

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

**S.F. No. 2438**

(SENATE AUTHORS: HAWJ and McEwen)

DATE	D-PG	OFFICIAL STATUS
03/02/2023	1276	Introduction and first reading
		Referred to Environment, Climate, and Legacy
04/11/2023		Comm report: To pass as amended and re-refer to Finance

1.1 A bill for an act

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

1.3 resources; modifying environment and natural resources provisions; modifying

1.4 commissioner's duties; modifying provisions for water and soil conservation;

1.5 prohibiting lead and cadmium in certain consumer products; modifying farmed

1.6 Cervidae provisions; modifying report requirements; requiring reports; requiring

1.7 rulemaking; amending Minnesota Statutes 2022, sections 35.155, subdivisions 1,

1.8 4, 10, 11, 12, by adding subdivisions; 35.156, by adding subdivisions; 84.415,

1.9 subdivision 3; 84.66, subdivision 7; 86B.313, subdivision 4; 97A.465, subdivisions

1.10 3, 8; 97A.475, subdivision 41; 97C.605, subdivisions 1, 2c, 3; 97C.611; 103B.101,

1.11 subdivisions 9, 16, by adding a subdivision; 103B.103; 103C.501, subdivisions 1,

1.12 4, 5, 6; 103D.605, subdivision 5; 103F.505; 103F.511, by adding a subdivision;

1.13 115.01, by adding subdivisions; 115.03, subdivision 1; 115A.1415; 115A.49;

1.14 115A.51; 115A.54, subdivisions 1, 2, 2a; 115A.565, subdivisions 1, 3; 116.07,

1.15 subdivision 6; 171.07, by adding a subdivision; 297A.94; 325F.072, subdivisions

1.16 1, 3, by adding a subdivision; proposing coding for new law in Minnesota Statutes,

1.17 chapters 86B; 103B; 103F; 103G; 116; 325E; repealing Minnesota Statutes 2022,

1.18 sections 35.155, subdivision 14; 86B.101; 86B.305; 86B.313, subdivisions 2, 3;

1.19 97C.605, subdivisions 2, 2a, 2b, 5; 103C.501, subdivisions 2, 3; 115.44, subdivision

1.20 9; 116.011; 325E.389; 325E.3891; Minnesota Rules, parts 6256.0500, subparts 2,

1.21 2a, 2b, 4, 5, 6, 7, 8; 8400.0500; 8400.0550; 8400.0600, subparts 4, 5; 8400.0900,

1.22 subparts 1, 2, 4, 5; 8400.1650; 8400.1700; 8400.1750; 8400.1800; 8400.1900.

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

1.24 **ARTICLE 1**

1.25 **ENVIRONMENT AND NATURAL RESOURCES APPROPRIATIONS**

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

1.27 The sums shown in the columns marked "Appropriations" are appropriated to the agencies

1.28 and for the purposes specified in this article. The appropriations are from the general fund,

1.29 or another named fund, and are available for the fiscal years indicated for each purpose.

1.30 The figures "2024" and "2025" used in this article mean that the appropriations listed under

1.31 them are available for the fiscal year ending June 30, 2024, or June 30, 2025, respectively.

2.1 "The first year" is fiscal year 2024. "The second year" is fiscal year 2025. "The biennium"  
 2.2 is fiscal years 2024 and 2025.

2.3 **APPROPRIATIONS**

2.4 **Available for the Year**

2.5 **Ending June 30**

2.6 **2024**

**2025**

2.7 **Sec. 2. POLLUTION CONTROL AGENCY**

2.8 **Subdivision 1. Total Appropriation** **\$ 310,237,000 \$ 258,986,000**

2.9 **Appropriations by Fund**

	<u>2024</u>	<u>2025</u>
2.10		
2.11 <u>General</u>	<u>185,420,000</u>	<u>130,816,000</u>
2.12 <u>State Government</u>		
2.13 <u>Special Revenue</u>	<u>85,000</u>	<u>90,000</u>
2.14 <u>Environmental</u>	<u>105,187,000</u>	<u>107,833,000</u>
2.15 <u>Remediation</u>	<u>19,545,000</u>	<u>20,247,000</u>

2.16 The amounts that may be spent for each  
 2.17 purpose are specified in the following  
 2.18 subdivisions.

2.19 The commissioner must present the agency's  
 2.20 biennial budget for fiscal years 2026 and 2027  
 2.21 to the legislature in a transparent way by  
 2.22 agency division, including the proposed  
 2.23 budget bill and presentations of the budget to  
 2.24 committees and divisions with jurisdiction  
 2.25 over the agency's budget.

2.26 **Subd. 2. Environmental Analysis and Outcomes** **108,726,000 106,910,000**

2.27 **Appropriations by Fund**

	<u>2024</u>	<u>2025</u>
2.28		
2.29 <u>General</u>	<u>89,353,000</u>	<u>87,472,000</u>
2.30 <u>Environmental</u>	<u>19,174,000</u>	<u>19,233,000</u>
2.31 <u>Remediation</u>	<u>199,000</u>	<u>205,000</u>

2.32 (a) \$122,000 the first year and \$125,000 the  
 2.33 second year are from the general fund for:

- 3.1 (1) a municipal liaison to assist municipalities  
3.2 in implementing and participating in the  
3.3 rulemaking process for water quality standards  
3.4 and navigating the NPDES/SDS permitting  
3.5 process;
- 3.6 (2) enhanced economic analysis in the  
3.7 rulemaking process for water quality  
3.8 standards, including more-specific analysis  
3.9 and identification of cost-effective permitting;
- 3.10 (3) developing statewide economic analyses  
3.11 and templates to reduce the amount of  
3.12 information and time required for  
3.13 municipalities to apply for variances from  
3.14 water quality standards; and
- 3.15 (4) coordinating with the Public Facilities  
3.16 Authority to identify and advocate for the  
3.17 resources needed for municipalities to achieve  
3.18 permit requirements.
- 3.19 (b) \$216,000 the first year and \$219,000 the  
3.20 second year are from the environmental fund  
3.21 for a monitoring program under Minnesota  
3.22 Statutes, section 116.454.
- 3.23 (c) \$132,000 the first year and \$137,000 the  
3.24 second year are for monitoring water quality  
3.25 and operating assistance programs.
- 3.26 (d) \$390,000 the first year and \$399,000 the  
3.27 second year are from the environmental fund  
3.28 for monitoring ambient air for hazardous  
3.29 pollutants.
- 3.30 (e) \$106,000 the first year and \$109,000 the  
3.31 second year are from the environmental fund  
3.32 for duties related to harmful chemicals in  
3.33 children's products under Minnesota Statutes,  
3.34 sections 116.9401 to 116.9407. Of this

4.1 amount, \$68,000 the first year and \$70,000  
4.2 the second year are transferred to the  
4.3 commissioner of health.

4.4 (f) \$128,000 the first year and \$132,000 the  
4.5 second year are from the environmental fund  
4.6 for registering wastewater laboratories.

4.7 (g) \$1,492,000 the first year and \$1,519,000  
4.8 the second year are from the environmental  
4.9 fund to continue perfluorochemical  
4.10 biomonitoring in eastern metropolitan  
4.11 communities, as recommended by the  
4.12 Environmental Health Tracking and  
4.13 Biomonitoring Advisory Panel, and to address  
4.14 other environmental health risks, including air  
4.15 quality. The communities must include Hmong  
4.16 and other immigrant farming communities.

4.17 Of this amount, up to \$1,226,000 the first year  
4.18 and \$1,248,000 the second year are for transfer  
4.19 to the commissioner of health.

4.20 (h) \$61,000 the first year and \$62,000 the  
4.21 second year are from the environmental fund  
4.22 for the listing procedures for impaired waters  
4.23 required under this act.

4.24 (i) \$72,000 the first year and \$74,000 the  
4.25 second year are from the remediation fund for  
4.26 the leaking underground storage tank program  
4.27 to investigate, clean up, and prevent future  
4.28 releases from underground petroleum storage  
4.29 tanks and for the petroleum remediation  
4.30 program for vapor assessment and  
4.31 remediation. These same annual amounts are  
4.32 transferred from the petroleum tank fund to  
4.33 the remediation fund.

5.1 (j) \$500,000 the first year is to facilitate the  
5.2 collaboration and modeling of greenhouse gas  
5.3 impacts, costs, and benefits of strategies to  
5.4 reduce statewide greenhouse gas emissions.

5.5 This is a onetime appropriation.

5.6 (k) \$87,206,000 the first year and \$87,210,000  
5.7 the second year are to establish and implement  
5.8 a local government water infrastructure grant  
5.9 program for local governmental units and  
5.10 Tribal governments. Of this amount,  
5.11 \$81,305,000 the first year and \$86,380,000  
5.12 the second year are for grants to support  
5.13 communities in planning and implementing  
5.14 projects that will allow for adaptation for a  
5.15 changing climate; \$5,000,000 the first year is  
5.16 for a grant to St. Louis County to plan, design,  
5.17 and construct one or more facilities, structures,  
5.18 or other solutions to protect Lake Superior and  
5.19 other waters in the Great Lakes watershed  
5.20 from PFAS contamination from landfill  
5.21 runoff; and \$75,000 the first year is for a grant  
5.22 to the city of Fergus Falls for a two-year water  
5.23 improvement pilot project to address water  
5.24 quality concerns at Lake Alice. The grant may  
5.25 be used to contract for water quality  
5.26 improvement services, testing, necessary  
5.27 infrastructure, training, and maintenance. This  
5.28 is a onetime appropriation and is available  
5.29 until June 30, 2027.

5.30 (l) \$715,000 the first year and \$200,000 the  
5.31 second year are from the environmental fund  
5.32 to implement Minnesota Statutes, section  
5.33 116.065, relating to cumulative impacts. The  
5.34 base is \$200,000 in fiscal year 2026 and  
5.35 beyond.

6.1 (m) \$907,000 the first year and \$955,000 the  
6.2 second year are from the environmental fund  
6.3 to develop and implement a program related  
6.4 to emerging issues, including *Minnesota's*  
6.5 *PFAS Blueprint*.

6.6 (n) \$1,320,000 the first year and \$1,320,000  
6.7 the second year are from the environmental  
6.8 fund to support improved management of data  
6.9 collected by the agency and its partners and  
6.10 regulated parties.

6.11 (o) \$393,000 the first year is from the general  
6.12 fund to develop and implement the protocol  
6.13 for the state response to fish kills under  
6.14 Minnesota Statutes, section 103G.2165. The  
6.15 commissioner may transfer money under this  
6.16 paragraph to other agencies participating in  
6.17 developing the protocol. This is a onetime  
6.18 appropriation.

6.19 (p) \$500,000 the first year is from the general  
6.20 fund for a report on requirements and options  
6.21 for eliminating or reducing PFAS in firefighter  
6.22 turnout gear. The report must include  
6.23 recommendations for future disposal of turnout  
6.24 gear and protocols for PFAS biomonitoring  
6.25 in firefighters. This is a onetime appropriation.

6.26 (q) \$500,000 the first year is from the general  
6.27 fund to develop protocols to be used by  
6.28 agencies and departments for sampling and  
6.29 testing groundwater, surface water, public  
6.30 drinking water, and private wells for  
6.31 microplastics and nanoplastics and to begin  
6.32 implementation. The commissioner of the  
6.33 Pollution Control Agency may transfer money  
6.34 appropriated under this paragraph to the  
6.35 commissioners of agriculture, natural

7.1 resources, and health to implement the  
 7.2 protocols developed under this paragraph. This  
 7.3 is a onetime appropriation and is available  
 7.4 until June 30, 2025.

7.5 (r) \$1,163,000 the first year and \$1,115,000  
 7.6 the second year are from the environmental  
 7.7 fund for implementing Minnesota Statutes,  
 7.8 section 116.943, relating to products  
 7.9 containing PFAS.

7.10 **Subd. 3. Industrial** 41,953,000 22,908,000

7.11	<u>Appropriations by Fund</u>	
7.12	<u>2024</u>	<u>2025</u>
7.13 <u>General</u>	<u>23,664,000</u>	<u>3,964,000</u>
7.14 <u>Environmental</u>	<u>16,568,000</u>	<u>17,171,000</u>
7.15 <u>Remediation</u>	<u>1,721,000</u>	<u>1,773,000</u>

7.16 (a) \$1,621,000 the first year and \$1,670,000  
 7.17 the second year are from the remediation fund  
 7.18 for the leaking underground storage tank  
 7.19 program to investigate, clean up, and prevent  
 7.20 future releases from underground petroleum  
 7.21 storage tanks and for the petroleum  
 7.22 remediation program for vapor assessment  
 7.23 and remediation. These same annual amounts  
 7.24 are transferred from the petroleum tank fund  
 7.25 to the remediation fund.

7.26 (b) \$448,000 the first year and \$457,000 the  
 7.27 second year are from the environmental fund  
 7.28 to further evaluate the use and reduction of  
 7.29 trichloroethylene around Minnesota and  
 7.30 identify its potential health effects on  
 7.31 communities. Of this amount, \$145,000 the  
 7.32 first year and \$149,000 the second year are  
 7.33 transferred to the commissioner of health.

8.1 (c) \$4,000 the first year and \$4,000 the second  
8.2 year are from the environmental fund to  
8.3 purchase air emissions monitoring equipment  
8.4 to support compliance and enforcement  
8.5 activities.

8.6 (d) \$3,200,000 the first year and \$3,200,000  
8.7 the second year are to provide air emission  
8.8 reduction grants. Of this amount, \$2,800,000  
8.9 each year is for grants to reduce air pollution  
8.10 at regulated facilities within environmental  
8.11 justice areas. This appropriation is available  
8.12 until June 30, 2027, and is a onetime  
8.13 appropriation.

8.14 (e) \$40,000 the first year and \$40,000 the  
8.15 second year are for air compliance equipment  
8.16 maintenance.

8.17 (f) \$19,100,000 the first year and \$300,000  
8.18 the second year are to support research on  
8.19 innovative technologies to treat  
8.20 difficult-to-manage pollutants and for  
8.21 implementation grants based on this research  
8.22 at taconite facilities. Of this amount the first  
8.23 year, \$2,100,000 is for research and  
8.24 \$16,700,000 is for grants. This appropriation  
8.25 is available until June 30, 2027. This is a  
8.26 onetime appropriation.

8.27 (g) \$900,000 the first year is from the general  
8.28 fund for a grant to the Board of Regents of the  
8.29 University of Minnesota for academic and  
8.30 applied research through the MnDRIVE  
8.31 program at the Natural Resources Research  
8.32 Institute to develop and demonstrate  
8.33 technologies that enhance the long-term health  
8.34 and management of Minnesota's water and  
8.35 mineral resources. This appropriation is for

9.1 continued characterization of Minnesota's iron  
 9.2 resources and development of next-generation  
 9.3 process technologies for iron products and  
 9.4 reduced effluent. This research must be  
 9.5 conducted in consultation with the Mineral  
 9.6 Coordinating Committee established under  
 9.7 Minnesota Statutes, section 93.0015. This is  
 9.8 a onetime appropriation.

9.9 Subd. 4. **Municipal** 10,555,000 11,203,000

9.10 Appropriations by Fund

9.11	<u>2024</u>	<u>2025</u>
9.12 <u>General</u>	<u>641,000</u>	<u>647,000</u>
9.13 <u>State Government</u>		
9.14 <u>Special Revenue</u>	<u>85,000</u>	<u>90,000</u>
9.15 <u>Environmental</u>	<u>9,829,000</u>	<u>10,466,000</u>

9.16 (a) \$217,000 the first year and \$223,000 the  
 9.17 second year are for:

9.18 (1) a municipal liaison to assist municipalities  
 9.19 in implementing and participating in the  
 9.20 rulemaking process for water quality standards  
 9.21 and navigating the NPDES/SDS permitting  
 9.22 process;

9.23 (2) enhanced economic analysis in the  
 9.24 rulemaking process for water quality  
 9.25 standards, including more-specific analysis  
 9.26 and identification of cost-effective permitting;

9.27 (3) developing statewide economic analyses  
 9.28 and templates to reduce the amount of  
 9.29 information and time required for  
 9.30 municipalities to apply for variances from  
 9.31 water quality standards; and

9.32 (4) coordinating with the Public Facilities  
 9.33 Authority to identify and advocate for the

10.1 resources needed for municipalities to achieve  
10.2 permit requirements.

10.3 (b) \$50,000 the first year and \$50,000 the  
10.4 second year are from the environmental fund  
10.5 for transfer to the Office of Administrative  
10.6 Hearings to establish sanitary districts.

10.7 (c) \$1,240,000 the first year and \$1,338,000  
10.8 the second year are from the environmental  
10.9 fund for subsurface sewage treatment system  
10.10 (SSTS) program administration and  
10.11 community technical assistance and education,  
10.12 including grants and technical assistance to  
10.13 communities for water-quality protection. Of  
10.14 this amount, \$350,000 each year is for  
10.15 assistance to counties through grants for SSTS  
10.16 program administration. A county receiving  
10.17 a grant from this appropriation must submit  
10.18 the results achieved with the grant to the  
10.19 commissioner as part of its annual SSTS  
10.20 report. Any unexpended balance in the first  
10.21 year does not cancel but is available in the  
10.22 second year.

10.23 (d) \$944,000 the first year and \$1,044,000 the  
10.24 second year are from the environmental fund  
10.25 to address the need for continued increased  
10.26 activity in new technology review, technical  
10.27 assistance for local governments, and  
10.28 enforcement under Minnesota Statutes,  
10.29 sections 115.55 to 115.58, and to complete the  
10.30 requirements of Laws 2003, chapter 128,  
10.31 article 1, section 165.

10.32 (e) Notwithstanding Minnesota Statutes,  
10.33 section 16A.28, the appropriations  
10.34 encumbered on or before June 30, 2025, as  
10.35 grants or contracts for subsurface sewage

11.1 treatment systems, surface water and  
 11.2 groundwater assessments, storm water, and  
 11.3 water-quality protection in this subdivision  
 11.4 are available until June 30, 2028.

11.5 **Subd. 5. Operations** 31,218,000 29,923,000

11.6 Appropriations by Fund

	<u>2024</u>	<u>2025</u>
11.7		
11.8 <u>General</u>	<u>20,750,000</u>	<u>19,359,000</u>
11.9 <u>Environmental</u>	<u>7,851,000</u>	<u>8,073,000</u>
11.10 <u>Remediation</u>	<u>2,617,000</u>	<u>2,491,000</u>

11.11 (a) \$1,154,000 the first year and \$1,124,000  
 11.12 the second year are from the remediation fund  
 11.13 for the leaking underground storage tank  
 11.14 program to investigate, clean up, and prevent  
 11.15 future releases from underground petroleum  
 11.16 storage tanks and for the petroleum  
 11.17 remediation program for vapor assessment  
 11.18 and remediation. These same annual amounts  
 11.19 are transferred from the petroleum tank fund  
 11.20 to the remediation fund.

11.21 (b) \$3,000,000 the first year and \$3,109,000  
 11.22 the second year are to support agency  
 11.23 information technology services provided at  
 11.24 the enterprise and agency level.

11.25 (c) \$906,000 the first year and \$919,000 the  
 11.26 second year are from the environmental fund  
 11.27 to develop and maintain systems to support  
 11.28 permitting and regulatory business processes  
 11.29 and agency data.

11.30 (d) \$2,000,000 the first year and \$2,000,000  
 11.31 the second year are to provide technical  
 11.32 assistance to Tribal governments. This is a  
 11.33 onetime appropriation.

12.1 (e) \$15,750,000 the first year and \$14,250,000  
 12.2 the second year are to support modernizing  
 12.3 and automating agency environmental  
 12.4 programs and data systems and how the  
 12.5 agency provides services to regulated parties,  
 12.6 partners, and the public. This appropriation is  
 12.7 available until June 30, 2027. This is a onetime  
 12.8 appropriation.

12.9 (f) \$1,100,000 the first year and \$1,100,000  
 12.10 the second year are from the environmental  
 12.11 fund for workforce innovation.

12.12 **Subd. 6. Remediation** 40,242,000 16,022,000

12.13	<u>Appropriations by Fund</u>	
12.14	<u>2024</u>	<u>2025</u>
12.15 <u>General</u>	<u>25,000,000</u>	<u>-0-</u>
12.16 <u>Environmental</u>	<u>607,000</u>	<u>628,000</u>
12.17 <u>Remediation</u>	<u>14,635,000</u>	<u>15,394,000</u>

12.18 (a) All money for environmental response,  
 12.19 compensation, and compliance in the  
 12.20 remediation fund not otherwise appropriated  
 12.21 is appropriated to the commissioners of the  
 12.22 Pollution Control Agency and agriculture for  
 12.23 purposes of Minnesota Statutes, section  
 12.24 115B.20, subdivision 2, clauses (1), (2), (3),  
 12.25 (6), and (7). At the beginning of each fiscal  
 12.26 year, the two commissioners must jointly  
 12.27 submit to the commissioner of management  
 12.28 and budget an annual spending plan that  
 12.29 maximizes resource use and appropriately  
 12.30 allocates the money between the two  
 12.31 departments. This appropriation is available  
 12.32 until June 30, 2025.

12.33 (b) \$415,000 the first year and \$426,000 the  
 12.34 second year are from the environmental fund  
 12.35 to manage contaminated sediment projects at

13.1 multiple sites identified in the St. Louis River  
 13.2 remedial action plan to restore water quality  
 13.3 in the St. Louis River Area of Concern.

13.4 (c) \$4,476,000 the first year and \$4,622,000  
 13.5 the second year are from the remediation fund  
 13.6 for the leaking underground storage tank  
 13.7 program to investigate, clean up, and prevent  
 13.8 future releases from underground petroleum  
 13.9 storage tanks and for the petroleum  
 13.10 remediation program for vapor assessment  
 13.11 and remediation. These same annual amounts  
 13.12 are transferred from the petroleum tank fund  
 13.13 to the remediation fund.

13.14 (d) \$308,000 the first year and \$316,000 the  
 13.15 second year are from the remediation fund for  
 13.16 transfer to the commissioner of health for  
 13.17 private water-supply monitoring and health  
 13.18 assessment costs in areas contaminated by  
 13.19 unpermitted mixed municipal solid waste  
 13.20 disposal facilities and drinking water  
 13.21 advisories and public information activities  
 13.22 for areas contaminated by hazardous releases.

13.23 (e) \$25,000,000 the first year is for grants to  
 13.24 support planning, designing, and preparing for  
 13.25 solutions for public water treatment systems  
 13.26 contaminated with PFAS. The grants are to  
 13.27 reimburse local public water supply operators  
 13.28 for source investigations, sampling and  
 13.29 treating private drinking water wells, and  
 13.30 evaluating solutions for treating private  
 13.31 drinking water wells. This appropriation is  
 13.32 available until June 30, 2027, and is a onetime  
 13.33 appropriation.

13.34 **Subd. 7. Resource Management and Assistance**

64,500,000

58,904,000

14.1	<u>Appropriations by Fund</u>	
14.2	<u>2024</u>	<u>2025</u>
14.3	<u>General</u>	<u>21,047,000</u> <u>14,850,000</u>
14.4	<u>Environmental</u>	<u>43,453,000</u> <u>44,054,000</u>
14.5	<u>(a) Up to \$150,000 the first year and \$150,000</u>	
14.6	<u>the second year may be transferred from the</u>	
14.7	<u>environmental fund to the small business</u>	
14.8	<u>environmental improvement loan account</u>	
14.9	<u>under Minnesota Statutes, section 116.993.</u>	
14.10	<u>(b) \$1,000,000 the first year and \$1,000,000</u>	
14.11	<u>the second year are for competitive recycling</u>	
14.12	<u>grants under Minnesota Statutes, section</u>	
14.13	<u>115A.565. Of this amount, \$300,000 the first</u>	
14.14	<u>year and \$300,000 the second year are from</u>	
14.15	<u>the general fund, and \$700,000 the first year</u>	
14.16	<u>and \$700,000 the second year are from the</u>	
14.17	<u>environmental fund. This appropriation is</u>	
14.18	<u>available until June 30, 2027.</u>	
14.19	<u>(c) \$694,000 the first year and \$694,000 the</u>	
14.20	<u>second year are from the environmental fund</u>	
14.21	<u>for emission-reduction activities and grants to</u>	
14.22	<u>small businesses and other</u>	
14.23	<u>nonpoint-emission-reduction efforts. Of this</u>	
14.24	<u>amount, \$100,000 the first year and \$100,000</u>	
14.25	<u>the second year are to continue work with</u>	
14.26	<u>Clean Air Minnesota, and the commissioner</u>	
14.27	<u>may enter into an agreement with</u>	
14.28	<u>Environmental Initiative to support this effort.</u>	
14.29	<u>(d) \$20,450,000 the first year and \$20,450,000</u>	
14.30	<u>the second year are from the environmental</u>	
14.31	<u>fund for SCORE block grants to counties.</u>	
14.32	<u>(e) \$119,000 the first year and \$119,000 the</u>	
14.33	<u>second year are from the environmental fund</u>	
14.34	<u>for environmental assistance grants or loans</u>	
14.35	<u>under Minnesota Statutes, section 115A.0716.</u>	

15.1 (f) \$400,000 the first year and \$400,000 the  
15.2 second year are from the environmental fund  
15.3 for grants to develop and expand recycling  
15.4 markets for Minnesota businesses.

