite must be noted;

(v) the scrapings must be digested according to EPA reference method 3050B or 3051 or an equivalent procedure for hot acid digestion in preparation for trace lead analysis;

(vi) the digestate must be diluted in the minimum volume practical for analysis;

(vii) the digested sample must be analyzed according to specification of an approved and validated methodology for inductively coupled plasma mass spectrometry;

(viii) a reporting limit of 0.001 percent (10 parts per million) in the coating must be obtained for the analysis; and

(ix) the sample result must be reported within the calibrated range of the instrument. If the initial test of the sample is above the highest calibration standard, the sample must be diluted and reanalyzed within the calibrated range of the instrument;

(6) for testing dyes, paints, coatings, varnish, printing inks, ceramic glazes, glass, or crystal, the following testing protocols must be observed:

(i) the digestion must use hot concentrated nitric acid with the option of using hydrochloric acid or hydrogen peroxide;

(ii) the sample size must be not less than 0.050 gram, and must be chopped or comminuted prior to digestion;

(iii) the digested sample may require dilution prior to analysis;

(iv) the digestion and analysis must achieve a reported detection limit no greater than 0.001 percent (10 parts per million) for samples; and

APPENDIX
Repealed Minnesota Statutes: H4492-1

(v) all necessary dilutions must be made to ensure that measurements are made within the calibrated range of the analytical instrument; and

(7) for testing glass and crystal used in children's jewelry, the following testing protocols for determining weight must be used:

(i) a component must be free of any extraneous material, including adhesive, before it is weighed;

(ii) the scale used to weigh a component must be calibrated immediately before the components are weighed using S-class weights of one and two grams, as certified by the National Institute of Standards and Technology (NIST) of the United States Department of Commerce; and

(iii) the calibration of the scale must be accurate to within 0.01 gram.

325E.3891 CADMIUM IN CHILDREN'S JEWELRY.

Subdivision 1. **Definitions.** (a) As used in this section, the term:

(1) "accessible" has the meaning given in section 3.1.2 of the ASTM International Safety Specification on Toy Safety, F-963;

(2) "child" means an individual who is six years of age or younger; and

(3) "children's jewelry" shall have the meaning set forth in section 325E.389, subdivision 1, paragraph (c).

Subd. 2. **Prohibitions.** Cadmium in any surface coating or accessible substrate material of metal or plastic components of children's jewelry shall not exceed 75 parts per million, as determined through solubility testing for heavy metals defined in the ASTM International Safety Specification on Toy Safety, ASTM standard F-963 and subsequent versions of this standard, if the product is sold in this state unless this requirement is superseded by a federal standard regulating cadmium in children's jewelry. This section shall not regulate any product category for which an existing federal standard regulates cadmium exposure in surface coatings and accessible substrate materials as required under ASTM F-963.

Subd. 3. **Manufacturer or wholesaler.** No manufacturer or wholesaler may sell or offer for sale in this state children's jewelry that fails to meet the requirements of subdivision 2.

Subd. 4. **Retailer.** No retailer may sell or offer for sale in this state children's jewelry that fails to meet the requirements of subdivision 2. This subdivision does not apply to sales or free distribution of jewelry by a nonprofit organization described in section 501(c)(3) of the Internal Revenue Code or to isolated and occasional sales of jewelry not made in the normal course of business.

Subd. 5. **Enforcement.** The attorney general shall enforce this section under section 8.31.

APPENDIX
Repealed Minnesota Session Laws: H4492-1

Laws 2012, chapter 236, section 28, subdivision 9, as amended by Laws 2019, First Special Session chapter 4, article 4, section 7;

Sec. 28. **SALE OF TAX-FORFEITED LEASED LANDS; ST. LOUIS COUNTY.**

Subd. 9. **Sunset.** This section expires ~~seven~~ ten years after the effective date.

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: H4492-1

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.