15.5 (g) \$767,000 the first year and \$770,000 the  
15.6 second year are from the environmental fund  
15.7 for reducing and diverting food waste,  
15.8 redirecting edible food for consumption, and  
15.9 removing barriers to collecting and recovering  
15.10 organic waste. Of this amount, \$500,000 each  
15.11 year is for grants to increase food rescue and  
15.12 waste prevention. This appropriation is  
15.13 available until June 30, 2027.

15.14 (h) \$2,797,000 the first year and \$2,811,000  
15.15 the second year are from the environmental  
15.16 fund for the purposes of Minnesota Statutes,  
15.17 section 473.844.

15.18 (i) \$318,000 the first year and \$324,000 the  
15.19 second year are from the environmental fund  
15.20 to address chemicals in products, including to  
15.21 implement and enforce flame retardant  
15.22 provisions under Minnesota Statutes, section  
15.23 325F.071, and perfluoroalkyl and  
15.24 polyfluoroalkyl substances in food packaging  
15.25 provisions under Minnesota Statutes, section  
15.26 325F.075. Of this amount, \$78,000 the first  
15.27 year and \$80,000 the second year are  
15.28 transferred to the commissioner of health.

15.29 (j) \$180,000 the first year and \$140,000 the  
15.30 second year are for quantifying climate-related  
15.31 impacts from projects for environmental  
15.32 review. This is a onetime appropriation.

15.33 (k) \$1,790,000 the first year and \$70,000 the  
15.34 second year are for accelerating pollution

16.1 prevention at small businesses. Of this amount,  
16.2 \$1,720,000 the first year is for zero-interest  
16.3 loans to phase out high-polluting equipment,  
16.4 products, and processes and replace with new  
16.5 options. This appropriation is available until  
16.6 June 30, 2027. This is a onetime appropriation.

16.7 (l) \$190,000 the first year and \$190,000 the  
16.8 second year are to support the Greenstep Cities  
16.9 program. This is a onetime appropriation.

16.10 (m) \$420,000 the first year is to complete a  
16.11 study on the viability of recycling solar energy  
16.12 equipment. This is a onetime appropriation.

16.13 (n) \$17,000 the first year is for rulemaking for  
16.14 the capital assistance program. This is a  
16.15 onetime appropriation.

16.16 (o) \$650,000 the first year and \$650,000 the  
16.17 second year are from the environmental fund  
16.18 for Minnesota GreenCorps investment.

16.19 (p) \$4,210,000 the first year and \$210,000 the  
16.20 second year are for PFAS reduction grants.  
16.21 Of this amount, \$4,000,000 the first year is  
16.22 for grants to industry and public entities to  
16.23 identify sources of PFAS entering facilities  
16.24 and to develop pollution prevention and  
16.25 reduction initiatives to reduce PFAS entering  
16.26 facilities, prevent releases, and monitor the  
16.27 effectiveness of these projects. This is a  
16.28 ontetime appropriation and is available until  
16.29 June 30, 2027.

16.30 (q) \$13,940,000 the first year and \$13,940,000  
16.31 the second year are for a waste prevention and  
16.32 reduction grants and loans program. This is a  
16.33 onetime appropriation and is available until  
16.34 June 30, 2027.

17.1 (r) Any unencumbered grant and loan balances  
 17.2 in the first year do not cancel but are available  
 17.3 for grants and loans in the second year.  
 17.4 Notwithstanding Minnesota Statutes, section  
 17.5 16A.28, the appropriations encumbered on or  
 17.6 before June 30, 2025, as contracts or grants  
 17.7 for environmental assistance awarded under  
 17.8 Minnesota Statutes, section 115A.0716;  
 17.9 technical and research assistance under  
 17.10 Minnesota Statutes, section 115A.152;  
 17.11 technical assistance under Minnesota Statutes,  
 17.12 section 115A.52; and pollution prevention  
 17.13 assistance under Minnesota Statutes, section  
 17.14 115D.04, are available until June 30, 2027.

17.15 (s) \$150,000 the second year is from the  
 17.16 environmental fund for the lead and cadmium  
 17.17 in consumer products prohibition under  
 17.18 Minnesota Statutes, section 325E.3892.

17.19 **Subd. 8. Watershed** 10,968,000 11,477,000

17.20	<u>Appropriations by Fund</u>	
17.21	<u>2024</u>	<u>2025</u>
17.22 <u>General</u>	<u>3,111,000</u>	<u>3,111,000</u>
17.23 <u>Environmental</u>	<u>7,484,000</u>	<u>7,982,000</u>
17.24 <u>Remediation</u>	<u>373,000</u>	<u>384,000</u>

17.25 (a) \$2,959,000 the first year and \$2,959,000  
 17.26 the second year are for grants to delegated  
 17.27 counties to administer the county feedlot  
 17.28 program under Minnesota Statutes, section  
 17.29 116.0711, subdivisions 2 and 3. Money  
 17.30 remaining after the first year is available for  
 17.31 the second year.

17.32 (b) \$236,000 the first year and \$241,000 the  
 17.33 second year are from the environmental fund  
 17.34 for the costs of implementing general

18.1 operating permits for feedlots over 1,000  
 18.2 animal units.

18.3 (c) \$125,000 the first year and \$129,000 the  
 18.4 second year are from the remediation fund for  
 18.5 the leaking underground storage tank program  
 18.6 to investigate, clean up, and prevent future  
 18.7 releases from underground petroleum storage  
 18.8 tanks and for the petroleum remediation  
 18.9 program for vapor assessment and  
 18.10 remediation. These same annual amounts are  
 18.11 transferred from the petroleum tank fund to  
 18.12 the remediation fund.

18.13 **Subd. 9. Environmental Quality Board** 2,075,000 1,639,000

18.14 Appropriations by Fund

	<u>2024</u>	<u>2025</u>
18.15		
18.16 <u>General</u>	<u>1,854,000</u>	<u>1,413,000</u>
18.17 <u>Environmental</u>	<u>221,000</u>	<u>226,000</u>

18.18 \$620,000 the first year and \$140,000 the  
 18.19 second year are to develop a Minnesota-based  
 18.20 greenhouse gas sector and source-specific  
 18.21 guidance, including climate information, a  
 18.22 greenhouse gas calculator, and technical  
 18.23 assistance for users. This is a onetime  
 18.24 appropriation.

18.25 **Subd. 10. Transfers**

18.26 (a) The commissioner must transfer up to  
 18.27 \$24,000,000 the first year and each fiscal year  
 18.28 thereafter from the environmental fund to the  
 18.29 remediation fund for purposes of the  
 18.30 remediation fund under Minnesota Statutes,  
 18.31 section 116.155, subdivision 2.

18.32 (b) By June 30, 2024, the commissioner of  
 18.33 management and budget must transfer  
 18.34 \$12,000,000 from the general fund to the



20.1 enhance future mineral income, and projects  
20.2 to promote new mineral-resource  
20.3 opportunities.

20.4 (c) \$218,000 the first year and \$218,000 the  
20.5 second year are transferred from the forest  
20.6 suspense account to the permanent school fund  
20.7 and are appropriated from the permanent  
20.8 school fund to secure maximum long-term  
20.9 economic return from the school trust lands  
20.10 consistent with fiduciary responsibilities and  
20.11 sound natural resources conservation and  
20.12 management principles.

20.13 (d) \$338,000 the first year and \$338,000 the  
20.14 second year are from the water management  
20.15 account in the natural resources fund for  
20.16 mining hydrology.

20.17 (e) \$1,052,000 the first year and \$242,000 the  
20.18 second year are for modernizing utility  
20.19 licensing for state lands and public waters.  
20.20 The first year appropriation is available  
20.21 through fiscal year 2026. This is a onetime  
20.22 appropriation.

20.23 (f) \$5,388,000 the first year is for costs,  
20.24 including land acquisition, associated with the  
20.25 transfer of state-owned land within the  
20.26 boundaries of Upper Sioux Agency State Park  
20.27 to the Upper Sioux Community. This is a  
20.28 onetime appropriation and is available until  
20.29 June 30, 2027.

20.30 (g) \$1,000,000 in fiscal year 2023 is from the  
20.31 general fund to address safety concerns at the  
20.32 drill core library. This is a onetime  
20.33 appropriation and is available until June 30,  
20.34 2026.

21.1	<b><u>Subd. 3. Ecological and Water Resources</u></b>	<u>45,315,000</u>	<u>44,413,000</u>
21.2	<u>Appropriations by Fund</u>		
21.3		<u>2024</u>	<u>2025</u>
21.4	<u>General</u>	<u>25,949,000</u>	<u>26,258,000</u>
21.5	<u>Natural Resources</u>	<u>12,431,000</u>	<u>12,431,000</u>
21.6	<u>Game and Fish</u>	<u>6,935,000</u>	<u>5,724,000</u>
21.7	<u>(a) \$4,222,000 the first year and \$4,222,000</u>		
21.8	<u>the second year are from the invasive species</u>		
21.9	<u>account in the natural resources fund and</u>		
21.10	<u>\$2,831,000 the first year and \$2,831,000 the</u>		
21.11	<u>second year are from the general fund for</u>		
21.12	<u>management, public awareness, assessment</u>		
21.13	<u>and monitoring research, and water access</u>		
21.14	<u>inspection to prevent the spread of invasive</u>		
21.15	<u>species; management of invasive plants in</u>		
21.16	<u>public waters; and management of terrestrial</u>		
21.17	<u>invasive species on state-administered lands.</u>		
21.18	<u>(b) \$5,556,000 the first year and \$5,556,000</u>		
21.19	<u>the second year are from the water</u>		
21.20	<u>management account in the natural resources</u>		
21.21	<u>fund for only the purposes specified in</u>		
21.22	<u>Minnesota Statutes, section 103G.27,</u>		
21.23	<u>subdivision 2.</u>		
21.24	<u>(c) \$124,000 the first year and \$124,000 the</u>		
21.25	<u>second year are for a grant to the Mississippi</u>		
21.26	<u>Headwaters Board for up to 50 percent of the</u>		
21.27	<u>cost of implementing the comprehensive plan</u>		
21.28	<u>for the upper Mississippi within areas under</u>		
21.29	<u>the board's jurisdiction.</u>		
21.30	<u>(d) \$10,000 the first year and \$10,000 the</u>		
21.31	<u>second year are for payment to the Leech Lake</u>		
21.32	<u>Band of Chippewa Indians to implement the</u>		
21.33	<u>band's portion of the comprehensive plan for</u>		
21.34	<u>the upper Mississippi River.</u>		

- 22.1 (e) \$300,000 the first year and \$300,000 the  
22.2 second year are for grants for up to 50 percent  
22.3 of the cost of implementing the Red River  
22.4 mediation agreement. The base for fiscal year  
22.5 2026 and later is \$264,000.
- 22.6 (f) \$2,498,000 the first year and \$2,498,000  
22.7 the second year are from the heritage  
22.8 enhancement account in the game and fish  
22.9 fund for only the purposes specified in  
22.10 Minnesota Statutes, section 297A.94,  
22.11 paragraph (h), clause (1).
- 22.12 (g) \$1,150,000 the first year and \$1,150,000  
22.13 the second year are from the nongame wildlife  
22.14 management account in the natural resources  
22.15 fund for nongame wildlife management.
- 22.16 Notwithstanding Minnesota Statutes, section  
22.17 290.431, \$100,000 the first year and \$100,000  
22.18 the second year may be used for nongame  
22.19 wildlife information, education, and  
22.20 promotion.
- 22.21 (h) Notwithstanding Minnesota Statutes,  
22.22 section 84.943, \$28,000 the first year and  
22.23 \$28,000 the second year from the critical  
22.24 habitat private sector matching account may  
22.25 be used to publicize the critical habitat license  
22.26 plate match program.
- 22.27 (i) \$6,000,000 the first year and \$6,000,000  
22.28 the second year are for the following activities:
- 22.29 (1) financial reimbursement and technical  
22.30 support to soil and water conservation districts  
22.31 or other local units of government for  
22.32 groundwater-level monitoring;
- 22.33 (2) surface water monitoring and analysis,  
22.34 including installing monitoring gauges;

- 23.1 (3) groundwater analysis to assist with  
23.2 water-appropriation permitting decisions;
- 23.3 (4) permit application review incorporating  
23.4 surface water and groundwater technical  
23.5 analysis;
- 23.6 (5) precipitation data and analysis to improve  
23.7 irrigation use;
- 23.8 (6) information technology, including  
23.9 electronic permitting and integrated data  
23.10 systems; and
- 23.11 (7) compliance and monitoring.
- 23.12 (j) \$410,000 the first year and \$410,000 the  
23.13 second year are from the heritage enhancement  
23.14 account in the game and fish fund and  
23.15 \$500,000 the first year and \$500,000 the  
23.16 second year are from the general fund for  
23.17 grants to the Minnesota Aquatic Invasive  
23.18 Species Research Center at the University of  
23.19 Minnesota to prioritize, support, and develop  
23.20 research-based solutions that can reduce the  
23.21 effects of aquatic invasive species in  
23.22 Minnesota by preventing spread, controlling  
23.23 populations, and managing ecosystems and to  
23.24 advance knowledge to inspire action by others.
- 23.25 (k) \$134,000 the first year and \$134,000 the  
23.26 second year are for increased capacity for  
23.27 broadband utility licensing for state lands and  
23.28 public waters. This is a onetime appropriation.
- 23.29 (l) \$998,000 the first year and \$568,000 the  
23.30 second year are for protecting and restoring  
23.31 carbon storage in state-administered peatlands.  
23.32 This is a onetime appropriation and is  
23.33 available until June 30, 2028.

24.1 (m) \$200,000 the first year is from the general  
24.2 fund to the Board of Regents of the University  
24.3 of Minnesota for the University of Minnesota  
24.4 Water Council to develop a scope of work,  
24.5 timeline, and budget for a plan to promote and  
24.6 protect clean water in Minnesota for the next  
24.7 50 years. The 50-year clean water plan must:  
24.8 (1) provide a literature-based assessment of  
24.9 the current status and trends regarding the  
24.10 quality and quantity of all Minnesota waters,  
24.11 both surface and subsurface; (2) identify gaps  
24.12 in the data or understanding and provide  
24.13 recommended action steps to address gaps;  
24.14 (3) identify existing and potential future  
24.15 threats to Minnesota's waters; and (4) propose  
24.16 a road map of scenarios and policy  
24.17 recommendations to allow the state to  
24.18 proactively protect, remediate, and conserve  
24.19 clean water for human use and biodiversity  
24.20 for the next 50 years. The scope of work must  
24.21 outline the steps and resources necessary to  
24.22 develop the plan, including but not limited to  
24.23 the data sets that are required and how the  
24.24 University of Minnesota will obtain access;  
24.25 the suite of proposed analysis methods; the  
24.26 roles and responsibilities of project leaders,  
24.27 key personnel, and stakeholders; the project  
24.28 timeline with milestones; and a budget with  
24.29 expected costs for tasks and milestones. By  
24.30 December 1, 2023, the Board of Regents of  
24.31 the University of Minnesota must submit the  
24.32 scope of work to the chairs and ranking  
24.33 minority members of the house of  
24.34 representatives and senate committees and  
24.35 divisions with jurisdiction over environment

25.1 and natural resources. This is a onetime  
25.2 appropriation.

25.3 (n) \$943,000 the first year is from the heritage  
25.4 enhancement account in the game and fish  
25.5 fund to examine the effects of neonicotinoid  
25.6 exposure on the reproduction and survival of  
25.7 Minnesota's game species, including deer and  
25.8 prairie chicken. This is a onetime  
25.9 appropriation and is available until June 30,  
25.10 2027.

25.11 (o) \$395,000 the first year is to expand  
25.12 invasive carp surveys and carp removal from  
25.13 the Mississippi River, measure the efficacy of  
25.14 invasive carp management practices, and pay  
25.15 for related staffing costs. This is a onetime  
25.16 appropriation.

25.17 (p) \$325,000 the first year is for a grant to the  
25.18 Board of Regents of the University of  
25.19 Minnesota to study the Mississippi River Lock  
25.20 and Dam 5 spillway gate to optimize  
25.21 management to reduce invasive carp passage.  
25.22 This is a onetime appropriation.

25.23 (q) \$268,000 the first year is from the heritage  
25.24 enhancement account in the game and fish  
25.25 fund for native fish conservation and  
25.26 classification. By August 1, 2023, a written  
25.27 update on the progress of identifying necessary  
25.28 protection and conservation measures for  
25.29 native fish currently defined as rough fish  
25.30 under Minnesota Statutes, section 97A.015,  
25.31 subdivision 43, including buffalo, sucker,  
25.32 sheepshead, bowfin, gar, goldeye, and  
25.33 bullhead, must be submitted to the chairs and  
25.34 ranking minority members of the house of  
25.35 representatives and senate committees and

26.1 divisions with jurisdiction over environment  
26.2 and natural resources. By December 15, 2023,  
26.3 a written report with recommendations for  
26.4 statutory and rule changes to provide  
26.5 necessary protection and conservation  
26.6 measures and research needs for native fish  
26.7 currently designated as rough fish must be  
26.8 submitted to the chairs and ranking minority  
26.9 members of the house of representatives and  
26.10 senate committees and divisions with  
26.11 jurisdiction over environment and natural  
26.12 resources. The report must include  
26.13 recommendations for amending Minnesota  
26.14 Statutes to separately classify fish that are  
26.15 native to Minnesota and that are currently  
26.16 designated as rough fish and invasive fish that  
26.17 are currently designated as rough fish. For the  
26.18 purposes of this paragraph, native fish include  
26.19 but are not limited to bowfin (*Amia calva*),  
26.20 bigmouth buffalo (*Ictiobus cyprinellus*),  
26.21 smallmouth buffalo (*Ictiobus bubalus*), burbot  
26.22 (*Lota lota*), longnose gar (*Lepisosteus osseus*),  
26.23 shortnose gar (*Lepisosteus platostomus*),  
26.24 goldeye (*Hiodon alosoides*), mooneye (*Hiodon*  
26.25 *tergisus*), white sucker (*Catostomus*  
26.26 *commersonii*), and invasive fish include but  
26.27 are not limited to bighead carp  
26.28 (*Hypophthalmichthys nobilis*), grass carp  
26.29 (*Ctenopharyngodon idella*), and silver carp  
26.30 (*Hypophthalmichthys molitrix*). This is a  
26.31 onetime appropriation.

26.32 (r) \$40,000 the first year is for a grant to the  
26.33 Stearns Coalition of Lake Associations to  
26.34 manage aquatic invasive species. The  
26.35 unencumbered balance of the general fund  
26.36 appropriation in Laws 2021, First Special

27.1 Session chapter 6, article 1, section 3,  
 27.2 subdivision 3, paragraph (a), for the grant to  
 27.3 the Stearns Coalition of Lake Associations,  
 27.4 estimated to be \$40,000, is canceled no later  
 27.5 than June 29, 2023.

27.6 (s) The total general fund base budget for the  
 27.7 ecological and water resources division for  
 27.8 fiscal year 2026 and later is \$25,120,000.

27.9 **Subd. 4. Forest Management** 70,325,000 71,667,000

	<u>Appropriations by Fund</u>	
	<u>2024</u>	<u>2025</u>
27.11		
27.12	<u>52,672,000</u>	<u>53,989,000</u>
27.13	<u>16,161,000</u>	<u>16,161,000</u>
27.14	<u>1,492,000</u>	<u>1,517,000</u>

27.15 (a) \$7,521,000 the first year and \$7,521,000  
 27.16 the second year are for prevention,  
 27.17 presuppression, and suppression costs of  
 27.18 emergency firefighting and other costs  
 27.19 incurred under Minnesota Statutes, section  
 27.20 88.12. The amount necessary to pay for  
 27.21 presuppression and suppression costs during  
 27.22 the biennium is appropriated from the general  
 27.23 fund. By January 15 each year, the  
 27.24 commissioner of natural resources must submit  
 27.25 a report to the chairs and ranking minority  
 27.26 members of the house and senate committees  
 27.27 and divisions having jurisdiction over  
 27.28 environment and natural resources finance that  
 27.29 identifies all firefighting costs incurred and  
 27.30 reimbursements received in the prior fiscal  
 27.31 year. These appropriations may not be  
 27.32 transferred. Any reimbursement of firefighting  
 27.33 expenditures made to the commissioner from  
 27.34 any source other than federal mobilizations  
 27.35 must be deposited into the general fund.

- 28.1 (b) \$15,386,000 the first year and \$15,386,000  
28.2 the second year are from the forest  
28.3 management investment account in the natural  
28.4 resources fund for only the purposes specified  
28.5 in Minnesota Statutes, section 89.039,  
28.6 subdivision 2.
- 28.7 (c) \$1,492,000 the first year and \$1,517,000  
28.8 the second year are from the heritage  
28.9 enhancement account in the game and fish  
28.10 fund to advance ecological classification  
28.11 systems (ECS), forest habitat, and invasive  
28.12 species management.
- 28.13 (d) \$906,000 the first year and \$926,000 the  
28.14 second year are for the Forest Resources  
28.15 Council to implement the Sustainable Forest  
28.16 Resources Act.
- 28.17 (e) \$1,143,000 the first year and \$1,143,000  
28.18 the second year are for the Next Generation  
28.19 Core Forestry data system. Of this  
28.20 appropriation, \$868,000 each year is from the  
28.21 general fund and \$275,000 each year is from  
28.22 the forest management investment account in  
28.23 the natural resources fund.
- 28.24 (f) \$500,000 the first year and \$500,000 the  
28.25 second year are from the forest management  
28.26 investment account in the natural resources  
28.27 fund for forest road maintenance on state  
28.28 forest roads.
- 28.29 (g) \$500,000 the first year and \$500,000 the  
28.30 second year are for forest road maintenance  
28.31 on county forest roads.
- 28.32 (h) \$2,086,000 the first year and \$2,086,000  
28.33 the second year are to support forest  
28.34 management, cost-share assistance, and

29.1 inventory on private woodlands. This is a  
 29.2 onetime appropriation.

29.3 (i) \$400,000 the first year and \$400,000 the  
 29.4 second year are to accelerate tree seed  
 29.5 collection to support a growing demand for  
 29.6 tree planting on public and private lands. This  
 29.7 is a onetime appropriation.

29.8 (j) \$8,900,000 the first year and \$8,900,000  
 29.9 the second year are for grants to local and  
 29.10 Tribal governments and nonprofit  
 29.11 organizations to enhance community forest  
 29.12 ecosystem health and sustainability under  
 29.13 Minnesota Statutes, section 88.82, the  
 29.14 Minnesota ReLeaf program. This  
 29.15 appropriation is available until June 30, 2027.

29.16 Money appropriated for grants under this  
 29.17 paragraph may be used to pay reasonable costs  
 29.18 incurred by the commissioner of natural  
 29.19 resources to administer the grants. The base  
 29.20 is \$400,000 beginning in fiscal year 2026.

29.21 (k) \$1,500,000 the first year and \$1,500,000  
 29.22 the second year are for forest stand  
 29.23 improvement and to meet the reforestation  
 29.24 requirements of Minnesota Statutes, section  
 29.25 89.002, subdivision 2. This is a onetime  
 29.26 appropriation.

29.27 **Subd. 5. Parks and Trails Management** 102,687,000 105,420,000

29.28	<u>Appropriations by Fund</u>	
29.29	<u>2024</u>	<u>2025</u>
29.30	<u>General</u>	<u>32,794,000</u> <u>36,507,000</u>
29.31	<u>Natural Resources</u>	<u>67,593,000</u> <u>66,613,000</u>
29.32	<u>Game and Fish</u>	<u>2,300,000</u> <u>2,300,000</u>

29.33 (a) \$8,985,000 the first year and \$8,985,000  
 29.34 the second year are from the natural resources

30.1 fund for state trail, park, and recreation area  
30.2 operations. This appropriation is from revenue  
30.3 deposited in the natural resources fund under  
30.4 Minnesota Statutes, section 297A.94,  
30.5 paragraph (h), clause (2).

30.6 (b) \$20,828,000 the first year and \$20,828,000  
30.7 the second year are from the state parks  
30.8 account in the natural resources fund to  
30.9 operate and maintain state parks and state  
30.10 recreation areas.

30.11 (c) \$1,140,000 the first year and \$1,140,000  
30.12 the second year are from the natural resources  
30.13 fund for park and trail grants to local units of  
30.14 government on land to be maintained for at  
30.15 least 20 years for parks or trails. This  
30.16 appropriation is from revenue deposited in the  
30.17 natural resources fund under Minnesota  
30.18 Statutes, section 297A.94, paragraph (h),  
30.19 clause (4). Any unencumbered balance does  
30.20 not cancel at the end of the first year and is  
30.21 available for the second year.

30.22 (d) \$9,624,000 the first year and \$9,624,000  
30.23 the second year are from the snowmobile trails  
30.24 and enforcement account in the natural  
30.25 resources fund for the snowmobile  
30.26 grants-in-aid program. Any unencumbered  
30.27 balance does not cancel at the end of the first  
30.28 year and is available for the second year.

30.29 (e) \$2,435,000 the first year and \$2,435,000  
30.30 the second year are from the natural resources  
30.31 fund for the off-highway vehicle grants-in-aid  
30.32 program. Of this amount, \$1,960,000 each  
30.33 year is from the all-terrain vehicle account;  
30.34 \$150,000 each year is from the off-highway  
30.35 motorcycle account; and \$325,000 each year

31.1 is from the off-road vehicle account. Any  
31.2 unencumbered balance does not cancel at the  
31.3 end of the first year and is available for the  
31.4 second year.

31.5 (f) \$2,250,000 the first year and \$2,250,000  
31.6 the second year are from the state land and  
31.7 water conservation account in the natural  
31.8 resources fund for priorities established by the  
31.9 commissioner for eligible state projects and  
31.10 administrative and planning activities  
31.11 consistent with Minnesota Statutes, section  
31.12 84.0264, and the federal Land and Water  
31.13 Conservation Fund Act. Any unencumbered  
31.14 balance does not cancel at the end of the first  
31.15 year and is available for the second year.

31.16 (g) \$250,000 the first year and \$250,000 the  
31.17 second year are for matching grants for local  
31.18 parks and outdoor recreation areas under  
31.19 Minnesota Statutes, section 85.019,  
31.20 subdivision 2.

31.21 (h) \$250,000 the first year and \$250,000 the  
31.22 second year are for matching grants for local  
31.23 trail connections under Minnesota Statutes,  
31.24 section 85.019, subdivision 4c.

31.25 (i) \$500,000 the first year and \$750,000 the  
31.26 second year are from the natural resources  
31.27 fund for parks and trails of regional  
31.28 significance outside of the seven-county  
31.29 metropolitan area under Minnesota Statutes,  
31.30 section 85.535, based on the recommendations  
31.31 from the Greater Minnesota Regional Parks  
31.32 and Trails Commission. This appropriation is  
31.33 from revenue deposited in the natural  
31.34 resources fund under Minnesota Statutes,  
31.35 section 297A.94, paragraph (i).

- 32.1 (j) \$300,000 the first year and \$350,000 the  
32.2 second year are from the natural resources  
32.3 fund for projects and activities that connect  
32.4 diverse and underserved Minnesotans through  
32.5 expanding cultural environmental experiences,  
32.6 exploration of their environment, and outdoor  
32.7 recreational activities. This appropriation is  
32.8 from revenue deposited in the natural  
32.9 resources fund under Minnesota Statutes,  
32.10 section 297A.94, paragraph (j).
- 32.11 (k) \$750,000 the first year is from the  
32.12 all-terrain vehicle account in the natural  
32.13 resources fund to the commissioner of natural  
32.14 resources for a grant to St. Louis County to  
32.15 match other funding sources for design,  
32.16 right-of-way acquisition, permitting, and  
32.17 construction of trails within the Voyageur  
32.18 Country ATV trail system. This is a onetime  
32.19 appropriation and is available until June 30,  
32.20 2026. This appropriation may be used as a  
32.21 local match to a 2023 state bonding award.
- 32.22 (l) \$700,000 the first year is from the  
32.23 all-terrain vehicle account in the natural  
32.24 resources fund to the commissioner of natural  
32.25 resources for a grant to St. Louis County to  
32.26 match other funding sources for design,  
32.27 right-of-way acquisition, permitting, and  
32.28 construction of a new trail within the  
32.29 Prospector trail system. This is a onetime  
32.30 appropriation and is available until June 30,  
32.31 2026. This appropriation may be used as a  
32.32 local match to a 2023 state bonding award.
- 32.33 (m) \$250,000 the first year and \$250,000 the  
32.34 second year are from the all-terrain vehicle  
32.35 account in the natural resources fund to the

33.1 commissioner of natural resources for a grant  
 33.2 to Aitkin County, in cooperation with the  
 33.3 Northwoods Regional ATV Trail Alliance, to  
 33.4 maintain and repair the Northwoods Regional  
 33.5 ATV trail system. This is a onetime  
 33.6 appropriation and is available until June 30,  
 33.7 2026.

33.8 (n) The total general fund base budget for the  
 33.9 parks and trails division for fiscal year 2026  
 33.10 and later is \$35,507,000.

33.11 **Subd. 6. Fish and Wildlife Management**

96,212,000

90,186,000

33.12 Appropriations by Fund

	<u>2024</u>	<u>2025</u>
33.13 <u>General</u>	<u>11,143,000</u>	<u>4,376,000</u>
33.14 <u>Natural Resources</u>	<u>1,982,000</u>	<u>1,982,000</u>
33.15 <u>Game and Fish</u>	<u>83,087,000</u>	<u>83,828,000</u>

33.17 (a) \$11,458,000 the first year and \$11,658,000  
 33.18 the second year are from the heritage  
 33.19 enhancement account in the game and fish  
 33.20 fund only for activities specified under  
 33.21 Minnesota Statutes, section 297A.94,  
 33.22 paragraph (h), clause (1). Notwithstanding  
 33.23 Minnesota Statutes, section 297A.94, five  
 33.24 percent of this appropriation may be used for  
 33.25 expanding hunter and angler recruitment and  
 33.26 retention.

33.27 (b) \$982,000 the first year and \$982,000 the  
 33.28 second year are from the general fund and  
 33.29 \$1,675,000 the first year and \$1,675,000 the  
 33.30 second year are from the game and fish fund  
 33.31 for statewide response and management of  
 33.32 chronic wasting disease. The commissioner  
 33.33 and the Board of Animal Health must each  
 33.34 submit annual reports on chronic wasting  
 33.35 disease activities funded in this biennium to

34.1 the chairs and ranking minority members of  
34.2 the legislative committees and divisions with  
34.3 jurisdiction over environment and natural  
34.4 resources and agriculture. The base for the  
34.5 general fund portion of this appropriation in  
34.6 fiscal year 2026 and later is \$282,000.

34.7 (c) \$8,546,000 the first year and \$8,546,000  
34.8 the second year are from the deer management  
34.9 account for the purposes identified in  
34.10 Minnesota Statutes, section 97A.075,  
34.11 subdivision 1.

34.12 (d) \$134,000 the first year and \$134,000 the  
34.13 second year are for increased capacity for  
34.14 broadband utility licensing for state lands and  
34.15 public waters. This is a onetime appropriation.

34.16 (e) \$5,134,000 the first year is for enhancing  
34.17 grasslands and restoring wetlands on  
34.18 state-owned wildlife management areas to  
34.19 sequester more carbon and enhance climate  
34.20 resiliency. This is a onetime appropriation and  
34.21 is available until June 30, 2027.

34.22 (f) \$500,000 the first year and \$500,000 the  
34.23 second year are from the general fund and  
34.24 \$500,000 the first year and \$500,000 the  
34.25 second year are from the heritage enhancement  
34.26 account in the game and fish fund for grants  
34.27 for natural-resource-based education and  
34.28 recreation programs serving youth under  
34.29 Minnesota Statutes, section 84.976, and for  
34.30 grant administration. The general fund amount  
34.31 is onetime.

34.32 (g) \$400,000 the first year and \$400,000 the  
34.33 second year are for the walk-in access program  
34.34 under Minnesota Statutes, section 97A.126.

35.1 (h) \$1,633,000 the first year is for a grant to  
 35.2 the Board of Regents of the University of  
 35.3 Minnesota for chronic wasting disease  
 35.4 contingency plans developed by the Center  
 35.5 for Infectious Disease Research and Policy.  
 35.6 This is a onetime appropriation.

35.7 (i) Notwithstanding Minnesota Statutes,  
 35.8 section 297A.94, \$300,000 the first year and  
 35.9 \$300,000 the second year are from the heritage  
 35.10 enhancement account in the game and fish  
 35.11 fund for shooting sports facility grants under  
 35.12 Minnesota Statutes, section 87A.10, including  
 35.13 grants for archery facilities. Grants must be  
 35.14 matched with a nonstate match, which may  
 35.15 include in-kind contributions. This is a  
 35.16 onetime appropriation and is available until  
 35.17 June 30, 2026. This appropriation must be  
 35.18 allocated as follows: (1) \$200,000 each fiscal  
 35.19 year is for grants of \$25,000 or less; and (2)  
 35.20 \$100,000 each fiscal year is for grants in  
 35.21 excess of \$25,000.

35.22 **Subd. 7. Enforcement** 63,472,000 63,028,000

35.23	<u>Appropriations by Fund</u>	
35.24	<u>2024</u>	<u>2025</u>
35.25 <u>General</u>	<u>18,522,000</u>	<u>19,653,000</u>
35.26 <u>Natural Resources</u>	<u>12,511,000</u>	<u>12,611,000</u>
35.27 <u>Game and Fish</u>	<u>32,322,000</u>	<u>30,647,000</u>
35.28 <u>Remediation</u>	<u>117,000</u>	<u>117,000</u>

35.29 (a) \$1,718,000 the first year and \$1,718,000  
 35.30 the second year are from the general fund for  
 35.31 enforcement efforts to prevent the spread of  
 35.32 aquatic invasive species.

35.33 (b) \$2,080,000 the first year and \$1,892,000  
 35.34 the second year are from the heritage  
 35.35 enhancement account in the game and fish

36.1 fund for only the purposes specified under  
36.2 Minnesota Statutes, section 297A.94,  
36.3 paragraph (h), clause (1).

36.4 (c) \$1,442,000 the first year and \$1,442,000  
36.5 the second year are from the water recreation  
36.6 account in the natural resources fund for grants  
36.7 to counties for boat and water safety. Any  
36.8 unencumbered balance does not cancel at the  
36.9 end of the first year and is available for the  
36.10 second year.

36.11 (d) \$315,000 the first year and \$315,000 the  
36.12 second year are from the snowmobile trails  
36.13 and enforcement account in the natural  
36.14 resources fund for grants to local law  
36.15 enforcement agencies for snowmobile  
36.16 enforcement activities. Any unencumbered  
36.17 balance does not cancel at the end of the first  
36.18 year and is available for the second year.

36.19 (e) \$250,000 the first year and \$250,000 the  
36.20 second year are from the all-terrain vehicle  
36.21 account in the natural resources fund for grants  
36.22 to qualifying organizations to assist in safety  
36.23 and environmental education and monitoring  
36.24 trails on public lands under Minnesota  
36.25 Statutes, section 84.9011. Grants issued under  
36.26 this paragraph must be issued through a formal  
36.27 agreement with the organization. By  
36.28 December 15 each year, an organization  
36.29 receiving a grant under this paragraph must  
36.30 report to the commissioner with details on  
36.31 expenditures and outcomes from the grant. Of  
36.32 this appropriation, \$25,000 each year is for  
36.33 administering these grants. Any unencumbered  
36.34 balance does not cancel at the end of the first  
36.35 year and is available for the second year.

37.1 (f) \$510,000 the first year and \$510,000 the  
37.2 second year are from the natural resources  
37.3 fund for grants to county law enforcement  
37.4 agencies for off-highway vehicle enforcement  
37.5 and public education activities based on  
37.6 off-highway vehicle use in the county. Of this  
37.7 amount, \$498,000 each year is from the  
37.8 all-terrain vehicle account, \$11,000 each year  
37.9 is from the off-highway motorcycle account,  
37.10 and \$1,000 each year is from the off-road  
37.11 vehicle account. The county enforcement  
37.12 agencies may use money received under this  
37.13 appropriation to make grants to other local  
37.14 enforcement agencies within the county that  
37.15 have a high concentration of off-highway  
37.16 vehicle use. Of this appropriation, \$25,000  
37.17 each year is for administering the grants. Any  
37.18 unencumbered balance does not cancel at the  
37.19 end of the first year and is available for the  
37.20 second year.

37.21 (g) \$2,250,000 the first year and \$2,250,000  
37.22 the second year are appropriated for  
37.23 inspections, investigations, and enforcement  
37.24 activities taken in conjunction with the Board  
37.25 of Animal Health for the white-tailed deer  
37.26 farm program and for statewide response and  
37.27 management of chronic wasting disease.

37.28 (h) \$3,050,000 the first year is for modernizing  
37.29 the enforcement aviation fleet. This  
37.30 appropriation is available until June 30, 2027.

37.31 (i) \$360,000 the first year and \$360,000 the  
37.32 second year are for training department  
37.33 enforcement officers and for maintaining and  
37.34 storing equipment for conservation officer

38.1 public safety responses. This is a onetime  
 38.2 appropriation.

38.3 (j) The commissioner of natural resources shall  
 38.4 recruit and hire at least 2.5 full-time equivalent  
 38.5 positions to engage in outreach to members  
 38.6 of Southeast Asian communities in Minnesota  
 38.7 about hunting and fishing opportunities and  
 38.8 regulations in this state. No more than one  
 38.9 full-time equivalent position may be a  
 38.10 conservation officer and all positions filled  
 38.11 with this appropriation must be fluent in the  
 38.12 Hmong or Karen language.

38.13 **Subd. 8. Operations Support** 2,434,000 1,408,000

38.14 (a) \$1,684,000 the first year and \$1,408,000  
 38.15 second year are for information technology  
 38.16 security and modernization. This is a onetime  
 38.17 appropriation.

38.18 (b) \$750,000 the first year is for legal costs.  
 38.19 The unencumbered amount of the general fund  
 38.20 appropriation in Laws 2019, First Special  
 38.21 Session chapter 4, article 1, section 3,  
 38.22 subdivision 8, for legal costs, estimated to be  
 38.23 \$750,000, is canceled no later than June 29,  
 38.24 2023.

38.25 **Subd. 9. Pass Through Funds** 4,164,000 4,085,000

38.26	<u>Appropriations by Fund</u>	
38.27	<u>2024</u>	<u>2025</u>
38.28 <u>General</u>	<u>3,211,000</u>	<u>3,221,000</u>
38.29 <u>Natural Resources</u>	<u>380,000</u>	<u>380,000</u>
38.30 <u>Permanent School</u>	<u>573,000</u>	<u>484,000</u>

38.31 (a) \$380,000 the first year and \$380,000 the  
 38.32 second year are from the natural resources  
 38.33 fund for grants to be divided equally between  
 38.34 the city of St. Paul for the Como Park Zoo and

39.1 Conservatory and the city of Duluth for the  
 39.2 Lake Superior Zoo. This appropriation is from  
 39.3 revenue deposited to the natural resources fund  
 39.4 under Minnesota Statutes, section 297A.94,  
 39.5 paragraph (h), clause (5).

39.6 (b) \$211,000 the first year and \$211,000 the  
 39.7 second year are for the Office of School Trust  
 39.8 Lands.

39.9 (c) \$250,000 the first year and \$150,000 the  
 39.10 second year are transferred from the forest  
 39.11 suspense account to the permanent school fund  
 39.12 and are appropriated from the permanent  
 39.13 school fund for transaction and project  
 39.14 management costs for divesting of school trust  
 39.15 lands within Boundary Waters Canoe Area  
 39.16 Wilderness.

39.17 (d) \$323,000 the first year and \$334,000 the  
 39.18 second year are transferred from the forest  
 39.19 suspense account to the permanent school fund  
 39.20 and are appropriated from the permanent  
 39.21 school fund for the Office of School Trust  
 39.22 Lands.

39.23 (e) \$3,000,000 the first year and \$3,000,000  
 39.24 the second year are for proportional payments  
 39.25 to Tribes receiving payments under Minnesota  
 39.26 Statutes, section 97A.165.

39.27 **Subd. 10. Get Out MORE (Modernizing Outdoor**  
 39.28 **Recreation Experiences)**

118,000,000

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39.29 \$118,000,000 the first year is for modernizing  
 39.30 Minnesota's state-managed outdoor recreation  
 39.31 experiences. Of this amount:

39.32 (1) \$28,000,000 is for enhancing access and  
 39.33 welcoming new users to public lands and  
 39.34 outdoor recreation facilities. Of this amount,

40.1 \$400,000 is for a grant to the city of Silver  
 40.2 Bay for construction of the Silver Bay  
 40.3 Trailhead, and \$500,000 is for a grant to the  
 40.4 city of Chisolm for trail development,  
 40.5 maintenance, and related amenities at Redhead  
 40.6 Mountain Bike Park;  
 40.7 (2) \$5,000,000 is for modernizing camping  
 40.8 and related infrastructure;  
 40.9 (3) \$35,000,000 is for modernizing boating  
 40.10 access. Of this amount, \$1,900,000 is for the  
 40.11 construction of the Crane Lake Voyageurs  
 40.12 National Park Visitor Center and Campground  
 40.13 and for improvements and maintenance for  
 40.14 the state-operated boat ramp at Crane Lake;  
 40.15 (4) \$35,000,000 is for modernizing fish  
 40.16 hatcheries and fishing infrastructure; and  
 40.17 (5) \$15,000,000 is for restoring streams and  
 40.18 modernizing water-related infrastructure.  
 40.19 The commissioner may reallocate across these  
 40.20 purposes based on project readiness and  
 40.21 priority. This is a onetime appropriation and  
 40.22 is available until June 30, 2029.

40.23 **Subd. 11. Transfer**

40.24 By June 30, 2024, the commissioner of  
 40.25 management and budget must transfer \$58,000  
 40.26 from the water recreation account in the  
 40.27 natural resources fund to the driver services  
 40.28 operating account under Minnesota Statutes,  
 40.29 section 299A.705.

40.30 **EFFECTIVE DATE.** Subdivisions 2, 3, and 8 are effective the day following final  
 40.31 enactment.

40.32 **Sec. 4. BOARD OF WATER AND SOIL**  
 40.33 **RESOURCES**

**\$ 58,766,000 \$ 58,954,000**

- 41.1 (a) \$3,116,000 the first year and \$3,116,000  
41.2 the second year are for grants and payments  
41.3 to soil and water conservation districts for  
41.4 accomplishing the purposes of Minnesota  
41.5 Statutes, chapter 103C, and for other general  
41.6 purposes, nonpoint engineering, and  
41.7 implementation and stewardship of the  
41.8 reinvest in Minnesota reserve program.  
41.9 Expenditures may be made from this  
41.10 appropriation for supplies and services  
41.11 benefiting soil and water conservation  
41.12 districts. Any district receiving a payment  
41.13 under this paragraph must maintain a website  
41.14 that publishes, at a minimum, the district's  
41.15 annual report, annual audit, annual budget,  
41.16 and meeting notices.
- 41.17 (b) \$761,000 the first year and \$761,000 the  
41.18 second year are to implement, enforce, and  
41.19 provide oversight for the Wetland  
41.20 Conservation Act, including administering the  
41.21 wetland banking program and in-lieu fee  
41.22 mechanism.
- 41.23 (c) \$1,560,000 the first year and \$1,560,000  
41.24 the second year are for the following:
- 41.25 (1) \$1,460,000 each year is for cost-sharing  
41.26 programs of soil and water conservation  
41.27 districts for accomplishing projects and  
41.28 practices consistent with Minnesota Statutes,  
41.29 section 103C.501, including perennially  
41.30 vegetated riparian buffers, erosion control,  
41.31 water retention and treatment, water quality  
41.32 cost-sharing for feedlots under 500 animal  
41.33 units and nutrient and manure management  
41.34 projects in watersheds where there are

- 42.1 impaired waters, and other high-priority  
42.2 conservation practices; and  
42.3 (2) \$100,000 each year is for county  
42.4 cooperative weed management programs and  
42.5 to restore native plants at selected invasive  
42.6 species management sites.
- 42.7 (d) \$166,000 the first year and \$166,000 the  
42.8 second year are to provide technical assistance  
42.9 to local drainage management officials and  
42.10 for the costs of the Drainage Work Group. The  
42.11 board must coordinate the activities of the  
42.12 Drainage Work Group according to Minnesota  
42.13 Statutes, section 103B.101, subdivision 13.
- 42.14 (e) \$100,000 the first year and \$100,000 the  
42.15 second year are for a grant to the Red River  
42.16 Basin Commission for water quality and  
42.17 floodplain management, including program  
42.18 administration. This appropriation must be  
42.19 matched by nonstate funds.
- 42.20 (f) \$190,000 the first year and \$190,000 the  
42.21 second year are for grants to Area II  
42.22 Minnesota River Basin Projects for floodplain  
42.23 management. The base for fiscal year 2026  
42.24 and later is \$140,000.
- 42.25 (g) \$125,000 the first year and \$125,000 the  
42.26 second year are for conservation easement  
42.27 stewardship.
- 42.28 (h) \$240,000 the first year and \$240,000 the  
42.29 second year are for a grant to the Lower  
42.30 Minnesota River Watershed District to defray  
42.31 the annual cost of operating and maintaining  
42.32 sites for dredge spoil to sustain the state,  
42.33 national, and international commercial and

43.1 recreational navigation on the lower Minnesota  
43.2 River.

43.3 (i) \$2,000,000 the first year and \$2,000,000  
43.4 the second year are for the lawns to legumes  
43.5 program under Minnesota Statutes, section  
43.6 103B.104. The board may enter into  
43.7 agreements with local governments, Metro  
43.8 Blooms, and other organizations to support  
43.9 this effort. This is a onetime appropriation and  
43.10 is available until June 30, 2029.

43.11 (j) \$500,000 the first year and \$500,000 the  
43.12 second year are for the habitat-friendly utilities  
43.13 program under Minnesota Statutes, section  
43.14 103B.105. This is a onetime appropriation and  
43.15 is available until June 30, 2029.

43.16 (k) \$2,000,000 the first year and \$2,000,000  
43.17 the second year are for the habitat  
43.18 enhancement landscape program under  
43.19 Minnesota Statutes, section 103B.106. This is  
43.20 a onetime appropriation and is available until  
43.21 June 30, 2029.

43.22 (l) \$13,380,000 the first year and \$13,380,000  
43.23 the second year are for soil health activities to  
43.24 achieve water quality, soil productivity,  
43.25 climate change resiliency, or carbon  
43.26 sequestration benefits consistent with  
43.27 Minnesota Statutes, section 103F.06. This is  
43.28 a onetime appropriation and is available until  
43.29 June 30, 2029. The board may use grants to  
43.30 local governments, including soil and water  
43.31 conservation districts, and agreements with  
43.32 the United States Department of Agriculture;  
43.33 the University of Minnesota, Office for Soil  
43.34 Health; AgCentric, Minnesota State Northern

- 44.1 Center of Excellence; and other practitioners  
44.2 and partners to accomplish this work.
- 44.3 (m) \$8,000,000 the first year and \$8,000,000  
44.4 the second year are for conservation easements  
44.5 and to restore and enhance grasslands and  
44.6 adjacent lands consistent with Minnesota  
44.7 Statutes, sections 103F.501 to 103F.531, for  
44.8 the purposes of climate resiliency, adaptation,  
44.9 carbon sequestration, and related benefits. Of  
44.10 this amount, up to \$422,500 is for deposit in  
44.11 the water and soil conservation easement  
44.12 stewardship account established under  
44.13 Minnesota Statutes, section 103B.103. This is  
44.14 a onetime appropriation and is available until  
44.15 June 30, 2029.
- 44.16 (n) \$7,500,000 the first year and \$7,500,000  
44.17 the second year are to acquire conservation  
44.18 easements and to restore and enhance  
44.19 peatlands and adjacent lands consistent with  
44.20 Minnesota Statutes, sections 103F.501 to  
44.21 103F.531, for the purposes of climate  
44.22 resiliency, adaptation, carbon sequestration,  
44.23 and related benefits. Of this amount, up to  
44.24 \$299,000 is for deposit in the water and soil  
44.25 conservation easement stewardship account  
44.26 established under Minnesota Statutes, section  
44.27 103B.103. This is a onetime appropriation and  
44.28 is available until June 30, 2029.
- 44.29 (o) \$8,500,000 the first year and \$8,500,000  
44.30 the second year are for water quality and  
44.31 storage practices and projects to protect  
44.32 infrastructure, improve water quality and  
44.33 related public benefits, and mitigate climate  
44.34 change impacts consistent with Minnesota  
44.35 Statutes, section 103F.05. This is a onetime

45.1 appropriation and is available until June 30,  
45.2 2029.

45.3 (p) \$4,673,000 the first year and \$4,673,000  
45.4 the second year are for natural resources block  
45.5 grants to local governments to implement the  
45.6 Wetland Conservation Act and shoreland  
45.7 management program under Minnesota  
45.8 Statutes, chapter 103F, and local water  
45.9 management responsibilities under Minnesota  
45.10 Statutes, chapter 103B. The board may reduce  
45.11 the amount of the natural resources block grant  
45.12 to a county by an amount equal to any  
45.13 reduction in the county's general services  
45.14 allocation to a soil and water conservation  
45.15 district from the county's previous year  
45.16 allocation when the board determines that the  
45.17 reduction was disproportionate. The base for  
45.18 fiscal year 2026 and later is \$3,423,000.

45.19 (q) \$129,000 the first year and \$136,000 the  
45.20 second year are to accomplish the objectives  
45.21 of Minnesota Statutes, section 10.65, and  
45.22 related Tribal government coordination. The  
45.23 base for fiscal year 2026 and each year  
45.24 thereafter is \$144,000.

45.25 (r) The board may shift money in this section  
45.26 and may adjust the technical and  
45.27 administrative assistance portion of the funds  
45.28 to leverage federal or other nonstate funds or  
45.29 to address accountability, oversight, local  
45.30 government performance, or high-priority  
45.31 needs.

45.32 (s) Returned grants and payments are available  
45.33 for two years after they are returned or  
45.34 regranted, whichever is later. Funds must be  
45.35 regranted consistent with the purposes of this



47.1 (d) \$10,000,000 the first year is to modernize  
 47.2 regional parks and trails. This is a onetime  
 47.3 appropriation and is available until June 30,  
 47.4 2027.

47.5 **Sec. 6. CONSERVATION CORPS**

47.6 **MINNESOTA** **\$ 945,000 \$ 945,000**

47.7 **Appropriations by Fund**

47.8	<u>2024</u>	<u>2025</u>
47.9 <u>General</u>	<u>455,000</u>	<u>455,000</u>
47.10 <u>Natural Resources</u>	<u>490,000</u>	<u>490,000</u>

47.11 Conservation Corps Minnesota may receive  
 47.12 money appropriated from the natural resources  
 47.13 fund under this section only as provided in an  
 47.14 agreement with the commissioner of natural  
 47.15 resources.

47.16 **Sec. 7. ZOOLOGICAL BOARD** **\$ 12,807,000 \$ 11,957,000**

47.17 **Appropriations by Fund**

47.18	<u>2024</u>	<u>2025</u>
47.19 <u>General</u>	<u>12,617,000</u>	<u>11,767,000</u>
47.20 <u>Natural Resources</u>	<u>190,000</u>	<u>190,000</u>

47.21 (a) \$190,000 the first year and \$190,000 the  
 47.22 second year are from the natural resources  
 47.23 fund from revenue deposited under Minnesota  
 47.24 Statutes, section 297A.94, paragraph (h),  
 47.25 clause (5).

47.26 (b) \$850,000 the first year is to improve safety  
 47.27 and security at the Minnesota Zoo. This is a  
 47.28 onetime appropriation.

47.29 **Sec. 8. SCIENCE MUSEUM** **\$ 1,200,000 \$ 1,260,000**

## ARTICLE 2

## ENVIRONMENT AND NATURAL RESOURCES MODIFICATIONS

Section 1. Minnesota Statutes 2022, section 35.155, subdivision 1, is amended to read:

Subdivision 1. **Running at large prohibited.** (a) An owner may not allow farmed Cervidae to run at large. The owner must make all reasonable efforts to return escaped farmed Cervidae to their enclosures as soon as possible. The owner must immediately notify the commissioner of natural resources of the escape of farmed Cervidae if the farmed Cervidae are not returned or captured by the owner within 24 hours of their escape.

(b) An owner is liable for expenses of another person in capturing, caring for, and returning farmed Cervidae that have left their enclosures if the person capturing the farmed Cervidae contacts the owner as soon as possible.

(c) If an owner is unwilling or unable to capture escaped farmed Cervidae, the commissioner of natural resources may destroy the escaped farmed Cervidae. The commissioner of natural resources must allow the owner to attempt to capture the escaped farmed Cervidae prior to destroying the farmed Cervidae. Farmed Cervidae that are not captured by 24 hours after escape may be destroyed.

(d) A hunter licensed by the commissioner of natural resources under chapter 97A may kill and possess escaped farmed Cervidae in a lawful manner and is not liable to the owner for the loss of the animal.

(e) Escaped farmed Cervidae killed by a hunter or destroyed by the commissioner of natural resources must be tested for chronic wasting disease.

(f) The owner is responsible for proper disposal, as determined by the board, of farmed Cervidae that are killed or destroyed under this subdivision and test positive for chronic wasting disease.

(g) An owner is liable for any additional costs associated with escaped farmed Cervidae that are infected with chronic wasting disease. This paragraph may be enforced by the attorney general on behalf of any state agency affected.

**EFFECTIVE DATE.** This section is effective September 1, 2023.

Sec. 2. Minnesota Statutes 2022, section 35.155, subdivision 4, is amended to read:

Subd. 4. **Fencing.** Farmed Cervidae must be confined in a manner designed to prevent escape. All perimeter fences for farmed Cervidae must be at least 96 inches in height and be constructed and maintained in a way that prevents the escape of farmed Cervidae.

49.1 entry into the premises by free-roaming Cervidae, and physical contact between farmed  
 49.2 Cervidae and free-roaming Cervidae. The Board of Animal Health may determine whether  
 49.3 the construction and maintenance of fencing is adequate under this subdivision and may  
 49.4 compel corrective action where it determines fencing is inadequate. After July 1, 2019, All  
 49.5 new fencing installed and all fencing used to repair deficiencies must be high tensile. ~~By~~  
 49.6 ~~December 1, 2019,~~ All entry areas for farmed Cervidae enclosure areas must have two  
 49.7 redundant gates, which must be maintained to prevent the escape of animals through an  
 49.8 open gate. If a fence deficiency allows entry or exit by farmed or wild Cervidae, the owner  
 49.9 must immediately repair the deficiency. All other deficiencies must be repaired within a  
 49.10 reasonable time, as determined by the Board of Animal Health, not to exceed ~~45~~ 14 days.  
 49.11 If a fence deficiency is detected during an inspection, the facility must be reinspected at  
 49.12 least once in the subsequent three months. The farmed Cervidae owner must pay a  
 49.13 reinspection fee equal to one-half the applicable annual inspection fee under subdivision  
 49.14 7a for each reinspection related to a fence violation. If the facility experiences more than  
 49.15 one escape incident in any six-month period or fails to correct a deficiency found during  
 49.16 an inspection, the board may revoke the facility's registration and order the owner to remove  
 49.17 or destroy the animals as directed by the board. If the board revokes a facility's registration,  
 49.18 the commissioner of natural resources may seize and destroy animals at the facility.

49.19 **EFFECTIVE DATE.** This section is effective September 1, 2024.

49.20 Sec. 3. Minnesota Statutes 2022, section 35.155, subdivision 10, is amended to read:

49.21 Subd. 10. **Mandatory registration.** (a) A person may not possess live Cervidae in  
 49.22 Minnesota unless the person is registered with the Board of Animal Health and meets all  
 49.23 the requirements for farmed Cervidae under this section. Cervidae possessed in violation  
 49.24 of this subdivision may be seized and destroyed by the commissioner of natural resources.

49.25 (b) A person whose registration is revoked by the board is ineligible for future registration  
 49.26 under this section unless the board determines that the person has undertaken measures that  
 49.27 make future escapes extremely unlikely.

49.28 (c) The board must not allow new registrations under this section for possessing  
 49.29 white-tailed deer. A valid registration may be sold or transferred only once under this  
 49.30 paragraph. Before the board approves a sale or transfer under this paragraph, the board must  
 49.31 verify that the herd is free from chronic wasting disease.

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

50.1 Sec. 4. Minnesota Statutes 2022, section 35.155, subdivision 11, is amended to read:

50.2 Subd. 11. **Mandatory surveillance for chronic wasting disease; depopulation.** (a)

50.3 An inventory for each farmed Cervidae herd must be verified by an accredited veterinarian  
50.4 and filed with the Board of Animal Health every 12 months.

50.5 (b) Movement of farmed Cervidae from any premises to another location must be reported  
50.6 to the Board of Animal Health within 14 days of the movement on forms approved by the  
50.7 Board of Animal Health. A person must not move farmed white-tailed deer from a herd that  
50.8 tests positive for chronic wasting disease from any premises to another location.

50.9 (c) All animals from farmed Cervidae herds that are over ~~12~~ six months of age that die  
50.10 or are slaughtered must be tested for chronic wasting disease.

50.11 (d) The owner of a premises where chronic wasting disease is detected must:

50.12 (1) allow and cooperate with inspections of the premises as determined by the Board of  
50.13 Animal Health and Department of Natural Resources conservation officers and wildlife  
50.14 managers;

50.15 ~~(1)~~ (2) depopulate the premises of Cervidae after the federal indemnification process  
50.16 has been completed or, if an indemnification application is not submitted, within a ~~reasonable~~  
50.17 ~~time determined by the board in consultation with the commissioner of natural resources~~  
50.18 30 days;

50.19 ~~(2)~~ (3) maintain the fencing required under subdivision 4 on the premises for ~~five~~ ten  
50.20 years after the date of detection; ~~and~~

50.21 ~~(3)~~ (4) post the fencing on the premises with biohazard signs as directed by the board;

50.22 (5) not raise farmed Cervidae on the premises for at least ten years;

50.23 (6) before signing an agreement to sell or transfer the property, disclose in writing to  
50.24 the buyer or transferee the date of depopulation and the requirements incumbent upon the  
50.25 premises and the buyer or transferee under this paragraph; and

50.26 (7) record with the county recorder or registrar of titles as appropriate, in the county  
50.27 where the premises is located, a notice, in the form required by the board that meets the  
50.28 recording requirements of sections 507.093 and 507.24, and that includes the nearest address  
50.29 and the legal description of the premises, the date of detection, the date of depopulation,  
50.30 the landowner requirements under this paragraph, and any other information required by  
50.31 the board. The legal description must be the legal description of record with the county  
50.32 recorder or registrar of titles and must not otherwise be the real estate tax statement legal

51.1 description for the premises. The notice expires and has no effect ten years after the date  
 51.2 of detection stated in the notice. An expired notice must be omitted by the registrar of titles  
 51.3 from future certificates of title.

51.4 (e) An owner of farmed Cervidae that test positive for chronic wasting disease is  
 51.5 responsible for proper disposal of the animals, as determined by the board.

51.6 Sec. 5. Minnesota Statutes 2022, section 35.155, is amended by adding a subdivision to  
 51.7 read:

51.8 Subd. 11a. **Liability.** (a) A herd owner is liable in a civil action to a person injured by  
 51.9 the owner's sale or unlawful disposal of farmed Cervidae if the herd owner knew or  
 51.10 reasonably should have known that the farmed Cervidae were infected with or exposed to  
 51.11 chronic wasting disease. Action may be brought in a county where the farmed Cervidae are  
 51.12 sold, delivered, or unlawfully disposed.

51.13 (b) A herd owner is liable to the state for costs associated with the owner's unlawful  
 51.14 disposal of farmed Cervidae infected with or exposed to chronic wasting disease. This  
 51.15 paragraph may be enforced by the attorney general on behalf of any state agency affected.

51.16 Sec. 6. Minnesota Statutes 2022, section 35.155, subdivision 12, is amended to read:

51.17 Subd. 12. **Importation.** (a) A person must not import live Cervidae or Cervidae semen  
 51.18 into the state from a herd that is:

51.19 (1) infected with or has been exposed to chronic wasting disease; or

51.20 (2) from a ~~known~~ state or province where chronic wasting disease ~~endemic area, as~~  
 51.21 ~~determined by the board~~ is present in farmed or wild Cervidae populations.

51.22 (b) A person may import live Cervidae or Cervidae semen into the state only from a  
 51.23 herd that:

51.24 (1) is not ~~in a known~~ located in a state or province where chronic wasting disease ~~endemic~~  
 51.25 ~~area, as determined by the board,~~ is present in farmed or wild Cervidae populations; and  
 51.26 the herd

51.27 (2) has been subject to a ~~state or provincial approved~~ state- or provincial-approved  
 51.28 chronic wasting disease monitoring program for at least three years.

51.29 (c) Cervidae or Cervidae semen imported in violation of this section may be seized and  
 51.30 destroyed by the commissioner of natural resources.

52.1 (d) Nothing in this section prohibits a person from importing Cervidae semen from a  
 52.2 herd certified as low-risk for chronic wasting disease under the chronic wasting disease  
 52.3 voluntary herd certification program operated by the United States Department of  
 52.4 Agriculture's Animal and Plant Health Inspection Service.

52.5 (e) Nothing in this subdivision shall be construed to prevent:

52.6 (1) interstate transfer of animals between two facilities accredited by the Association of  
 52.7 Zoos and Aquariums; or

52.8 (2) importation of orphaned wild Cervidae for placement at an institution accredited by  
 52.9 the Association of Zoos and Aquariums when approved on a case-by-case basis by the  
 52.10 commissioner of natural resources.

52.11 Sec. 7. Minnesota Statutes 2022, section 35.155, is amended by adding a subdivision to  
 52.12 read:

52.13 Subd. 15. **Cooperation with Board of Animal Health.** The commissioner of natural  
 52.14 resources may contract with the Board of Animal Health to administer some or all of sections  
 52.15 35.153 to 35.156 for farmed white-tailed deer.

52.16 **EFFECTIVE DATE.** This section is effective July 1, 2025.

52.17 Sec. 8. Minnesota Statutes 2022, section 35.156, is amended by adding a subdivision to  
 52.18 read:

52.19 Subd. 3. **Consultation required.** The Board of Animal Health and the commissioner  
 52.20 of natural resources must consult the Minnesota Center for Prion Research and Outreach  
 52.21 at the University of Minnesota and incorporate peer-reviewed scientific information when  
 52.22 administering and enforcing section 35.155 and associated rules pertaining to chronic wasting  
 52.23 disease and farmed Cervidae.

52.24 Sec. 9. Minnesota Statutes 2022, section 35.156, is amended by adding a subdivision to  
 52.25 read:

52.26 Subd. 4. **Notice required.** The Board of Animal Health must promptly notify affected  
 52.27 local units of government and Tribal governments when an animal in a farmed Cervidae  
 52.28 herd tests positive for chronic wasting disease.

53.1 Sec. 10. Minnesota Statutes 2022, section 35.156, is amended by adding a subdivision to  
53.2 read:

53.3 Subd. 5. **Annual testing required.** (a) Once the United States Department of Agriculture  
53.4 has determined that the RT-QuIC test is capable of accurately detecting chronic wasting  
53.5 disease in white-tailed deer, the Board of Animal Health must have each farmed white-tailed  
53.6 deer possessed by a person registered under section 35.155 annually tested for chronic  
53.7 wasting disease using a real-time quaking-induced conversion (RT-QuIC) test offered by  
53.8 a public or private diagnostic laboratory. Live-animal testing must consist of an ear biopsy,  
53.9 the collection of which must be managed by the Board of Animal Health, with each laboratory  
53.10 reporting RT-QuIC results to both the commissioner of natural resources and the Board of  
53.11 Animal Health in the form required by both agencies. If a white-tailed deer tests positive,  
53.12 the owner must have the animal tested a second time using an RT-QuIC test performed on  
53.13 both a second ear biopsy and a tonsil or rectal biopsy.

53.14 (b) If a farmed white-tailed deer tests positive using an RT-QuIC test performed on both  
53.15 a second ear biopsy and a tonsil or rectal biopsy, the owner must have the animal destroyed  
53.16 and tested for chronic wasting disease using a postmortem test approved by the Board of  
53.17 Animal Health.

53.18 (c) If a farmed white-tailed deer tests positive for chronic wasting disease under paragraph  
53.19 (b), the owner must depopulate the premises of farmed Cervidae as required under section  
53.20 35.155, subdivision 11.

53.21 Sec. 11. Minnesota Statutes 2022, section 84.415, subdivision 3, is amended to read:

53.22 Subd. 3. **Application, form.** The application for license or permit ~~shall be in~~  
53.23 ~~quadruplicate, and shall~~ **must** include ~~with each copy~~ a legal description of the lands or  
53.24 waters affected, a metes and bounds description of the required right-of-way, a map showing  
53.25 said features, and a detailed design of any structures necessary, or in lieu thereof shall be  
53.26 in such other form, and include such other descriptions, maps or designs, as the commissioner  
53.27 may require. The commissioner may at any time order such changes or modifications  
53.28 respecting construction or maintenance of structures or other conditions of the license or  
53.29 permit as the commissioner deems necessary to protect the public health and safety.

53.30 Sec. 12. **[86B.30] DEFINITIONS.**

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

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

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

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

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

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

54.8 (1) effective July 1, 2025, born on or after July 1, 2004;

54.9 (2) effective July 1, 2026, born on or after July 1, 2000;

54.10 (3) effective July 1, 2027, born on or after July 1, 1996; and

54.11 (4) effective July 1, 2028, born on or after July 1, 1987.

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

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

54.17 (2) is not a resident of the state, is temporarily using the waters of the state for a period  
54.18 not to exceed 60 days, and:

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

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

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

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

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

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

54.29 **EFFECTIVE DATE.** This section is effective July 1, 2025.

55.1 Sec. 13. **[86B.302] WATERCRAFT OPERATOR'S PERMIT.**

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

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

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

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

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

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

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

55.20 Subd. 4. **Using electronic device to display proof of permit.** If a person uses an  
55.21 electronic device to display a document described in subdivision 3 to a conservation officer  
55.22 or peace officer:

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

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

55.26 **EFFECTIVE DATE.** This section is effective July 1, 2025.

55.27 Sec. 14. **[86B.303] OPERATING PERSONAL WATERCRAFT AND OTHER**  
55.28 **MOTORBOATS.**

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

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

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

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

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

56.5 (b) A young operator may operate a motorboat that is not a personal watercraft and that  
 56.6 is powered by a motor with a factory rating of less than 75 horsepower if an accompanying  
 56.7 operator is in the motorboat.

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

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

56.13 Subd. 5. **Exception for low-powered motorboats.** Notwithstanding the other provisions  
 56.14 of this section, a person of any age may operate a motorboat that is not a personal watercraft  
 56.15 that is powered by a motor with a factory rating of 25 horsepower or less without possessing  
 56.16 a valid watercraft operator's permit and without an accompanying operator in the motorboat.

56.17 **EFFECTIVE DATE.** This section is effective July 1, 2025.

56.18 Sec. 15. **[86B.304] WATERCRAFT SAFETY PROGRAM.**

56.19 (a) The commissioner must establish a water safety course and testing program for  
 56.20 personal watercraft and watercraft operators and must prescribe a written test as part of the  
 56.21 course. The course must be approved by the National Association of State Boating Law  
 56.22 Administrators and must be available online. The commissioner may allow designated water  
 56.23 safety courses administered by third parties to meet the requirements of this paragraph and  
 56.24 may enter into reciprocity agreements or otherwise certify boat safety education programs  
 56.25 from other states that are substantially similar to in-state programs. The commissioner must  
 56.26 establish a working group of interested parties to develop course content and implementation.  
 56.27 The course must include content on best management practices for mitigating aquatic  
 56.28 invasive species, reducing conflicts among user groups, and limiting the ecological impacts  
 56.29 of watercraft.

56.30 (b) The commissioner must create or designate a short boater safety examination to be  
 56.31 administered by motorboat rental businesses, as required by section 86B.306, subdivision  
 56.32 3. The examination developed under this paragraph must be one that can be administered

57.1 electronically or on paper, at the option of the motorboat rental business administering the  
 57.2 examination.

57.3 **EFFECTIVE DATE.** This section is effective July 1, 2025.

57.4 Sec. 16. **[86B.306] MOTORBOAT RENTAL BUSINESSES.**

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

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

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

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

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

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

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

57.27 **EFFECTIVE DATE.** This section is effective July 1, 2025.

57.28 Sec. 17. Minnesota Statutes 2022, section 86B.313, subdivision 4, is amended to read:

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

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

58.2 (2) the safe operation of personal watercraft.

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

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

58.7 ~~(2) shall provide a United States Coast Guard (USCG) approved wearable personal~~  
 58.8 ~~flotation device with a USCG label indicating it either is approved for or does not prohibit~~  
 58.9 ~~use with personal watercraft or water skiing and any other required safety equipment to all~~  
 58.10 ~~persons who rent a personal watercraft at no additional cost; and~~

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

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

58.21 **EFFECTIVE DATE.** This section is effective July 1, 2025.

58.22 Sec. 18. Minnesota Statutes 2022, section 97A.465, subdivision 3, is amended to read:

58.23 Subd. 3. **Nonresidents stationed in state; spouses.** (a) The commissioner may issue a  
 58.24 resident license to take fish or game to a person in the armed forces of the United States  
 58.25 that is stationed in the state. This subdivision paragraph does not apply to the taking of  
 58.26 moose or elk.

58.27 (b) The commissioner may issue a resident angling license to a person in the armed  
 58.28 forces of the United States that is stationed in the state and to the spouse of a person in the  
 58.29 armed forces of the United States that is stationed in the state.

59.1 Sec. 19. Minnesota Statutes 2022, section 97A.465, subdivision 8, is amended to read:

59.2 Subd. 8. **Nonresident active members of National Guard; spouses.** (a) A nonresident  
 59.3 that is an active a member of the state's National Guard may obtain a resident license to  
 59.4 take fish or game. This subdivision paragraph does not apply to the taking of moose or elk.

59.5 (b) A nonresident that is a member of the National Guard or that is the spouse of a  
 59.6 member of the National Guard may obtain a resident license to take fish.

59.7 (c) For purposes of this section, the term "member of the National Guard" means an  
 59.8 active member of the state's National Guard or an active member of another state's National  
 59.9 Guard who is temporarily stationed in this state.

59.10 Sec. 20. Minnesota Statutes 2022, section 97A.475, subdivision 41, is amended to read:

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

59.13 ~~(b) The fee for a recreational turtle license to take, transport, and possess turtles for~~  
 59.14 ~~personal use is \$25 \$5.~~

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

59.16 **EFFECTIVE DATE.** This section is effective January 1, 2024.

59.17 Sec. 21. Minnesota Statutes 2022, section 97C.605, subdivision 1, is amended to read:

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

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

59.23 **EFFECTIVE DATE.** This section is effective January 1, 2024.

59.24 Sec. 22. Minnesota Statutes 2022, section 97C.605, subdivision 2c, is amended to read:

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

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

59.28 (1) when buying turtles from a licensed aquatic farm or licensed private fish hatchery  
 59.29 for resale at a retail outlet or restaurant;

60.1 (2) when buying a turtle at a retail outlet;

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

60.7 ~~(4) (3) to take, possess, and rent or sell up to 25 turtles greater than four inches in length~~  
 60.8 ~~for the purpose of providing the turtles to participants at a nonprofit turtle race, if the person~~  
 60.9 ~~is a resident under age 18. The person is responsible for the well-being of the turtles; or~~

60.10 (4) when possessing turtles if under 16 years of age. Notwithstanding any other law to  
 60.11 the contrary, a person under the age of 16 may possess, without a license, up to three snapping  
 60.12 or western painted turtles, provided the turtles are possessed for personal use and are within  
 60.13 the applicable length and width requirements.

60.14 (b) A person with an aquatic farm license with a turtle endorsement or a private fish  
 60.15 hatchery license with a turtle endorsement may sell, obtain, possess, transport, and propagate  
 60.16 turtles and turtle eggs without the licenses specified under subdivision 1.

60.17 (c) Turtles possessed under this subdivision may not be released back into the wild.

60.18 **EFFECTIVE DATE.** This section is effective January 1, 2024.

60.19 Sec. 23. Minnesota Statutes 2022, section 97C.605, subdivision 3, is amended to read:

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

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

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

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

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

60.25 (5) firearms and ammunition;

60.26 (6) bow and arrow or crossbow; or

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

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

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

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

61.4 **EFFECTIVE DATE.** This section is effective January 1, 2024.

61.5 Sec. 24. Minnesota Statutes 2022, section 97C.611, is amended to read:

61.6 **97C.611 TURTLE SPECIES; LIMITS.**

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

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

61.16 (b) This subdivision does not apply to persons acting under section 97C.605, subdivision  
 61.17 2c, ~~clause (4)~~ paragraph (a).

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

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

61.24 **EFFECTIVE DATE.** This section is effective January 1, 2024.

61.25 Sec. 25. Minnesota Statutes 2022, section 103B.101, subdivision 9, is amended to read:

61.26 Subd. 9. **Powers and duties.** (a) In addition to the powers and duties prescribed  
 61.27 elsewhere, the board shall:

61.28 (1) coordinate the water and soil resources planning and implementation activities of  
 61.29 counties, soil and water conservation districts, watershed districts, watershed management  
 61.30 organizations, and any other local units of government through its various authorities for

62.1 approval of local plans, administration of state grants, contracts and easements, and by other  
62.2 means as may be appropriate;

62.3 (2) facilitate communication and coordination among state agencies in cooperation with  
62.4 the Environmental Quality Board, and between state and local units of government, in order  
62.5 to make the expertise and resources of state agencies involved in water and soil resources  
62.6 management available to the local units of government to the greatest extent possible;

62.7 (3) coordinate state and local interests with respect to the study in southwestern Minnesota  
62.8 under United States Code, title 16, section 1009;

62.9 (4) develop information and education programs designed to increase awareness of local  
62.10 water and soil resources problems and awareness of opportunities for local government  
62.11 involvement in preventing or solving them;

62.12 (5) provide a forum for the discussion of local issues and opportunities relating to water  
62.13 and soil resources management;

62.14 (6) adopt an annual budget and work program that integrate the various functions and  
62.15 responsibilities assigned to it by law; and

62.16 (7) report assessments to the governor and the legislature ~~by October 15 of each~~  
62.17 ~~even-numbered year with an assessment~~ of board programs and recommendations for any  
62.18 program changes and board membership changes necessary to improve state and local efforts  
62.19 in water and soil resources management.

62.20 (b) The board may accept grants, gifts, donations, or contributions in money, services,  
62.21 materials, or otherwise from the United States, a state agency, or other source to achieve  
62.22 an authorized or delegated purpose. The board may enter into a contract or agreement  
62.23 necessary or appropriate to accomplish the transfer. The board may conduct or participate  
62.24 in local, state, or federal programs or projects that have as one purpose or effect the  
62.25 preservation or enhancement of water and soil resources and may enter into and administer  
62.26 agreements with local governments or landowners or their designated agents as part of those  
62.27 programs or projects. The board may receive and expend money to acquire conservation  
62.28 easements, as defined in chapter 84C, on behalf of the state and federal government consistent  
62.29 with ~~the~~ Camp Ripley's Army Compatible Use Buffer Project, Sentinel Landscape program,  
62.30 or related conservation programs. The board may enter into agreements, including grant  
62.31 agreements, with Tribal nations, federal agencies, higher education institutions, local  
62.32 governments, and private sector organizations to carry out programs and other responsibilities  
62.33 prescribed or allowed by statute.

63.1 (c) Any money received is hereby deposited in an account in a fund other than the general  
63.2 fund and appropriated and dedicated for the purpose for which it is granted.

63.3 Sec. 26. Minnesota Statutes 2022, section 103B.101, subdivision 16, is amended to read:

63.4 Subd. 16. **Water quality Conservation practices; standardized specifications.** (a)

63.5 The board of ~~Water and Soil Resources~~ shall must work with state and federal agencies,  
63.6 Tribal Nations, academic institutions, local governments, practitioners, and stakeholders to  
63.7 foster mutual understanding and provide recommendations for standardized specifications  
63.8 for ~~water quality and soil conservation protection and improvement~~ practices and, projects,  
63.9 and systems for:

63.10 (1) erosion or sedimentation control;

63.11 (2) improvements to water quality or water quantity;

63.12 (3) habitat restoration and enhancement;

63.13 (4) energy conservation; and

63.14 (5) climate adaptation, resiliency, or mitigation.

63.15 (b) The board may convene working groups or work teams to develop information,  
63.16 education, and recommendations.

63.17 Sec. 27. Minnesota Statutes 2022, section 103B.101, is amended by adding a subdivision  
63.18 to read:

63.19 Subd. 18. **Guidelines for establishing and enhancing native vegetation.** (a) The board  
63.20 must work with state and federal agencies, Tribal Nations, academic institutions, local  
63.21 governments, practitioners, and stakeholders to foster mutual understanding and to provide  
63.22 recommendations for standardized specifications to establish and enhance native vegetation  
63.23 to provide benefits for:

63.24 (1) water quality;

63.25 (2) soil conservation;

63.26 (3) habitat enhancement;

63.27 (4) energy conservation; and

63.28 (5) climate adaptation, resiliency, or mitigation.

63.29 (b) The board may convene working groups or work teams to develop information,  
63.30 education, and recommendations.

64.1 Sec. 28. Minnesota Statutes 2022, section 103B.103, is amended to read:

64.2 **103B.103 EASEMENT STEWARDSHIP ACCOUNTS.**

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

64.8 (b) Revenue from contributions and money appropriated for any purposes of the account  
64.9 as described in subdivision 2 must be deposited in the water and soil conservation easement  
64.10 stewardship account. Revenue from contributions, ~~wetland banking~~ wetland banking mitigation fees designated  
64.11 for stewardship purposes by the board, easement stewardship payments authorized under  
64.12 subdivision 3, and money appropriated for any purposes of the account as described in  
64.13 subdivision 2 must be deposited in the mitigation easement stewardship account.

64.14 Subd. 2. **Appropriation; purposes of accounts.** Five percent of the balance on July 1  
64.15 each year in the water and soil conservation easement stewardship account and five percent  
64.16 of the balance on July 1 each year in the mitigation easement stewardship account are  
64.17 annually appropriated to the board and may be spent ~~only~~ to cover the costs of managing  
64.18 easements held by the board, including costs associated with:

64.19 (1) repairing or replacing structures;

64.20 (2) monitoring;

64.21 (3) landowner contacts;

64.22 (4) records storage and management;

64.23 (5) processing landowner notices;

64.24 (6) requests for approval or amendments;

64.25 (7) enforcement; and

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

64.27 Subd. 3. **Financial contributions.** The board shall seek a financial contribution to the  
64.28 water and soil conservation easement stewardship account for each conservation easement  
64.29 acquired by the board. The board shall seek a financial contribution or assess an easement  
64.30 stewardship payment to the mitigation easement stewardship account for each wetland  
64.31 ~~banking mitigation~~ banking mitigation easement acquired by the board. Unless otherwise provided by law, the  
64.32 board shall determine the amount of the contribution or payment, which must be an amount

65.1 calculated to earn sufficient money to meet the costs of managing the easement at a level  
 65.2 that neither significantly overrecovers nor underrecovers the costs. In determining the  
 65.3 amount of the financial contribution, the board shall consider:

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

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

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

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

65.11 (5) the estimated annualized costs of legal services, including the cost to enforce the  
 65.12 easement in the event of a violation;

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

65.15 ~~(6)~~ (7) the expected rate of return on investments in the account.

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

65.17 **Sec. 29. [103B.104] LAWNS TO LEGUMES PROGRAM.**

65.18 (a) The Board of Water and Soil Resources may provide financial and technical assistance  
 65.19 to plant residential landscapes and community spaces with native vegetation and  
 65.20 pollinator-friendly forbs and legumes to:

65.21 (1) protect a diversity of pollinators with declining populations; and

65.22 (2) provide additional benefits for water management, carbon sequestration, and landscape  
 65.23 and climate resiliency.

65.24 (b) The board must establish criteria for grants or payments awarded under this section.  
 65.25 Grants or payments awarded under this section may give priority consideration for proposals  
 65.26 in areas identified by the United States Fish and Wildlife Service as areas where there is a  
 65.27 high potential for rusty patched bumble bees and other priority species to be present.

65.28 (c) The board may collaborate with and enter into agreements with federal, state, and  
 65.29 local agencies; Tribal Nations; nonprofit organizations; and contractors to implement and  
 65.30 promote the program.

66.1 Sec. 30. **[103B.105] HABITAT-FRIENDLY UTILITIES PROGRAM.**

66.2 (a) The Board of Water and Soil Resources may provide financial and technical assistance  
66.3 to promote the successful establishment of native vegetation as part of utility projects,  
66.4 including solar and wind projects, pipelines, and electrical transmission corridors, to:

66.5 (1) ensure the integrity and resiliency of Minnesota landscapes; and

66.6 (2) protect habitat and water resources.

66.7 (b) The board must establish criteria for grants or payments awarded under this section.  
66.8 Grants or payments awarded under this section may prioritize proposals in areas identified  
66.9 by state and federal agencies and conservation partners for protecting high-priority natural  
66.10 resources and wildlife species.

66.11 (c) The board may collaborate with and enter into agreements with federal, state, and  
66.12 local agencies; Tribal Nations; utility companies; nonprofit organizations; and contractors  
66.13 to implement and promote the program.

66.14 Sec. 31. **[103B.106] HABITAT ENHANCEMENT LANDSCAPE PROGRAM.**

66.15 (a) The Board of Water and Soil Resources may provide financial and technical assistance  
66.16 to establish or enhance areas of diverse native vegetation to:

66.17 (1) support declining populations of bees, butterflies, dragonflies, birds, and other wildlife  
66.18 species that are essential for ecosystems and food production across conservation lands,  
66.19 open spaces, and natural areas; and

66.20 (2) provide additional benefits for water management, carbon sequestration, and landscape  
66.21 and climate resiliency.

66.22 (b) The board must establish criteria for grants or payments awarded under this section.  
66.23 Grants or payments awarded under this section may prioritize proposals in areas identified  
66.24 by state and federal agencies and conservation partners as high priority for protecting  
66.25 endangered or threatened pollinator and other species.

66.26 (c) The board may collaborate with and enter into agreements with federal, state, and  
66.27 local agencies; Tribal Nations; nonprofit organizations; and contractors to implement and  
66.28 promote the program.

67.1 Sec. 32. Minnesota Statutes 2022, section 103C.501, subdivision 1, is amended to read:

67.2 Subdivision 1. ~~Cost-share~~ **Program authorization.** The state board may allocate  
67.3 available funds to districts ~~to share the cost of systems or~~ for practices, projects, and systems  
67.4 for:

67.5 (1) erosion or sedimentation control or;

67.6 (2) improvements to water quality improvement that are designed to protect and improve  
67.7 soil and water resources; or water quantity;

67.8 (3) habitat enhancement;

67.9 (4) plant biodiversity;

67.10 (5) energy conservation; or

67.11 (6) climate adaptation, resiliency, or mitigation.

67.12 Sec. 33. Minnesota Statutes 2022, section 103C.501, subdivision 4, is amended to read:

67.13 Subd. 4. ~~Cost-sharing~~ **Use of funds.** ~~(a) The state board shall allocate cost-sharing funds~~  
67.14 ~~to areas with high-priority erosion, sedimentation, or water quality problems or water quantity~~  
67.15 ~~problems due to altered hydrology. The areas must be selected based on priorities established~~  
67.16 ~~by the state board.~~

67.17 ~~(b)~~ The allocated funds must be used for:

67.18 (1) for conservation practices for high-priority problems activities, including technical  
67.19 and financial assistance, identified in the comprehensive and annual work plans of the  
67.20 districts, for the technical assistance portion of the grant funds state-approved plans that are  
67.21 related to water and natural resources and established under chapters 103B, 103C, 103D,  
67.22 103F, 103G, and 114D;

67.23 (2) to leverage federal or other nonstate funds; or

67.24 (3) to address high-priority needs identified in local water management plans or  
67.25 comprehensive watershed management plans by the district based on public input.

67.26 Sec. 34. Minnesota Statutes 2022, section 103C.501, subdivision 5, is amended to read:

67.27 Subd. 5. **Contracts by districts.** (a) A district board may ~~contract on a cost-share basis~~  
67.28 ~~to furnish financial aid to~~ provide technical and financial assistance to a land occupier or  
67.29 to a state or federal agency for ~~permanent systems~~ practices and projects for:

67.30 (1) erosion or sedimentation control or;

68.1 (2) improvements to water quality or water quantity ~~improvements that are consistent~~  
 68.2 ~~with the district's comprehensive and annual work plans;~~

68.3 (3) habitat enhancement;

68.4 (4) plant biodiversity;

68.5 (5) energy conservation; or

68.6 (6) climate adaptation, resiliency, or mitigation.

68.7 ~~(b) A district board, with approval from the state board and,~~ consistent with state board  
 68.8 rules and policies, may contract ~~on a cost-share basis to furnish financial aid to a land~~  
 68.9 ~~occupier for~~ to provide technical and financial assistance for structural and nonstructural  
 68.10 ~~land management practices that are part of a planned erosion control or water quality~~  
 68.11 ~~improvement plan and projects.~~

68.12 ~~(c) The duration of the contract must, at a minimum, be the time required to complete~~  
 68.13 ~~the planned systems. A contract must specify that the land occupier is liable for monetary~~  
 68.14 ~~damages and penalties in an amount up to 150 percent of the financial assistance received~~  
 68.15 ~~from the district, for failure to complete the systems or practices in a timely manner or~~  
 68.16 ~~maintain the systems or practices as specified in the contract.~~

68.17 ~~(d) A contract may provide for cooperation or funding with federal agencies. A land~~  
 68.18 ~~occupier or state agency may provide the cost-sharing portion of the contract through services~~  
 68.19 ~~in kind.~~

68.20 ~~(e)~~ (c) The state board or the district board may not furnish any financial aid assistance  
 68.21 for practices designed only to increase land productivity.

68.22 ~~(f)~~ (d) When a district board determines that long-term maintenance of a system or  
 68.23 practice is desirable, the district or the state board may require that maintenance be made  
 68.24 a covenant upon the land for the effective life of the practice. A covenant under this  
 68.25 subdivision shall be construed in the same manner as a conservation restriction under section  
 68.26 84.65.

68.27 Sec. 35. Minnesota Statutes 2022, section 103C.501, subdivision 6, is amended to read:

68.28 Subd. 6. **Policies and rules.** ~~(a)~~ The state board may adopt rules and shall adopt policies  
 68.29 prescribing:

68.30 (1) procedures and criteria for allocating funds ~~for cost-sharing contracts;~~ and

69.1 (2) standards and guidelines for ~~cost-sharing~~ implementing the conservation contracts;  
 69.2 program.

69.3 ~~(3) the scope and content of district comprehensive plans, plan amendments, and annual~~  
 69.4 ~~work plans;~~

69.5 ~~(4) standards and methods necessary to plan and implement a priority cost-sharing~~  
 69.6 ~~program, including guidelines to identify high priority erosion, sedimentation, and water~~  
 69.7 ~~quality problems and water quantity problems due to altered hydrology;~~

69.8 ~~(5) the share of the cost of conservation practices to be paid from cost-sharing funds;~~  
 69.9 ~~and~~

69.10 ~~(6) requirements for districts to document their efforts to identify and contact land~~  
 69.11 ~~occupiers with high priority problems.~~

69.12 ~~(b) The rules may provide that cost sharing may be used for windbreaks and shelterbelts~~  
 69.13 ~~for the purposes of energy conservation and snow protection.~~

69.14 Sec. 36. Minnesota Statutes 2022, section 103D.605, subdivision 5, is amended to read:

69.15 Subd. 5. **Establishment order.** After the project hearing, if the managers find that the  
 69.16 project will be conducive to public health, will promote the general welfare, and ~~is in~~  
 69.17 ~~compliance~~ complies with the watershed management plan and the provisions of this chapter,  
 69.18 the ~~board~~ managers must, by order, establish the project. The establishment order must  
 69.19 include the findings of the managers.

69.20 Sec. 37. **[103F.06] SOIL HEALTH PRACTICES PROGRAM.**

69.21 Subdivision 1. **Definitions.** (a) In this section, the following terms have the meanings  
 69.22 given:

69.23 (1) "board" means the Board of Water and Soil Resources;

69.24 (2) "local units of government" has the meaning given under section 103B.305,  
 69.25 subdivision 5; and

69.26 (3) "soil health" has the meaning given under section 103C.101, subdivision 10a.

69.27 Subd. 2. **Establishment.** (a) The board must administer a financial and technical support  
 69.28 program to produce soil health practices that achieve water quality, soil productivity, climate  
 69.29 change resiliency, or carbon sequestration benefits.

70.1 (b) The program must include but is not limited to no till, field borders, prairie strips,  
 70.2 cover crops, and other practices sanctioned by the board or the United States Department  
 70.3 of Agriculture's Natural Resources Conservation Service.

70.4 Subd. 3. **Financial and technical assistance.** (a) The board may provide financial and  
 70.5 technical support to local units of government, private sector organizations, and farmers to  
 70.6 establish soil health practices and related practices with climate and water-quality benefits.

70.7 (b) The board must establish practices and costs that are eligible for financial and technical  
 70.8 support under this section.

70.9 Subd. 4. **Program implementation.** (a) The board may employ staff or enter into external  
 70.10 agreements to implement this section.

70.11 (b) The board must assist local units of government in achieving the objectives of the  
 70.12 program, including assessing practice standards and program effectiveness.

70.13 Subd. 5. **Federal aid availability.** The board must regularly review availability of federal  
 70.14 funds and programs to supplement or complement state and other efforts consistent with  
 70.15 the purposes of this section.

70.16 Subd. 6. **Soil health practices.** The board, in consultation with the commissioner of  
 70.17 agriculture, may cooperate with the United States Department of Agriculture, other federal  
 70.18 and state agencies, local governments, and private sector organizations to establish soil  
 70.19 health goals for the state that will achieve water quality, soil productivity, climate change  
 70.20 resiliency, and carbon sequestration benefits.

70.21 Subd. 7. **Carbon market applicability.** The board, in consultation with the commissioner  
 70.22 of agriculture, may cooperate with the United States Department of Agriculture, other federal  
 70.23 and state agencies, local governments, and private sector organizations to align or incorporate  
 70.24 soil health practices with carbon trading, mitigation, or offset markets and related tracking  
 70.25 or recognition efforts.

70.26 Sec. 38. Minnesota Statutes 2022, section 103F.505, is amended to read:

70.27 **103F.505 PURPOSE AND POLICY.**

70.28 (a) It is the purpose of sections 103F.505 to 103F.531 to restore certain marginal  
 70.29 agricultural land and protect environmentally sensitive areas to:

70.30 (1) enhance soil and water quality;

70.31 (2) minimize damage to flood-prone areas;

71.1 (3) sequester carbon, and;

71.2 (4) support native plant, fish, and wildlife habitats; and

71.3 (5) establish perennial vegetation.

71.4 (b) It is state policy to encourage the:

71.5 (1) restoration of wetlands and riparian lands and promote the retirement;

71.6 (2) restoration and protection of marginal, highly erodible land, particularly land adjacent  
71.7 to public waters, drainage systems, wetlands, and locally designated priority waters; and

71.8 (3) protection of environmentally sensitive areas, including wellhead protection areas,  
71.9 grasslands, peatlands, shorelands, and forest lands in priority areas.

71.10 Sec. 39. Minnesota Statutes 2022, section 103F.511, is amended by adding a subdivision  
71.11 to read:

71.12 Subd. 5a. **Grasslands.** "Grasslands" means landscapes that are or were formerly  
71.13 dominated by grasses, that have a low percentage of trees and shrubs, and that provide  
71.14 economic and ecosystem services such as grazing, wildlife habitat, carbon sequestration,  
71.15 and water filtration and retention.

71.16 Sec. 40. **[103F.519] REINVEST IN MINNESOTA WORKING LANDS PROGRAM.**

71.17 Subdivision 1. **Establishment.** The board may establish and administer a reinvest in  
71.18 Minnesota working lands program that is in addition to the program established under  
71.19 section 103F.515. Selecting land for the program must be based on the land's potential for:

71.20 (1) protecting or improving water quality;

71.21 (2) reducing erosion;

71.22 (3) improving soil health;

71.23 (4) reducing chemical inputs;

71.24 (5) improving carbon storage; and

71.25 (6) increasing biodiversity and habitat for fish, wildlife, and native plants.

71.26 Subd. 2. **Applicability.** Section 103F.515 applies to this section except as otherwise  
71.27 provided in subdivisions 1, 3, and 4.

71.28 Subd. 3. **Nature of property rights acquired.** Notwithstanding section 103F.515,  
71.29 subdivision 4, paragraph (a), the board may authorize haying and livestock grazing, perennial

72.1 or winter annual cover crop production, forest management, or other activities that the board  
 72.2 determines are consistent with section 103F.505 or appropriation conditions or criteria.

72.3 Subd. 4. **Payments for easements.** The board must establish payment rates for acquiring  
 72.4 easements and for related practices. The board must consider market factors as well as  
 72.5 easement terms, including length and allowable uses, when establishing rates.

72.6 Sec. 41. **[103G.216] REPORTING FISH KILLS IN PUBLIC WATERS.**

72.7 Subdivision 1. **Definition.** For the purposes of this section and section 103G.2165, "fish  
 72.8 kill" means an incident resulting in the death of 25 or more fish within one linear mile of a  
 72.9 flowing water or 25 or more fish within a square mile of a nonflowing water.

72.10 Subd. 2. **Reporting requirement.** A state or county staff person or official who learns  
 72.11 of a fish kill in public waters must report the location of the fish kill to the Minnesota state  
 72.12 duty officer within one hour of being notified of a fish kill or within four hours of first  
 72.13 observing the fish kill. The Minnesota state duty officer must alert the Departments of  
 72.14 Agriculture, Health, and Natural Resources and the Pollution Control Agency of the location  
 72.15 of the fish kill within one hour of being notified of the fish kill. When a fish kill is reported,  
 72.16 it must be posted to the *EQB Monitor* in the next scheduled posting.

72.17 Sec. 42. **[103G.2165] DEVELOPMENT OF FISH KILL RESPONSE PROTOCOL.**

72.18 Subdivision 1. **Development of protocol.** By June 30, 2024, the commissioners of  
 72.19 agriculture, health, and natural resources and the commissioner of the Pollution Control  
 72.20 Agency must update the fish kill response guidance by developing a protocol. The protocol  
 72.21 must consist of steps that state agencies responding to a report of a fish kill under section  
 72.22 103G.216 must take to ascertain cause of or contributing factors to the fish kill based on  
 72.23 scientific data and information gathered through investigation, as well as a communication  
 72.24 plan to inform the public of potential hazards. The protocol must address:

72.25 (1) how to approach sampling for aquatic life in most fish kill situations;

72.26 (2) the types of locations from which samples described in clause (1) should be taken;

72.27 (3) the types of locations where water samples should be taken from the body of water  
 72.28 in which the fish kill occurred, as well as tributary streams and private wells with landowner  
 72.29 consent that should also be sampled;

72.30 (4) the types of locations from which soil and groundwater samples should be taken to  
 72.31 ascertain whether contaminants traveled overland or underground to reach the body of water  
 72.32 in which the fish kill occurred;

73.1 (5) where other sampling should occur to determine the presence of contaminants that  
73.2 may have contributed to the fish kill;

73.3 (6) developing a comprehensive list of contaminants, including degradation products,  
73.4 for which the materials sampled in clauses (3) to (5) should be tested;

73.5 (7) the appropriate concentration limits to be used in testing samples for the presence  
73.6 of contaminants, allowing for the possibility that the fish kill may have resulted from the  
73.7 interaction of two or more contaminants present at concentrations below the level associated  
73.8 with toxic effects resulting from exposure to each individual chemical;

73.9 (8) proper handling, storage, and treatment necessary to preserve the integrity of the  
73.10 samples described in this subdivision to maximize the information the samples can yield  
73.11 regarding the cause of the fish kill;

73.12 (9) the organs and other parts of the fish and other aquatic creatures that should be  
73.13 analyzed to maximize the information the samples can yield regarding the cause of the fish  
73.14 kill;

73.15 (10) identifying a rapid response team of interagency staff or an independent contractor  
73.16 with the necessary data collection equipment that can travel to the site of the fish kill to  
73.17 collect samples within 24 to 48 hours of the incident;

73.18 (11) a communications plan with a health-risk assessment to notify potentially impacted  
73.19 downstream users of the surface water of the potential hazards and those in the vicinity  
73.20 whose public or private water supply, including surface water or groundwater, may be  
73.21 impacted; and

73.22 (12) the proposed content and timing for investigation reports filed following fish kills.  
73.23 Investigation reports should identify the probable causes and include recommendations to  
73.24 prevent similar incidents in the future.

73.25 Subd. 2. **Review of protocol.** The Departments of Agriculture, Health, and Natural  
73.26 Resources and the Pollution Control Agency must post the draft protocol to their websites  
73.27 for a 60-day period for public review and comment. The Departments of Agriculture, Health,  
73.28 and Natural Resources and the Pollution Control Agency must hold one or more public  
73.29 informational meetings on the draft protocol. The Departments of Agriculture, Health, and  
73.30 Natural Resources and the Pollution Control Agency must consider comments submitted  
73.31 during the public comment period before posting the final protocol to their websites.

73.32 Subd. 3. **Implementation.** Once the protocol has been published, the relevant state  
73.33 agencies must follow the protocol and must maintain data related to each fish kill response

74.1 documenting the extent to which the protocol was followed and any reasons why it was not.  
 74.2 Once the protocol is in effect, investigation reports for fish kills must be posted to the *EQB*  
 74.3 *Monitor*.

74.4 Subd. 4. **Updating protocol.** The updated protocol must be reviewed by the  
 74.5 commissioners of agriculture, health, and natural resources, and the commissioner of the  
 74.6 Pollution Control Agency at least every five years according to the procedures in this section.

74.7 Sec. 43. Minnesota Statutes 2022, section 115.01, is amended by adding a subdivision to  
 74.8 read:

74.9 Subd. 8a. **Microplastics.** "Microplastics" means particles of plastic less than 500  
 74.10 micrometers in size.

74.11 Sec. 44. Minnesota Statutes 2022, section 115.01, is amended by adding a subdivision to  
 74.12 read:

74.13 Subd. 8b. **Nanoplastics.** "Nanoplastics" means plastic particles less than or equal to 100  
 74.14 nanometers in size.

74.15 Sec. 45. Minnesota Statutes 2022, section 115.01, is amended by adding a subdivision to  
 74.16 read:

74.17 Subd. 10a. **Plastic.** "Plastic" means a synthetic material made from linking monomers  
 74.18 through a chemical reaction to create a polymer chain that can be molded or extruded at  
 74.19 high heat into various solid forms that retain their defined shapes during their life cycle and  
 74.20 after disposal. Plastic does not mean natural polymers that have not been chemically  
 74.21 modified.

74.22 Sec. 46. Minnesota Statutes 2022, section 115.03, subdivision 1, is amended to read:

74.23 Subdivision 1. **Generally.** (a) ~~The agency commissioner is hereby~~ given and charged  
 74.24 with the following powers and duties:

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

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

75.1 ~~(e)~~ (3) to establish and alter such reasonable pollution standards for any waters of the  
75.2 state in relation to the public use to which they are or may be put as it shall deem necessary  
75.3 for the purposes of this chapter and, with respect to the pollution of waters of the state,  
75.4 chapter 116;

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

75.7 ~~(e)~~ (5) to adopt, issue, reissue, modify, deny, or revoke, enter into or enforce reasonable  
75.8 orders, permits, variances, standards, rules, schedules of compliance, and stipulation  
75.9 agreements, under such conditions as it may prescribe, in order to prevent, control or abate  
75.10 water pollution, or for the installation or operation of disposal systems or parts thereof, or  
75.11 for other equipment and facilities:

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

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

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

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

75.30 ~~(5)~~ (v) establishing, and from time to time revising, standards of performance for new  
75.31 sources taking into consideration, among other things, classes, types, sizes, and categories  
75.32 of sources, processes, pollution control technology, cost of achieving such effluent reduction,  
75.33 and any nonwater quality environmental impact and energy requirements. Said standards  
75.34 of performance for new sources shall encompass those standards for the control of the

76.1 discharge of pollutants which reflect the greatest degree of effluent reduction which the  
76.2 agency determines to be achievable through application of the best available demonstrated  
76.3 control technology, processes, operating methods, or other alternatives, including, where  
76.4 practicable, a standard permitting no discharge of pollutants. New sources shall encompass  
76.5 buildings, structures, facilities, or installations from which there is or may be the discharge  
76.6 of pollutants, the construction of which is commenced after the publication by the agency  
76.7 of proposed rules prescribing a standard of performance which will be applicable to such  
76.8 source. Notwithstanding any other provision of the law of this state, any point source the  
76.9 construction of which is commenced after May 20, 1973, and which is so constructed as to  
76.10 meet all applicable standards of performance for new sources shall, consistent with and  
76.11 subject to the provisions of section 306(d) of the Amendments of 1972 to the Federal Water  
76.12 Pollution Control Act, not be subject to any more stringent standard of performance for new  
76.13 sources during a ten-year period beginning on the date of completion of such construction  
76.14 or during the period of depreciation or amortization of such facility for the purposes of  
76.15 section 167 or 169, or both, of the Federal Internal Revenue Code of 1954, whichever period  
76.16 ends first. Construction shall encompass any placement, assembly, or installation of facilities  
76.17 or equipment, including contractual obligations to purchase such facilities or equipment, at  
76.18 the premises where such equipment will be used, including preparation work at such  
76.19 premises;

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

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

76.29 ~~(8)~~ (viii) notwithstanding any other provision of this chapter, and with respect to the  
76.30 pollution of waters of the state, chapter 116, requiring the achievement of more stringent  
76.31 limitations than otherwise imposed by effluent limitations in order to meet any applicable  
76.32 water quality standard by establishing new effluent limitations, based upon section 115.01,  
76.33 subdivision 13, clause (b), including alternative effluent control strategies for any point  
76.34 source or group of point sources to insure the integrity of water quality classifications,  
76.35 whenever the agency determines that discharges of pollutants from such point source or

77.1 sources, with the application of effluent limitations required to comply with any standard  
77.2 of best available technology, would interfere with the attainment or maintenance of the  
77.3 water quality classification in a specific portion of the waters of the state. Prior to  
77.4 establishment of any such effluent limitation, the agency shall hold a public hearing to  
77.5 determine the relationship of the economic and social costs of achieving such limitation or  
77.6 limitations, including any economic or social dislocation in the affected community or  
77.7 communities, to the social and economic benefits to be obtained and to determine whether  
77.8 or not such effluent limitation can be implemented with available technology or other  
77.9 alternative control strategies. If a person affected by such limitation demonstrates at such  
77.10 hearing that, whether or not such technology or other alternative control strategies are  
77.11 available, there is no reasonable relationship between the economic and social costs and  
77.12 the benefits to be obtained, such limitation shall not become effective and shall be adjusted  
77.13 as it applies to such person;

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

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

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

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

77.30 ~~(h)~~ (8) to conduct such investigations, issue such notices, public and otherwise, and hold  
77.31 such hearings as are necessary or which it may deem advisable for the discharge of its duties  
77.32 under this chapter and, with respect to the pollution of waters of the state, under chapter  
77.33 116, including, but not limited to, the issuance of permits, and to authorize any member,

78.1 employee, or agent appointed by it to conduct such investigations or, issue such notices and  
78.2 hold such hearings;

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

78.10 ~~(j)~~ (10) to train water pollution control personnel, and charge ~~such training fees therefor~~  
78.11 as are necessary to cover the agency's costs. All such fees received ~~shall~~ must be paid into  
78.12 the state treasury and credited to the Pollution Control Agency training account;

78.13 (11) to provide chloride reduction training and charge training fees as necessary to cover  
78.14 the agency's costs not to exceed \$350. All training fees received must be paid into the state  
78.15 treasury and credited to the Pollution Control Agency training account;

78.16 ~~(k)~~ (12) to impose as additional conditions in permits to publicly owned disposal systems  
78.17 appropriate measures to insure compliance by industrial and other users with any pretreatment  
78.18 standard, including, but not limited to, those related to toxic pollutants, and any system of  
78.19 user charges ratably as is hereby required under state law or said Federal Water Pollution  
78.20 Control Act, as amended, or any regulations or guidelines promulgated thereunder;

78.21 ~~(l)~~ (13) to set a period not to exceed five years for the duration of any national pollutant  
78.22 discharge elimination system permit or not to exceed ten years for any permit issued as a  
78.23 state disposal system permit only;

78.24 ~~(m)~~ (14) to require each governmental subdivision identified as a permittee for a  
78.25 wastewater treatment works to evaluate in every odd-numbered year the condition of its  
78.26 existing system and identify future capital improvements that will be needed to attain or  
78.27 maintain compliance with a national pollutant discharge elimination system or state disposal  
78.28 system permit; and

78.29 ~~(n)~~ (15) to train subsurface sewage treatment system personnel, including persons who  
78.30 design, construct, install, inspect, service, and operate subsurface sewage treatment systems,  
78.31 and charge fees as necessary to pay the agency's costs. All fees received must be paid into  
78.32 the state treasury and credited to the agency's training account. Money in the account is  
78.33 appropriated to the agency to pay expenses related to training.

79.1 (b) The information required in paragraph (a), clause ~~(m)~~ (14), must be submitted in  
 79.2 every odd-numbered year to the commissioner on a form provided by the commissioner.  
 79.3 The commissioner shall provide technical assistance if requested by the governmental  
 79.4 subdivision.

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

79.7 Sec. 47. Minnesota Statutes 2022, section 115A.1415, is amended to read:

79.8 **115A.1415 ARCHITECTURAL PAINT; PRODUCT STEWARDSHIP PROGRAM;**  
 79.9 **STEWARDSHIP PLAN.**

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

79.12 (1) "architectural paint" means interior and exterior architectural coatings sold in  
 79.13 containers of five gallons or less. Architectural paint does not include industrial coatings,  
 79.14 original equipment coatings, or specialty coatings;

79.15 (2) "brand" means a name, symbol, word, or mark that identifies architectural paint,  
 79.16 rather than its components, and attributes the paint to the owner or licensee of the brand as  
 79.17 the producer;

79.18 (3) "discarded paint" means architectural paint that is no longer used for its manufactured  
 79.19 purpose;

79.20 (4) "producer" means a person that:

79.21 (i) has legal ownership of the brand, brand name, or cobrand of architectural paint sold  
 79.22 in the state;

79.23 (ii) imports architectural paint branded by a producer that meets item (i) when the  
 79.24 producer has no physical presence in the United States;

79.25 (iii) if items (i) and (ii) do not apply, makes unbranded architectural paint that is sold in  
 79.26 the state; or

79.27 (iv) sells architectural paint at wholesale or retail, does not have legal ownership of the  
 79.28 brand, and elects to fulfill the responsibilities of the producer for the architectural paint by  
 79.29 certifying that election in writing to the commissioner;

80.1 (5) "recycling" means the process of collecting and preparing recyclable materials and  
 80.2 reusing the materials in their original form or using them in manufacturing processes that  
 80.3 do not cause the destruction of recyclable materials in a manner that precludes further use;

80.4 (6) "retailer" means any person who offers architectural paint for sale at retail in the  
 80.5 state;

80.6 (7) "reuse" means donating or selling collected architectural paint back into the market  
 80.7 for its original intended use, when the architectural paint retains its original purpose and  
 80.8 performance characteristics;

80.9 (8) "sale" or "sell" means transfer of title of architectural paint for consideration, including  
 80.10 a remote sale conducted through a sales outlet, catalog, website, or similar electronic means.  
 80.11 Sale or sell includes a lease through which architectural paint is provided to a consumer by  
 80.12 a producer, wholesaler, or retailer;

80.13 (9) "stewardship assessment" means the amount added to the purchase price of  
 80.14 architectural paint sold in the state ~~that is necessary to cover the cost of collecting,~~  
 80.15 ~~transporting, and processing postconsumer architectural paint by the producer or stewardship~~  
 80.16 ~~organization pursuant to a product stewardship program~~ to implement a product stewardship  
 80.17 program according to an approved stewardship plan;

80.18 (10) "stewardship organization" means an organization appointed by one or more  
 80.19 producers to act as an agent on behalf of the producer to design, submit, and administer a  
 80.20 product stewardship program under this section; and

80.21 (11) "stewardship plan" means a detailed plan describing the manner in which a product  
 80.22 stewardship program under subdivision 2 will be implemented.

80.23 Subd. 2. **Product stewardship program.** For architectural paint sold in the state,  
 80.24 producers must, individually or through a stewardship organization, implement and finance  
 80.25 a statewide product stewardship program that manages the architectural paint by reducing  
 80.26 the paint's waste generation, promoting its reuse and recycling, and providing for negotiation  
 80.27 and execution of agreements to collect, transport, and process the architectural paint for  
 80.28 end-of-life recycling and reuse.

80.29 Subd. 3. **Participation required to sell.** (a) ~~On and after July 1, 2014, or three months~~  
 80.30 ~~after program plan approval, whichever is sooner,~~ No producer, wholesaler, or retailer may  
 80.31 sell or offer for sale in the state architectural paint unless the paint's producer participates  
 80.32 in an approved stewardship plan, either individually or through a stewardship organization.

81.1 (b) Each producer must operate a product stewardship program approved by the ~~agency~~  
 81.2 commissioner or enter into an agreement with a stewardship organization to operate, on the  
 81.3 producer's behalf, a product stewardship program approved by the ~~agency~~ commissioner.

81.4 Subd. 4. **Stewardship plan required.** (a) ~~On or before March 1, 2014, and~~ Before  
 81.5 offering architectural paint for sale in the state, a producer must submit a stewardship plan  
 81.6 to the ~~agency~~ commissioner and receive approval of the plan or must submit documentation  
 81.7 to the ~~agency~~ commissioner that demonstrates the producer has entered into an agreement  
 81.8 with a stewardship organization to be an active participant in an approved product  
 81.9 stewardship program as described in subdivision 2. A stewardship plan must include all  
 81.10 elements required under subdivision 5.

81.11 (b) ~~A~~ A proposed amendment to the plan, if determined necessary by the commissioner,  
 81.12 must be submitted to the commissioner for review and approval or rejection every five  
 81.13 years.

81.14 (c) ~~It is the responsibility of~~ The entities responsible for each stewardship plan ~~to~~ must  
 81.15 notify the ~~agency~~ commissioner within 30 days of any significant proposed changes ~~or~~  
 81.16 ~~modifications~~ to the plan or its implementation. Within 30 days of the notification, a written  
 81.17 proposed plan revision amendment must be submitted to the ~~agency~~ commissioner for  
 81.18 review and approval or rejection.

81.19 Subd. 5. **Plan content.** A stewardship plan must contain:

81.20 (1) certification that the product stewardship program will accept all discarded paint  
 81.21 regardless of which producer produced the architectural paint and its individual components;

81.22 (2) contact information for the individual and the entity submitting the stewardship plan,  
 81.23 a list of all producers participating in the product stewardship program, and the brands  
 81.24 covered by the product stewardship program;

81.25 (3) a description of the methods by which the discarded paint will be collected in all  
 81.26 areas in the state without relying on end-of-life fees, including an explanation of how the  
 81.27 collection system will be convenient and adequate to serve the needs of small businesses  
 81.28 and residents in both urban and rural areas on an ongoing basis and a discussion of how the  
 81.29 existing household hazardous waste infrastructure will be considered when selecting  
 81.30 collection sites;

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

82.1 (5) the names and locations of collectors, transporters, and recyclers that will manage  
82.2 discarded paint;

82.3 (6) a description of how the discarded paint and the paint's components will be safely  
82.4 and securely transported, tracked, and handled from collection through final recycling and  
82.5 processing;

82.6 (7) a description of the method that will be used to reuse, deconstruct, or recycle the  
82.7 discarded paint to ensure that the paint's components, to the extent feasible, are transformed  
82.8 or remanufactured into finished products for use;

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

82.12 (9) the proposed stewardship assessment. ~~The producer or stewardship organization~~  
82.13 ~~shall propose a uniform stewardship assessment for any architectural paint sold in the state.~~  
82.14 ~~The proposed stewardship assessment shall be reviewed by an independent auditor to ensure~~  
82.15 ~~that the assessment does not exceed the costs of the product stewardship program and the~~  
82.16 ~~independent auditor shall recommend an amount for the stewardship assessment. The agency~~  
82.17 ~~must approve the stewardship assessment~~ established according to subdivision 5a;

82.18 (10) evidence of adequate insurance and financial assurance that may be required for  
82.19 collection, handling, and disposal operations;

82.20 (11) five-year performance goals, including an estimate of the percentage of discarded  
82.21 paint that will be collected, reused, and recycled during each of the first five years of the  
82.22 stewardship plan. The performance goals must include a specific goal for the amount of  
82.23 discarded paint that will be collected and recycled and reused during each year of the plan.  
82.24 The performance goals must be based on:

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

82.26 (ii) the estimated amount of architectural paint disposed of annually;

82.27 (iii) the weight of the architectural paint that is expected to be available for collection  
82.28 annually; and

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

82.30 The stewardship plan must state the methodology used to determine these goals; and

82.31 (12) a discussion of the status of end markets for collected architectural paint and what,  
82.32 if any, additional end markets are needed to improve the functioning of the program.

83.1 Subd. 5a. **Stewardship assessment.** The producer or stewardship organization must  
 83.2 propose a uniform stewardship assessment for any architectural paint sold in the state that  
 83.3 covers but does not exceed the costs of developing the stewardship plan, operating and  
 83.4 administering the program in accordance with the stewardship plan and the requirements  
 83.5 of this section, and maintaining a financial reserve. A stewardship organization or producer  
 83.6 must not maintain a financial reserve in excess of 75 percent of the organization's annual  
 83.7 operating expenses. The producer or stewardship organization must retain an independent  
 83.8 auditor to review the proposed stewardship assessment to ensure that the assessment meets  
 83.9 the requirements of this section. The independent auditor must recommend an amount for  
 83.10 the stewardship assessment. If the financial reserve exceeds 75 percent of the producer or  
 83.11 stewardship organization's annual operating expenses, the producer or stewardship  
 83.12 organization must submit a proposed plan amendment according to subdivision 4, paragraph  
 83.13 (c), to comply with this subdivision. The commissioner must review and approve or reject  
 83.14 the stewardship assessment according to subdivision 7.

83.15 **Subd. 6. Consultation required.** Each stewardship organization or individual producer  
 83.16 submitting a stewardship plan or plan amendment must consult with stakeholders including  
 83.17 retailers, contractors, collectors, recyclers, local government, and customers during the  
 83.18 development of the plan or plan amendment.

83.19 **Subd. 7. ~~Agency~~ Commissioner review and approval.** (a) Within 90 days after receipt  
 83.20 ~~of receiving~~ a proposed stewardship plan, the ~~agency shall~~ commissioner must determine  
 83.21 whether the plan complies with ~~subdivision 4~~ this section. If the ~~agency~~ commissioner  
 83.22 approves a plan, the ~~agency shall~~ commissioner must notify the applicant of the plan approval  
 83.23 in writing. If the ~~agency~~ commissioner rejects a plan, the ~~agency shall~~ commissioner must  
 83.24 notify the applicant in writing of the reasons for rejecting the plan.

83.25 (b) An applicant whose plan is rejected by the ~~agency~~ commissioner must submit a  
 83.26 revised stewardship plan to the ~~agency~~ commissioner within 60 days after receiving notice  
 83.27 of rejection. A stewardship organization may submit a revised stewardship plan to the  
 83.28 commissioner on not more than two consecutive occasions. If, after the second consecutive  
 83.29 submission, the commissioner determines that the revised stewardship plan still does not  
 83.30 meet the requirements of this section, the commissioner must modify the stewardship plan  
 83.31 as necessary to meet the requirements of this section and approve the stewardship plan.

83.32 ~~(b)~~ (c) Any proposed ~~changes~~ amendment to a stewardship plan must be reviewed and  
 83.33 approved or rejected by the ~~agency~~ commissioner in writing according to this subdivision.

84.1 Subd. 8. **Plan availability.** All ~~draft~~ proposed stewardship plans and amendments and  
84.2 approved stewardship plans ~~shall~~ and amendments must be placed on the agency's website  
84.3 for at least 30 days and made available at the agency's headquarters for public review and  
84.4 comment.

84.5 Subd. 9. **Conduct authorized.** A producer or stewardship organization that organizes  
84.6 collection, transport, and processing of architectural paint under this section is immune from  
84.7 liability for the conduct under state laws relating to antitrust, restraint of trade, unfair trade  
84.8 practices, and other regulation of trade or commerce only to the extent that the conduct is  
84.9 necessary to plan and implement the producer's or organization's chosen organized collection  
84.10 or recycling system.

84.11 Subd. 10. **Producer responsibilities.** (a) On and after the date of implementation of a  
84.12 product stewardship program according to this section, a producer of architectural paint  
84.13 must add the stewardship assessment, as established under subdivision 5, ~~clause (9)~~ 5a, to  
84.14 the cost of architectural paint sold to retailers and distributors in the state by the producer.

84.15 (b) Producers of architectural paint or the stewardship organization ~~shall~~ must provide  
84.16 consumers with educational materials regarding the stewardship assessment and product  
84.17 stewardship program. The materials must include, but are not limited to, information  
84.18 regarding available end-of-life management options for architectural paint offered through  
84.19 the product stewardship program and information that notifies consumers that a charge for  
84.20 the operation of the product stewardship program is included in the purchase price of  
84.21 architectural paint sold in the state.

84.22 Subd. 11. **Retailer responsibilities.** (a) ~~On and after July 1, 2014, or three months after~~  
84.23 ~~program plan approval, whichever is sooner,~~ No architectural paint may be sold in the state  
84.24 unless the paint's producer is participating in an approved stewardship plan.

84.25 (b) On and after the implementation date of a product stewardship program according  
84.26 to this section, each retailer or distributor, as applicable, must ensure that the full amount  
84.27 of the stewardship assessment added to the cost of architectural paint by producers under  
84.28 subdivision 10 is included in the purchase price of all architectural paint sold in the state.

84.29 (c) Any retailer may participate, on a voluntary basis, as a designated collection point  
84.30 pursuant to a product stewardship program under this section and in accordance with  
84.31 applicable law.

84.32 (d) No retailer or distributor shall be found to be in violation of this subdivision if, on  
84.33 the date the architectural paint was ordered from the producer or its agent, the producer was  
84.34 listed as compliant on the agency's website according to subdivision 14.

85.1 Subd. 12. **Stewardship reports.** ~~Beginning October 1, 2015, By April 1 each year,~~  
 85.2 producers of architectural paint sold in the state must individually or through a stewardship  
 85.3 organization submit an annual report to the agency commissioner describing the product  
 85.4 stewardship program for the preceding calendar year. At a minimum, the report must contain:

85.5 (1) a description of the methods used to collect, transport, and process architectural paint  
 85.6 in all regions of the state;

85.7 (2) the weight of all architectural paint collected in all regions of the state and a  
 85.8 comparison to the performance goals and recycling rates established in the stewardship  
 85.9 plan;

85.10 (3) the amount of unwanted architectural paint collected in the state by method of  
 85.11 disposition, including reuse, recycling, and other methods of processing;

85.12 (4) samples of educational materials provided to consumers and an evaluation of the  
 85.13 effectiveness of the materials and the methods used to disseminate the materials; and

85.14 (5) an independent financial audit.

85.15 Subd. 13. **Data classification.** Trade secret and sales information, as defined under  
 85.16 section 13.37, submitted to the agency commissioner under this section are private or  
 85.17 nonpublic data under section 13.37.

85.18 Subd. 14. **Agency Commissioner responsibilities.** ~~The agency shall~~ commissioner must  
 85.19 provide, on ~~its~~ the agency's website, a list of all compliant producers and brands participating  
 85.20 in stewardship plans that the agency commissioner has approved and a list of all producers  
 85.21 and brands the agency commissioner has identified as noncompliant with this section.

85.22 Subd. 15. **Local government responsibilities.** (a) A city, county, or other public agency  
 85.23 may choose to participate voluntarily in a product stewardship program.

85.24 (b) Cities, counties, and other public agencies are encouraged to work with producers  
 85.25 and stewardship organizations to assist in meeting product stewardship program reuse and  
 85.26 recycling obligations, by providing education and outreach or using other strategies.

85.27 (c) A city, county, or other public agency that participates in a product stewardship  
 85.28 program must report for the first year of the program to the agency commissioner using the  
 85.29 reporting form provided by the agency commissioner on the cost savings as a result of  
 85.30 participation and must describe how the savings were used.

85.31 Subd. 16. **Administrative fee.** (a) The stewardship organization or individual producer  
 85.32 submitting a stewardship plan ~~shall~~ must pay an annual administrative fee to the

86.1 commissioner. The ~~agency~~ commissioner may establish a variable fee based on relevant  
 86.2 factors, including, but not limited to, the portion of architectural paint sold in the state by  
 86.3 members of the organization compared to the total amount of architectural paint sold in the  
 86.4 state by all organizations submitting a stewardship plan.

86.5 (b) ~~Prior to July 1, 2014, and Before July 1 annually thereafter~~ each year, the ~~agency~~  
 86.6 ~~shall~~ commissioner must identify the costs ~~it~~ the agency incurs under this section. The  
 86.7 ~~agency shall~~ commissioner must set the fee at an amount that, when paid by every  
 86.8 stewardship organization or individual producer that submits a stewardship plan, is adequate  
 86.9 to reimburse the agency's full costs of administering this section. The total amount of annual  
 86.10 fees collected under this subdivision must not exceed the amount necessary to reimburse  
 86.11 costs incurred by the agency to administer this section.

86.12 (c) A stewardship organization or individual producer subject to this subdivision must  
 86.13 pay the ~~agency's~~ commissioner's administrative fee under paragraph (a) on or before July  
 86.14 ~~1, 2014, and annually thereafter~~ each year. Each year after the initial payment, the annual  
 86.15 administrative fee may not exceed five percent of the aggregate stewardship assessment  
 86.16 added to the cost of all architectural paint sold by producers in the state for the preceding  
 86.17 calendar year.

86.18 (d) All fees received under this section ~~shall~~ must be deposited in the state treasury and  
 86.19 credited to a product stewardship account in the special revenue fund. ~~For fiscal years 2014,~~  
 86.20 ~~2015, 2016, and 2017,~~ The amount collected under this section is annually appropriated to  
 86.21 the ~~agency~~ commissioner to implement and enforce this section.

86.22 Subd. 17. Duty to provide information. Upon request of the commissioner for purposes  
 86.23 of determining compliance with this section, a person must furnish to the commissioner  
 86.24 any information that the person has or may reasonably obtain.

86.25 Sec. 48. Minnesota Statutes 2022, section 115A.49, is amended to read:

86.26 **115A.49 SOLID WASTE MANAGEMENT PROJECTS CAPITAL ASSISTANCE**  
 86.27 **PROGRAM.**

86.28 (a) There is established a program to encourage and assist cities, counties, solid waste  
 86.29 management districts, and sanitary districts in the development and implementation of solid  
 86.30 waste management projects and to transfer the knowledge and experience gained from such  
 86.31 projects to other communities in the state.

86.32 (b) The program must be administered to encourage local communities to develop  
 86.33 feasible and prudent alternatives to disposal, including:

87.1 (1) waste reduction;

87.2 (2) reuse;

87.3 (3) recycling;

87.4 (4) composting source-separated compostable materials or yard waste;

87.5 (5) resource recovery;

87.6 (6) waste separation by generators, collectors, and other persons; and

87.7 (7) waste processing.

87.8 (c) The commissioner shall administer the program in accordance with the requirements  
 87.9 of according to sections 115A.49 to 115A.54 and rules ~~promulgated~~ adopted under chapter  
 87.10 14. In administering the program, the commissioner shall give priority to projects in the  
 87.11 order of preference of the waste management practices listed in section 115A.02. The  
 87.12 commissioner shall give special consideration to areas where natural geologic and soil  
 87.13 conditions are especially unsuitable for land disposal of solid waste; areas where the capacity  
 87.14 of existing solid waste disposal facilities is determined by the commissioner to be less than  
 87.15 five years; and projects serving more than one local government unit.

87.16 Sec. 49. Minnesota Statutes 2022, section 115A.51, is amended to read:

87.17 **115A.51 APPLICATION REQUIREMENTS.**

87.18 (a) Applications for assistance under the program must demonstrate:

87.19 (1) that the project is conceptually and technically feasible;

87.20 (2) that affected political subdivisions are committed to implement the project, to provide  
 87.21 necessary local financing, and to accept and exercise the government powers necessary to  
 87.22 the project;

87.23 (3) that operating revenues from the project, considering the availability and security of  
 87.24 sources of solid waste and of markets for recovered resources or the availability of materials  
 87.25 for waste reduction or reuse, together with any proposed federal, state, or local financial  
 87.26 assistance, will be sufficient to pay all costs over the projected life of the project;

87.27 (4) that the applicant has evaluated the feasible and prudent alternatives to disposal,  
 87.28 including using existing solid waste management facilities and facilities conducting waste  
 87.29 reduction or reuse with reasonably available capacity sufficient to accomplish the goals of  
 87.30 the proposed project, and has compared and evaluated the costs of the alternatives, including  
 87.31 capital and operating costs, and the effects of the alternatives on the cost to generators;

88.1 (5) that the applicant has identified:

88.2 (i) waste management objectives in applicable county and regional solid waste  
88.3 management plans consistent with section 115A.46, subdivision 2, paragraphs (e) and (f),  
88.4 or 473.149, subdivision 1; and

88.5 (ii) other solid waste management facilities and facilities conducting waste reduction or  
88.6 reuse identified in the county and regional plans; ~~and~~

88.7 (6) that the applicant has conducted a comparative analysis of the project against existing  
88.8 public and private solid waste management facilities and facilities conducting waste reduction  
88.9 or reuse, including an analysis of potential displacement of those facilities, to determine  
88.10 whether the project is the most appropriate alternative to achieve the identified waste  
88.11 management objectives that considers:

88.12 (i) conformity with approved county or regional solid waste management plans;

88.13 (ii) consistency with the state's solid waste hierarchy and section 115A.46, subdivision  
88.14 2, paragraphs (e) and (f), or 473.149, subdivision 1; and

88.15 (iii) environmental standards related to public health, air, surface water, and groundwater;

88.16 (7) that the applicant has evaluated the project's environmental impact on climate change,  
88.17 including greenhouse gas emissions; and

88.18 (8) that the applicant has reviewed the project's impact on overburdened areas, conducted  
88.19 stakeholder engagement, and assessed community input.

88.20 (b) The commissioner ~~may~~ must require completion of a comprehensive solid waste  
88.21 management plan conforming to the requirements of section 115A.46, before accepting an  
88.22 application. Within five days of filing an application with the agency, the applicant must  
88.23 submit a copy of the application to each solid waste management facility, including each  
88.24 facility used for waste reduction or reuse, mentioned in the portion of the application  
88.25 addressing the requirements of paragraph (a), clauses (5) and (6).

88.26 Sec. 50. Minnesota Statutes 2022, section 115A.54, subdivision 1, is amended to read:

88.27 Subdivision 1. **Purposes; public interest; declaration of policy.** The legislature finds  
88.28 ~~that the establishment of waste processing~~ acquiring, establishing, and improving facilities  
88.29 that conduct waste reduction, reuse, recycling, composting source-separated compostable  
88.30 materials or yard waste, resource recovery, and waste processing and transfer stations serving  
88.31 such facilities is needed to reduce and manage properly the solid waste generated in the  
88.32 state and to conserve and protect the natural resources in the state and the health, safety,

89.1 and welfare of its citizens; that opportunities to acquire, establish, and improve the facilities  
 89.2 and transfer stations are not being fully realized by individual political subdivisions or by  
 89.3 agreements among subdivisions; and that therefore it is necessary to provide capital assistance  
 89.4 to stimulate and encourage the acquisition, establishment, and betterment improvement of  
 89.5 the facilities and transfer stations.

89.6 Sec. 51. Minnesota Statutes 2022, section 115A.54, subdivision 2, is amended to read:

89.7 Subd. 2. **Administration; assurance of funds.** The commissioner shall provide technical  
 89.8 and financial assistance ~~for the acquisition and betterment of~~ to acquire, establish, and  
 89.9 improve the facilities and transfer stations from revenues derived from ~~the issuance of~~  
 89.10 issuing bonds authorized by section 115A.58. Facilities for ~~the incineration of~~ incinerating  
 89.11 solid waste without resource recovery are not eligible for assistance. Money appropriated  
 89.12 for the purposes of the ~~demonstration~~ program may be distributed as grants or loans. An  
 89.13 individual project may receive assistance totaling up to 100 percent of the capital cost of  
 89.14 the project and grants up to ~~50~~ 75 percent of the capital cost of the project. No grant or loan  
 89.15 shall be disbursed to any recipient until the commissioner has determined the total estimated  
 89.16 capital cost of the project and ascertained that financing of the cost is assured by funds  
 89.17 provided by the state, by an agency of the federal government within the amount of funds  
 89.18 then appropriated to that agency and allocated by it to projects within the state, by any  
 89.19 person, or by the appropriation of proceeds of bonds or other funds of the recipient to a fund  
 89.20 for ~~the construction of~~ constructing the project.

89.21 Sec. 52. Minnesota Statutes 2022, section 115A.54, subdivision 2a, is amended to read:

89.22 Subd. 2a. **Solid waste management projects.** (a) The commissioner shall provide  
 89.23 technical and financial assistance ~~for the acquisition and betterment of~~ to acquire, establish,  
 89.24 and improve solid waste management projects as provided in this subdivision and section  
 89.25 115A.52. Money appropriated for the purposes of this subdivision must be distributed as  
 89.26 grants.

89.27 (b) Except as provided in paragraph (c), a project may receive grant assistance up to 25  
 89.28 percent of the capital cost of the project or ~~\$2,000,000~~ \$5,000,000, whichever is less, except  
 89.29 that projects constructed as a result of intercounty cooperative agreements may receive the  
 89.30 lesser of:

89.31 (1) grant assistance up to 25 percent of the capital cost of the project; or

89.32 (2) ~~\$2,000,000~~ \$5,000,000 times the number of participating counties, ~~whichever is less.~~

90.1 (c) A recycling project ~~or~~, a project to compost ~~or eecompost~~ source-separated  
 90.2 compostable material or yard waste, or a project to manage household hazardous waste may  
 90.3 receive grant assistance up to 50 percent of the capital cost of the project or \$2,000,000  
 90.4 \$5,000,000, whichever is less, except that projects completed as a result of intercounty  
 90.5 cooperative agreements may receive the lesser of:

90.6 (1) grant assistance up to 50 percent of the capital cost of the project; or

90.7 (2) ~~\$2,000,000~~ \$5,000,000 times the number of participating counties, ~~whichever is less.~~

90.8 (d) The following projects may also receive grant assistance in the amounts specified  
 90.9 in ~~this~~ paragraph (c):

90.10 (1) a project to improve control of or reduce air emissions at an existing resource recovery  
 90.11 facility; and

90.12 (2) a project to substantially increase the recovery of materials or energy, substantially  
 90.13 reduce the amount or toxicity of waste processing residuals, or expand the capacity of an  
 90.14 existing resource recovery facility to meet the resource recovery needs of an expanded  
 90.15 region if each county from which waste is or would be received has achieved a recycling  
 90.16 rate in excess of the goals in section 115A.551, and is implementing aggressive waste  
 90.17 reduction and household hazardous waste management programs.

90.18 (e) A waste reduction project or reuse project may receive grant assistance up to 75  
 90.19 percent of the capital cost of the project or \$5,000,000, whichever is less, except that projects  
 90.20 completed as a result of intercounty cooperative agreements may receive the lesser of:

90.21 (1) grant assistance up to 75 percent of the capital cost of the project; or

90.22 (2) \$5,000,000 times the number of participating counties.

90.23 ~~(d)~~ (f) Notwithstanding paragraph ~~(e)~~ (g), the commissioner may award grants for transfer  
 90.24 stations that will initially transfer waste to landfills if the transfer stations are part of a  
 90.25 planned resource recovery project, the county where the planned resource recovery facility  
 90.26 will be located has a comprehensive solid waste management plan approved by the  
 90.27 commissioner, and the solid waste management plan proposes the development of the  
 90.28 resource recovery facility. If the proposed resource recovery facility is not in place and  
 90.29 operating within 16 years of the date of the grant award, the recipient shall repay the grant  
 90.30 amount to the state.

90.31 ~~(e)~~ (g) Projects without waste reduction, reuse, recycling, composting source-separated  
 90.32 compostable material or yard waste, or resource recovery are not eligible for assistance.  
 90.33 Solid waste disposal facilities and equipment are not eligible for assistance.

91.1 ~~(f)~~ (h) In addition to any assistance received under paragraph (b) ~~or~~, (c), (d), or (e), a  
 91.2 project may receive grant assistance for the cost of tests necessary to determine the  
 91.3 appropriate pollution control equipment for the project or the environmental effects of the  
 91.4 use of any product or material produced by the project.

91.5 ~~(g)~~ (i) In addition to the application requirements of section 115A.51, an application for  
 91.6 a project serving eligible jurisdictions in only a single county must demonstrate that  
 91.7 cooperation with jurisdictions in other counties to develop the project is not needed or not  
 91.8 feasible. Each application must also demonstrate that the project is not financially prudent  
 91.9 without the state assistance, because of the applicant's financial capacity and the problems  
 91.10 inherent in the waste management situation in the area, particularly transportation distances  
 91.11 and limited waste supply and markets for resources recovered.

91.12 ~~(h)~~ (j) For the purposes of this subdivision, a "project" means acquisition, establishment,  
 91.13 or improvement of a processing facility, that conducts waste reduction, reuse, recycling,  
 91.14 composting source-separated compostable materials or yard waste, resource recovery, or  
 91.15 waste processing, together with any transfer stations, transmission facilities, and other related  
 91.16 and appurtenant facilities primarily serving the processing facility.

91.17 (k) The commissioner shall adopt rules for the program ~~by July 1, 1985.~~

91.18 ~~(i)~~ (l) Notwithstanding anything in this subdivision to the contrary, a project to construct  
 91.19 a new ~~mixed municipal~~ solid waste transfer station that has an enforceable commitment of  
 91.20 at least ten years, or of sufficient length to retire bonds sold for the facility, to serve an  
 91.21 existing resource recovery facility may receive grant assistance up to 75 percent of the  
 91.22 capital cost of the project if addition of the transfer station will increase substantially the  
 91.23 geographical area served by the resource recovery facility and the ability of the resource  
 91.24 recovery facility to operate more efficiently on a regional basis and the facility meets the  
 91.25 criteria in paragraph ~~(e)~~ (d), ~~the second~~ clause (2). A transfer station eligible for assistance  
 91.26 under this paragraph is not eligible for assistance under any other paragraph of this  
 91.27 subdivision.

91.28 Sec. 53. Minnesota Statutes 2022, section 115A.565, subdivision 1, is amended to read:

91.29 Subdivision 1. **Grant program established.** The commissioner must make competitive  
 91.30 grants to political subdivisions or federally recognized Tribes ~~to establish curbside recycling~~  
 91.31 ~~or composting, increase~~ for waste reduction, reuse, recycling or, and composting, reduce  
 91.32 ~~the amount of recyclable materials entering disposal facilities, or reduce the costs associated~~  
 91.33 ~~with hauling waste by locating collection sites as close as possible to the site where the~~  
 91.34 ~~waste is generated~~ of source-separated compostable materials or yard waste. To be eligible

92.1 for grants under this section, a political subdivision or federally recognized Tribe must be  
 92.2 located outside the seven-county metropolitan area and a city must have a population of  
 92.3 less than 45,000.

92.4 Sec. 54. Minnesota Statutes 2022, section 115A.565, subdivision 3, is amended to read:

92.5 Subd. 3. **Priorities; eligible projects.** (a) If applications for grants exceed the available  
 92.6 appropriations, grants must be made for projects that, in the commissioner's judgment,  
 92.7 provide the highest return in public benefits.

92.8 (b) To be eligible to receive a grant, a project must:

92.9 (1) be locally administered;

92.10 (2) have an educational component and measurable outcomes;

92.11 (3) request \$250,000 or less;

92.12 (4) demonstrate local direct and indirect matching support of at least a quarter amount  
 92.13 of the grant request; ~~and~~

92.14 (5) include at least one of the following elements:

92.15 ~~(i) transition to residential recycling through curbside or centrally located collection~~  
 92.16 ~~sites;~~

92.17 ~~(ii) development of local recycling systems to support curbside recycling; or~~

92.18 ~~(iii) development or expansion of local recycling systems to support recycling bulk~~  
 92.19 ~~materials, including, but not limited to, electronic waste.~~

92.20 (i) waste reduction;

92.21 (ii) reuse;

92.22 (iii) recycling; or

92.23 (iv) composting of source-separated compostable materials or yard waste; and

92.24 (6) demonstrate that the project will reduce waste generation through waste reduction  
 92.25 or reuse or that the project will increase the amount of recyclable materials or  
 92.26 source-separated compostable materials diverted from a disposal facility.

93.1 Sec. 55. [116.065] CUMULATIVE IMPACTS ANALYSIS; PERMIT DECISIONS  
93.2 IN ENVIRONMENTAL JUSTICE AREAS.

93.3 Subdivision 1. Definitions. (a) For the purposes of this section, the following terms have  
93.4 the meanings given.

93.5 (b) "Commissioner" means the commissioner of the Minnesota Pollution Control Agency.

93.6 (c) "Cumulative impacts" means the impacts of aggregated levels of past and current  
93.7 air, water, and land pollution in a defined geographic area to which current residents are  
93.8 exposed.

93.9 (d) "Environmental justice" means:

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

93.13 (2) in all decisions that have the potential to affect the environment of an environmental  
93.14 justice area or the public health of its residents, due consideration is given to the history of  
93.15 the area's and its residents' cumulative exposure to pollutants and to any current  
93.16 socioeconomic conditions that increase the physical sensitivity of those residents to additional  
93.17 exposure to pollutants.

93.18 (e) "Environmental justice area" means one or more census tracts in Minnesota:

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

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

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

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

93.25 (2) located within Indian Country, as defined in United States Code, title 18, section  
93.26 1151.

93.27 (f) "Environmental stressors" mean factors that may make residents of an environmental  
93.28 justice area particularly sensitive to exposure to pollutants. Environmental stressors include  
93.29 social and environmental factors, including but not limited to poverty, substandard housing,  
93.30 food insecurity, elevated rates of disease, and poor access to health insurance and medical  
93.31 care.

94.1 Subd. 2. Cumulative impacts analysis; when required. (a) Except as provided in  
 94.2 paragraph (b), this subdivision applies to the following permit applications for the  
 94.3 construction of a new facility or the expansion of an existing facility within the seven-county  
 94.4 metropolitan area or within Indian Country, as defined in United States Code, title 18,  
 94.5 section 1151:

94.6 (1) a major source air permit, as defined in Minnesota Rules, part 7007.0200, subpart  
 94.7 2;

94.8 (2) a state air permit required under Minnesota Rules, part 7007.0250, subpart 6;

94.9 (3) an individual permit for a solid waste disposal facility proposing to receive or increase  
 94.10 capacity by 100,000 cubic yards or more of waste annually; and

94.11 (4) a permit required for the treatment, storage, or disposal of hazardous waste.

94.12 (b) This section does not apply to the construction of a new facility or the expansion of  
 94.13 an existing facility by a person acting under a permit to mine iron, taconite, or nonferrous  
 94.14 metallic minerals, or to a permit application for the construction of a new facility or the  
 94.15 expansion of an existing facility in the Taconite Assistance Area, as defined in section  
 94.16 273.1341.

94.17 (c) The owner or operator of a facility subject to paragraph (a), clause (1), must conduct  
 94.18 a cumulative impacts analysis if the facility is located in or, as determined by the  
 94.19 commissioner, may affect the environment or health of residents in an environmental justice  
 94.20 area and:

94.21 (1) the proposed facility or expansion exceeds the benchmarks established in rules  
 94.22 adopted under subdivision 5 for requiring a cumulative impacts analysis; or

94.23 (2) a petition signed by at least 100 persons residing or owning property in the affected  
 94.24 environmental justice area is submitted to the commissioner and supported by material  
 94.25 evidence demonstrating, to the satisfaction of the commissioner, that a potential adverse  
 94.26 cumulative impact on the environment or health of the residents of the environmental justice  
 94.27 area may result if the permit is issued.

94.28 In making this determination, the commissioner may consider material evidence submitted  
 94.29 by the owner or operator of the facility seeking the permit that issuance of the permit will  
 94.30 not result in a potential adverse cumulative impact in the environmental justice area.

94.31 (d) The commissioner may require an owner or operator of a facility described in  
 94.32 paragraph (a), clauses (1) to (4), that is seeking reissuance of a permit to conduct a cumulative  
 94.33 impacts analysis if the commissioner has material evidence that demonstrates that a potential

95.1 adverse cumulative impact on the environment or health of the residents of the environmental  
 95.2 justice area may result if the permit is issued and:

95.3 (1) the facility is located within one mile of the boundary of an environmental justice  
 95.4 area within the seven-county metropolitan area;

95.5 (2) the facility is located within one mile of Indian Country, as defined in United States  
 95.6 Code, title 18, section 1151; or

95.7 (3) the proposed facility does not exceed the benchmarks established in rules adopted  
 95.8 under subdivision 5 for requiring a cumulative impacts analysis.

95.9 In making this determination, the commissioner may consider material evidence submitted  
 95.10 by the owner or operator of the facility seeking the permit that reissuance of the permit will  
 95.11 not result in a potential adverse cumulative effect in the environmental justice area.

95.12 Subd. 3. **Cumulative impacts analysis; public meeting requirements.** (a) Any owner  
 95.13 or operator required to conduct a cumulative impacts analysis under subdivision 2 must  
 95.14 hold at least two public meetings in the affected environmental justice area before the  
 95.15 commissioner issues or denies a permit. The first public meeting must be held before  
 95.16 conducting a cumulative impacts analysis, and the second must be held after conducting  
 95.17 the analysis.

95.18 (b) The owner or operator must:

95.19 (1) publish notice containing the date, time, and location of the public meetings and a  
 95.20 brief description of the permit or project in a newspaper of general circulation in the  
 95.21 environmental justice area at least 30 days before the meetings;

95.22 (2) post physical signage in the environmental justice area impacted, as directed by the  
 95.23 commissioner; and

95.24 (3) provide the commissioner with notice of the public meeting and a copy of the  
 95.25 cumulative impacts analysis at least 45 days before the second public meeting.

95.26 (c) The commissioner must post the notice and cumulative impacts analysis on the  
 95.27 agency website at least 30 days before the second public meeting.

95.28 (d) The permit applicant or permit holder must:

95.29 (1) provide an opportunity for robust public and Tribal engagement at the public meetings;

95.30 (2) accept written and oral comments, as directed by the commissioner, from any  
 95.31 interested party; and

96.1 (3) provide an electronic copy of all written comments and a transcript of oral comments  
 96.2 to the agency within 30 days of the public meetings.

96.3 (e) If the permit applicant or permit holder is applying for more than one permit that  
 96.4 may affect the same environmental justice area, the permit applicant or permit holder may  
 96.5 request that the commissioner require that the facility hold two public meetings that address  
 96.6 all of the permits sought. The commissioner may approve or deny the request.

96.7 (f) The commissioner may incorporate conditions in a permit for a facility located in or  
 96.8 affecting an environmental justice area to hold multiple in-person meetings with residents  
 96.9 of the environmental justice area affected by the facility to share information and discuss  
 96.10 community concerns.

96.11 Subd. 4. **Environmental justice area; permit decisions.** (a) In determining whether to  
 96.12 issue or deny a permit, the commissioner must consider the testimony presented and  
 96.13 comments submitted in public meetings held under subdivision 3. The permit may be issued  
 96.14 no earlier than 30 days following the last public meeting.

96.15 (b) The commissioner must deny an application for a permit subject to this section for  
 96.16 a facility in an environmental justice area if the commissioner finds that issuing the permit  
 96.17 in combination with the environmental stressors present in the environmental justice area  
 96.18 would contribute to adverse cumulative environmental stressors in the environmental justice  
 96.19 area, unless:

96.20 (1) the commissioner enters into a community benefit agreement with the facility owner  
 96.21 or operator, in consultation with community-based organizations representing the interests  
 96.22 of residents of the environmental justice area; and

96.23 (2) there is a compelling public interest to issue the permit, as determined by the  
 96.24 commissioner, based on criteria established in rules adopted under subdivision 5.

96.25 (c) If the commissioner determines that a compelling public interest exists and the  
 96.26 commissioner enters into a community benefit agreement with the facility owner or operator,  
 96.27 the commissioner may grant a permit that imposes conditions on the construction and  
 96.28 operation of the facility to protect public health and the environment.

96.29 (d) Issuance of a permit under this section must include a requirement that the facility  
 96.30 provide information to the community describing the health risks that the facility poses.

96.31 (e) A community benefit agreement must be signed on or before the date a new permit  
 96.32 or major source permit amendment is issued in an environmental justice area.

97.1 (f) The commissioner must publish and maintain on the agency website a list of  
97.2 environmental justice areas in the state.

97.3 Subd. 5. Rulemaking. (a) The commissioner must adopt rules under chapter 14 to  
97.4 implement and govern the cumulative impacts analysis and issuance or denial of permits  
97.5 for facilities that impact environmental justice areas as provided in this section.  
97.6 Notwithstanding section 14.125, the agency must publish notice of intent to adopt rules  
97.7 within 36 months of the effective date of this section, or the authority for the rules expires.

97.8 (b) During the rulemaking process, the Pollution Control Agency must engage in robust  
97.9 public engagement, including public meetings, and Tribal consultation.

97.10 (c) Rules adopted under this section must:

97.11 (1) define conditions, criteria, or circumstances that qualify as a compelling public  
97.12 interest, which:

97.13 (i) must consider whether the economic benefit considered will directly or substantially  
97.14 benefit residents of the affected environmental justice area;

97.15 (ii) must include noneconomic considerations; and

97.16 (iii) must take into account public comments made at public meetings held under  
97.17 subdivision 3;

97.18 (2) establish benchmarks to assist the commissioner's determination regarding the need  
97.19 for a cumulative impacts analysis;

97.20 (3) establish the content of a community benefit agreement and procedures for entering  
97.21 into community benefit agreements, which must include consultation with members of the  
97.22 public and community-based organizations or coalitions representing the interests of residents  
97.23 within the environmental justice area;

97.24 (4) establish a petition process and form submitted to the agency by environmental  
97.25 justice area residents to support the need for a cumulative impact analysis;

97.26 (5) establish and define criteria for requiring a cumulative impact analysis; and

97.27 (6) establish a process for conducting a cumulative impacts analysis.

97.28 (d) The agency must provide translation services and translated materials upon request  
97.29 during rulemaking meetings.

97.30 (e) The agency must use multiple communication methods to inform residents of  
97.31 environmental justice areas in the public meetings held for the rulemaking.

98.1 **EFFECTIVE DATE.** Subdivisions 1 and 5 are effective the day following final  
 98.2 enactment. The remainder of this section is effective on January 1, 2027.

98.3 Sec. 56. Minnesota Statutes 2022, section 116.07, subdivision 6, is amended to read:

98.4 Subd. 6. **Pollution Control Agency; exercise of powers.** In exercising all its powers  
 98.5 the Pollution Control Agency ~~shall give due consideration to~~ must:

98.6 (1) consider the establishment, maintenance, operation and expansion of business,  
 98.7 commerce, trade, industry, traffic, and other economic factors and other material matters  
 98.8 affecting the feasibility and practicability of any proposed action, including, but not limited  
 98.9 to, the burden on a municipality of any tax which may result therefrom, and ~~shall~~ must take  
 98.10 or provide for such action as may be reasonable, feasible, and practical under the  
 98.11 circumstances; and

98.12 (2) to the extent reasonable, feasible, and practical under the circumstances:

98.13 (i) ensure that actions or programs that have a direct, indirect, or cumulative impact on  
 98.14 environmental justice areas incorporate community-focused practices and procedures in  
 98.15 agency processes, including communication, outreach, engagement, and education to enhance  
 98.16 meaningful, timely, and transparent community access;

98.17 (ii) collaborate with other state agencies to identify, develop, and implement means to  
 98.18 eliminate and reverse environmental and health inequities and disparities;

98.19 (iii) promote the utility and availability of environmental data and analysis for  
 98.20 environmental justice areas, other agencies, federally recognized Tribal governments, and  
 98.21 the public;

98.22 (iv) encourage coordination and collaboration with residents of environmental justice  
 98.23 areas to address environmental and health inequities and disparities; and

98.24 (v) ensure environmental justice values are represented to the agency from a  
 98.25 commissioner-appointed environmental justice advisory committee that is composed of  
 98.26 diverse members and that is developed and operated in a manner open to the public and in  
 98.27 accordance with the duties described in the bylaws and charter adopted and maintained by  
 98.28 the commissioner.

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

99.1 Sec. 57. [116.943] PRODUCTS CONTAINING PFAS.

99.2 Subdivision 1. Definitions. (a) For purposes of this section, the following terms have  
99.3 the meanings given.

99.4 (b) "Adult mattress" means a mattress other than a crib mattress or toddler mattress.

99.5 (c) "Air care product" means a chemically formulated consumer product labeled to  
99.6 indicate that the purpose of the product is to enhance or condition the indoor environment  
99.7 by eliminating odors or freshening the air.

99.8 (d) "Automotive maintenance product" means a chemically formulated consumer product  
99.9 labeled to indicate that the purpose of the product is to maintain the appearance of a motor  
99.10 vehicle, including products for washing, waxing, polishing, cleaning, or treating the exterior  
99.11 or interior surfaces of motor vehicles. Automotive maintenance product does not include  
99.12 automotive paint or paint repair products.

99.13 (e) "Carpet or rug" means a fabric marketed or intended for use as a floor covering.

99.14 (f) "Cleaning product" means a finished product used primarily for domestic, commercial,  
99.15 or institutional cleaning purposes, including but not limited to an air care product, an  
99.16 automotive maintenance product, a general cleaning product, or a polish or floor maintenance  
99.17 product.

99.18 (g) "Commissioner" means the commissioner of the Pollution Control Agency.

99.19 (h) "Cookware" means durable houseware items used to prepare, dispense, or store food,  
99.20 foodstuffs, or beverages. Cookware includes but is not limited to pots, pans, skillets, grills,  
99.21 baking sheets, baking molds, trays, bowls, and cooking utensils.

99.22 (i) "Cosmetic" means articles, excluding soap:

99.23 (1) intended to be rubbed, poured, sprinkled, or sprayed on, introduced into, or otherwise  
99.24 applied to the human body or any part thereof for the purpose of cleansing, beautifying,  
99.25 promoting attractiveness, or altering the appearance; and

99.26 (2) intended for use as a component of any such article.

99.27 (j) "Currently unavoidable use" means a use of PFAS that the commissioner has  
99.28 determined by rule under this section to be essential for health, safety, or the functioning  
99.29 of society and for which alternatives are not reasonably available.

99.30 (k) "Fabric treatment" means a substance applied to fabric to give the fabric one or more  
99.31 characteristics, including but not limited to stain resistance or water resistance.

100.1 (l) "Intentionally added" means PFAS deliberately added during the manufacture of a  
100.2 product where the continued presence of PFAS is desired in the final product or one of the  
100.3 product's components to perform a specific function.

100.4 (m) "Juvenile product" means a product designed or marketed for use by infants and  
100.5 children under 12 years of age:

100.6 (1) including but not limited to a baby or toddler foam pillow; bassinet; bedside sleeper;  
100.7 booster seat; changing pad; child restraint system for use in motor vehicles and aircraft;  
100.8 co-sleeper; crib mattress; highchair; highchair pad; infant bouncer; infant carrier; infant  
100.9 seat; infant sleep positioner; infant swing; infant travel bed; infant walker; nap cot; nursing  
100.10 pad; nursing pillow; play mat; playpen; play yard; polyurethane foam mat, pad, or pillow;  
100.11 portable foam nap mat; portable infant sleeper; portable hook-on chair; soft-sided portable  
100.12 crib; stroller; and toddler mattress; and

100.13 (2) not including a children's electronic product such as a personal computer, audio and  
100.14 video equipment, calculator, wireless phone, game console, handheld device incorporating  
100.15 a video screen, or any associated peripheral such as a mouse, keyboard, power supply unit,  
100.16 or power cord; a medical device; or an adult mattress.

100.17 (n) "Manufacturer" means the person that creates or produces a product or whose brand  
100.18 name is affixed to the product. In the case of a product imported into the United States,  
100.19 manufacturer includes the importer or first domestic distributor of the product if the person  
100.20 that manufactured or assembled the product or whose brand name is affixed to the product  
100.21 does not have a presence in the United States.

100.22 (o) "Medical device" has the meaning given "device" under United States Code, title  
100.23 21, section 321, subsection (h).

100.24 (p) "Perfluoroalkyl and polyfluoroalkyl substances" or "PFAS" means a class of  
100.25 fluorinated organic chemicals containing at least one fully fluorinated carbon atom.

100.26 (q) "Product" means an item manufactured, assembled, packaged, or otherwise prepared  
100.27 for sale to consumers, including but not limited to its product components, sold or distributed  
100.28 for personal, residential, commercial, or industrial use, including for use in making other  
100.29 products.

100.30 (r) "Product component" means an identifiable component of a product, regardless of  
100.31 whether the manufacturer of the product is the manufacturer of the component.

101.1 (s) "Ski wax" means a lubricant applied to the bottom of snow runners, including but  
101.2 not limited to skis and snowboards, to improve their grip or glide properties. Ski wax includes  
101.3 related tuning products.

101.4 (t) "Textile" means an item made in whole or part from a natural or synthetic fiber, yarn,  
101.5 or fabric. Textile includes but is not limited to leather, cotton, silk, jute, hemp, wool, viscose,  
101.6 nylon, and polyester.

101.7 (u) "Textile furnishings" means textile goods of a type customarily used in households  
101.8 and businesses, including but not limited to draperies, floor coverings, furnishings, bedding,  
101.9 towels, and tablecloths.

101.10 (v) "Upholstered furniture" means an article of furniture that is designed to be used for  
101.11 sitting, resting, or reclining and that is wholly or partly stuffed or filled with any filling  
101.12 material.

101.13 Subd. 2. **Information required.** (a) On or before January 1, 2026, a manufacturer of a  
101.14 product sold, offered for sale, or distributed in the state that contains intentionally added  
101.15 PFAS must submit to the commissioner information that includes:

101.16 (1) a brief description of the product, including a universal product code (UPC), stock  
101.17 keeping unit (SKU), or other numeric code assigned to the product;

101.18 (2) the purpose for which PFAS are used in the product, including in any product  
101.19 components;

101.20 (3) the amount of each PFAS, identified by its chemical abstracts service registry number,  
101.21 in the product, reported as an exact quantity determined using commercially available  
101.22 analytical methods or as falling within a range approved for reporting purposes by the  
101.23 commissioner;

101.24 (4) the name and address of the manufacturer and the name, address, and phone number  
101.25 of a contact person for the manufacturer; and

101.26 (5) any additional information requested by the commissioner as necessary to implement  
101.27 the requirements of this section.

101.28 (b) With the approval of the commissioner, a manufacturer may supply the information  
101.29 required in paragraph (a) for a category or type of product rather than for each individual  
101.30 product.

101.31 (c) A manufacturer must submit the information required under this subdivision whenever  
101.32 a new product that contains intentionally added PFAS is sold, offered for sale, or distributed

102.1 in the state and update and revise the information whenever there is significant change in  
102.2 the information or when requested to do so by the commissioner.

102.3 (d) A person may not sell, offer for sale, or distribute for sale in the state a product  
102.4 containing intentionally added PFAS if the manufacturer has failed to provide the information  
102.5 required under this subdivision and the person has received notification under subdivision  
102.6 4.

102.7 Subd. 3. **Information requirement waivers; extensions.** (a) The commissioner may  
102.8 waive all or part of the information requirement under subdivision 2 if the commissioner  
102.9 determines that substantially equivalent information is already publicly available. The  
102.10 commissioner may grant a waiver under this paragraph to a manufacturer or a group of  
102.11 manufacturers for multiple products or a product category.

102.12 (b) The commissioner may enter into an agreement with one or more other states or  
102.13 political subdivisions of a state to collect information and may accept information to a shared  
102.14 system as meeting the information requirement under subdivision 2.

102.15 (c) The commissioner may extend the deadline for submission by a manufacturer of the  
102.16 information required under subdivision 2 if the commissioner determines that more time is  
102.17 needed by the manufacturer to comply with the submission requirement.

102.18 Subd. 4. **Testing required and certificate of compliance.** (a) If the commissioner has  
102.19 reason to believe that a product contains intentionally added PFAS and the product is being  
102.20 offered for sale in the state, the commissioner may direct the manufacturer of the product  
102.21 to, within 30 days, provide the commissioner with testing results that demonstrate the amount  
102.22 of each of the PFAS, identified by its chemical abstracts service registry number, in the  
102.23 product, reported as an exact quantity determined using commercially available analytical  
102.24 methods or as falling within a range approved for reporting purposes by the commissioner.

102.25 (b) If testing demonstrates that the product does not contain intentionally added PFAS,  
102.26 the manufacturer must provide the commissioner a certificate attesting that the product does  
102.27 not contain intentionally added PFAS, including testing results and any other relevant  
102.28 information.

102.29 (c) If testing demonstrates that the product contains intentionally added PFAS, the  
102.30 manufacturer must provide the commissioner with the testing results and the information  
102.31 required under subdivision 2.

103.1 (d) A manufacturer must notify persons who sell or offer for sale a product prohibited  
 103.2 under subdivision 2 or 5 that the sale of that product is prohibited in this state and provide  
 103.3 the commissioner with a list of the names and addresses of those notified.

103.4 (e) The commissioner may notify persons who sell or offer for sale a product prohibited  
 103.5 under subdivision 2 or 5 that the sale of that product is prohibited in this state.

103.6 Subd. 5. **Prohibitions.** (a) Beginning January 1, 2025, a person may not sell, offer for  
 103.7 sale, or distribute for sale in this state the following products if the product contains  
 103.8 intentionally added PFAS:

103.9 (1) carpets or rugs;

103.10 (2) cleaning products;

103.11 (3) cookware;

103.12 (4) cosmetics;

103.13 (5) dental floss;

103.14 (6) fabric treatments;

103.15 (7) juvenile products;

103.16 (8) menstruation products;

103.17 (9) textile furnishings;

103.18 (10) ski wax; or

103.19 (11) upholstered furniture.

103.20 (b) The commissioner may by rule identify additional products by category or use that  
 103.21 may not be sold, offered for sale, or distributed for sale in this state if they contain  
 103.22 intentionally added PFAS and designate effective dates. A prohibition adopted under this  
 103.23 paragraph must be effective no earlier than January 1, 2025, and no later than January 1,  
 103.24 2032. The commissioner must prioritize the prohibition of the sale of product categories  
 103.25 that, in the commissioner's judgment, are most likely to contaminate or harm the state's  
 103.26 environment and natural resources if they contain intentionally added PFAS.

103.27 (c) Beginning January 1, 2032, a person may not sell, offer for sale, or distribute for sale  
 103.28 in this state any product that contains intentionally added PFAS, unless the commissioner  
 103.29 has determined by rule that the use of PFAS in the product is a currently unavoidable use.  
 103.30 The commissioner may specify specific products or product categories for which the  
 103.31 commissioner has determined the use of PFAS is a currently unavoidable use. The

104.1 commissioner may not determine that the use of PFAS in a product is a currently unavoidable  
104.2 use if the product is listed in paragraph (a).

104.3 Subd. 6. Fees. The commissioner may establish by rule a fee payable by a manufacturer  
104.4 to the commissioner upon submission of the information required under subdivision 2 to  
104.5 cover the agency's reasonable costs to implement this section. Fees collected under this  
104.6 subdivision must be deposited in an account in the environmental fund.

104.7 Subd. 7. Enforcement. (a) The commissioner may enforce this section under sections  
104.8 115.071 and 116.072. The commissioner may coordinate with the commissioners of  
104.9 commerce and health in enforcing this section.

104.10 (b) When requested by the commissioner, a person must furnish to the commissioner  
104.11 any information that the person may have or may reasonably obtain that is relevant to show  
104.12 compliance with this section.

104.13 Subd. 8. Exemptions. This section does not apply to:

104.14 (1) a product for which federal law governs the presence of PFAS in the product in a  
104.15 manner that preempts state authority;

104.16 (2) a product regulated under section 325F.072 or 325F.075; or

104.17 (3) the sale or resale of a used product.

104.18 Subd. 9. Rules. The commissioner may adopt rules necessary to implement this section.  
104.19 Section 14.125 does not apply to the commissioner's rulemaking authority under this section.

104.20 Sec. 58. Minnesota Statutes 2022, section 171.07, is amended by adding a subdivision to  
104.21 read:

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

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

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

105.5 **EFFECTIVE DATE.** This section is effective July 1, 2025.

105.6 Sec. 59. Minnesota Statutes 2022, section 297A.94, is amended to read:

105.7 **297A.94 DEPOSIT OF REVENUES.**

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

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

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

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

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

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

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

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

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

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

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

106.13 (g) The commissioner shall deposit an amount of the remittances monthly into the state  
106.14 treasury and credit them to the highway user tax distribution fund as a portion of the estimated  
106.15 amount of taxes collected from the sale and purchase of motor vehicle repair and replacement  
106.16 parts in that month. The monthly deposit amount is \$12,137,000. For purposes of this  
106.17 paragraph, "motor vehicle" has the meaning given in section 297B.01, subdivision 11, and  
106.18 "motor vehicle repair and replacement parts" includes (i) all parts, tires, accessories, and  
106.19 equipment incorporated into or affixed to the motor vehicle as part of the motor vehicle  
106.20 maintenance and repair, and (ii) paint, oil, and other fluids that remain on or in the motor  
106.21 vehicle as part of the motor vehicle maintenance or repair. For purposes of this paragraph,  
106.22 "tire" means any tire of the type used on highway vehicles, if wholly or partially made of  
106.23 rubber and if marked according to federal regulations for highway use.

106.24 (h) ~~72.43~~ Eighty-two percent of the revenues, including interest and penalties, transmitted  
106.25 to the commissioner under section 297A.65, must be deposited by the commissioner in the  
106.26 state treasury as follows:

106.27 (1) 50 percent of the receipts must be deposited in the heritage enhancement account in  
106.28 the game and fish fund, and may be spent only on activities that improve, enhance, or protect  
106.29 fish and wildlife resources, including conservation, restoration, and enhancement of land,  
106.30 water, and other natural resources of the state;

106.31 (2) 22.5 percent of the receipts must be deposited in the natural resources fund, and may  
106.32 be spent only for state parks and trails;

106.33 (3) 22.5 percent of the receipts must be deposited in the natural resources fund, and may  
106.34 be spent only on metropolitan park and trail grants;

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

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

107.6 (i) Two percent of the revenues, including interest and penalties, transmitted to the  
107.7 commissioner under section 297A.65 must be deposited in a regional parks and trails account  
107.8 in the natural resources fund and may only be spent for parks and trails of regional  
107.9 significance outside of the seven-county metropolitan area under section 85.535, based on  
107.10 recommendations from the Greater Minnesota Regional Parks and Trails Commission under  
107.11 section 85.536.

107.12 (j) One percent of the revenues, including interest and penalties, transmitted to the  
107.13 commissioner under section 297A.65 must be deposited in an outdoor recreational  
107.14 opportunities for underserved communities account in the natural resources fund and may  
107.15 only be spent on projects and activities that connect diverse and underserved Minnesotans  
107.16 through expanding cultural environmental experiences, exploration of their environment,  
107.17 and outdoor recreational activities.

107.18 ~~(k)~~ (k) The revenue dedicated under paragraph (h) may not be used as a substitute for  
107.19 traditional sources of funding for the purposes specified, but the dedicated revenue shall  
107.20 supplement traditional sources of funding for those purposes. Land acquired with money  
107.21 deposited in the game and fish fund under paragraph (h) must be open to public hunting  
107.22 and fishing during the open season, except that in aquatic management areas or on lands  
107.23 where angling easements have been acquired, fishing may be prohibited during certain times  
107.24 of the year and hunting may be prohibited. At least 87 percent of the money deposited in  
107.25 the game and fish fund for improvement, enhancement, or protection of fish and wildlife  
107.26 resources under paragraph (h) must be allocated for field operations.

107.27 ~~(l)~~ (l) The commissioner must deposit the revenues, including interest and penalties  
107.28 minus any refunds, derived from the sale of items regulated under section 624.20, subdivision  
107.29 1, that may be sold to persons 18 years old or older and that are not prohibited from use by  
107.30 the general public under section 624.21, in the state treasury and credit:

107.31 (1) 25 percent to the volunteer fire assistance grant account established under section  
107.32 88.068;

107.33 (2) 25 percent to the fire safety account established under section 297I.06, subdivision  
107.34 3; and

108.1 (3) the remainder to the general fund.

108.2 For purposes of this paragraph, the percentage of total sales and use tax revenue derived  
108.3 from the sale of items regulated under section 624.20, subdivision 1, that are allowed to be  
108.4 sold to persons 18 years old or older and are not prohibited from use by the general public  
108.5 under section 624.21, is a set percentage of the total sales and use tax revenues collected in  
108.6 the state, with the percentage determined under Laws 2017, First Special Session chapter  
108.7 1, article 3, section 39.

108.8 ~~(k)~~ (m) The revenues deposited under paragraphs (a) to ~~(j)~~ (l) do not include the revenues,  
108.9 including interest and penalties, generated by the sales tax imposed under section 297A.62,  
108.10 subdivision 1a, which must be deposited as provided under the Minnesota Constitution,  
108.11 article XI, section 15.

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

108.13 Sec. 60. **[325E.3892] LEAD AND CADMIUM IN CONSUMER PRODUCTS;**  
108.14 **PROHIBITION.**

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

108.17 (1) jewelry;

108.18 (2) toys;

108.19 (3) cosmetics and personal care products;

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

108.21 (5) play sets and play structures;

108.22 (6) outdoor games;

108.23 (7) school supplies;

108.24 (8) pots and pans;

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

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

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

108.28 (12) fidget spinners;

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

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

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

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

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

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

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

109.9 Subd. 3. **Enforcement.** The commissioners of the Pollution Control Agency, commerce,  
109.10 and health may coordinate to enforce this section. The commissioner of the Pollution Control  
109.11 Agency or commerce may, with the attorney general, enforce any federal restrictions on  
109.12 the sale of products containing lead or cadmium, or both, as allowed under federal law. The  
109.13 commissioner of the Pollution Control Agency may enforce this section under sections  
109.14 115.071 and 116.072. The commissioner of commerce may enforce this section under  
109.15 sections 45.027, subdivisions 1 to 6; 325F.10 to 325F.12; and 325F.14 to 325F.16. The  
109.16 attorney general may enforce this section under section 8.31.

109.17 Sec. 61. Minnesota Statutes 2022, section 325F.072, subdivision 1, is amended to read:

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

109.20 (b) "Class B firefighting foam" means foam designed ~~for flammable liquid fires~~ to  
109.21 prevent or extinguish a fire in flammable liquids, combustible liquids, petroleum greases,  
109.22 tars, oils, oil-based paints, solvents, lacquers, alcohols, and flammable gases.

109.23 (c) "PFAS chemicals" or "perfluoroalkyl and polyfluoroalkyl substances" means, ~~for~~  
109.24 ~~the purposes of firefighting agents,~~ a class of fluorinated organic chemicals containing at  
109.25 least one fully fluorinated carbon atom ~~and designed to be fully functional in class B~~  
109.26 ~~firefighting foam formulations.~~

109.27 (d) "Political subdivision" means a county, city, town, or a metropolitan airports  
109.28 commission organized and existing under sections 473.601 to 473.679.

109.29 (e) "State agency" means an agency as defined in section 16B.01, subdivision 2.

109.30 (f) "Testing" means calibration testing, conformance testing, and fixed system testing.

110.1 Sec. 62. Minnesota Statutes 2022, section 325F.072, subdivision 3, is amended to read:

110.2 Subd. 3. **Prohibition of testing and training.** (a) ~~Beginning July 1, 2020,~~ No person,  
 110.3 political subdivision, or state agency shall ~~discharge class B firefighting foam that contains~~  
 110.4 ~~intentionally added~~ manufacture or knowingly sell, offer for sale, distribute for sale, or  
 110.5 distribute for use in this state, and no person shall use in this state, class B firefighting foam  
 110.6 containing PFAS chemicals;

110.7 ~~(1) for testing purposes, unless the testing facility has implemented appropriate~~  
 110.8 ~~containment, treatment, and disposal measures to prevent releases of foam to the environment;~~  
 110.9 ~~or~~

110.10 ~~(2) for training purposes, unless otherwise required by law, and with the condition that~~  
 110.11 ~~the training event has implemented appropriate containment, treatment, and disposal measures~~  
 110.12 ~~to prevent releases of foam to the environment. For training purposes, class B foam that~~  
 110.13 ~~contains intentionally added PFAS chemicals shall not be used.~~

110.14 ~~(b) This section does not restrict:~~

110.15 ~~(1) the manufacture, sale, or distribution of class B firefighting foam that contains~~  
 110.16 ~~intentionally added PFAS chemicals; or~~

110.17 ~~(2) the discharge or other use of class B firefighting foams that contain intentionally~~  
 110.18 ~~added PFAS chemicals in emergency firefighting or fire prevention operations.~~

110.19 (b) This subdivision does not apply to the manufacture, sale, distribution, or use of class  
 110.20 B firefighting foam for which the inclusion of PFAS chemicals is required by federal law,  
 110.21 including but not limited to Code of Federal Regulations, title 14, section 139.317. If a  
 110.22 federal requirement to include PFAS chemicals in class B firefighting foam is revoked after  
 110.23 January 1, 2024, class B firefighting foam subject to the revoked requirements is no longer  
 110.24 exempt under this paragraph effective one year after the day of revocation.

110.25 (c) This subdivision does not apply to the manufacture, sale, distribution, or use of class  
 110.26 B firefighting foam for purposes of use at an airport, as defined under section 360.013,  
 110.27 subdivision 39, until the state fire marshal makes a determination that:

110.28 (1) the Federal Aviation Administration has provided policy guidance on the transition  
 110.29 to fluorine-free firefighting foam;

110.30 (2) a fluorine-free firefighting foam product is included in the Federal Aviation  
 110.31 Administration's Qualified Product Database; and

111.1 (3) a firefighting foam product included in the database under clause (2) is commercially  
111.2 available in quantities sufficient to reliably meet the requirements under Code of Federal  
111.3 Regulations, title 14, part 139.

111.4 (d) Until the state fire marshal makes a determination under paragraph (c), the operator  
111.5 of an airport using class B firefighting foam containing PFAS chemicals must, on or before  
111.6 December 31 each calendar year, submit a report to the state fire marshal regarding the  
111.7 status of the airport's conversion to class B firefighting foam products without intentionally  
111.8 added PFAS, the disposal of class B firefighting foam products with intentionally added  
111.9 PFAS, and an assessment of the factors listed in paragraph (c) as applied to the airport.

111.10 **EFFECTIVE DATE.** This section is effective January 1, 2024.

111.11 Sec. 63. Minnesota Statutes 2022, section 325F.072, is amended by adding a subdivision  
111.12 to read:

111.13 **Subd. 3a. Discharge for testing and training.** A person, political subdivision, or state  
111.14 agency exempted from the prohibitions under subdivision 3 may not discharge class B  
111.15 firefighting foam that contains intentionally added PFAS chemicals for:

111.16 (1) testing purposes, unless the testing facility has implemented appropriate containment,  
111.17 treatment, and disposal measures to prevent releases of foam to the environment; or

111.18 (2) training purposes, unless otherwise required by law, and with the condition that the  
111.19 training event has implemented appropriate containment, treatment, and disposal measures  
111.20 to prevent releases of foam to the environment.

111.21 **EFFECTIVE DATE.** This section is effective January 1, 2024.

111.22 Sec. 64. **50-YEAR CLEAN WATER PLAN SCOPE OF WORK.**

111.23 (a) The University of Minnesota Water Council is requested to develop a scope of work,  
111.24 timeline, and budget for a plan to promote and protect clean water in Minnesota for the next  
111.25 50 years. The 50-year clean water plan must:

111.26 (1) provide a literature-based assessment of the current status and trends regarding the  
111.27 quality and quantity of all Minnesota waters, both surface and subsurface;

111.28 (2) identify gaps in the data or understanding and provide recommended action steps to  
111.29 address gaps;

111.30 (3) identify existing and potential future threats to Minnesota's waters; and

112.1 (4) propose a road map of scenarios and policy recommendations to allow the state to  
112.2 proactively protect, remediate, and conserve clean water for human use and biodiversity  
112.3 for the next 50 years.

112.4 (b) The scope of work must outline the steps and resources necessary to develop the  
112.5 plan, including but not limited to:

112.6 (1) the data sets that are required and how the University of Minnesota will obtain access;

112.7 (2) the suite of proposed analysis methods;

112.8 (3) the roles and responsibilities of project leaders, key personnel, and stakeholders;

112.9 (4) the project timeline with milestones; and

112.10 (5) a budget with expected costs for tasks and milestones.

112.11 (c) By December 1, 2023, the Board of Regents of the University of Minnesota is  
112.12 requested to submit the scope of work to the chairs and ranking minority members of the  
112.13 house of representatives and senate committees and divisions with jurisdiction over  
112.14 environment and natural resources.

112.15 Sec. 65. **REPORT REQUIRED; RECYCLING AND REUSING SOLAR**  
112.16 **PHOTOVOLTAIC MODULES AND INSTALLATION COMPONENTS.**

112.17 (a) The commissioner of the Pollution Control Agency, in consultation with the  
112.18 commissioners of commerce and employment and economic development, must coordinate  
112.19 preparation of a report on developing a statewide system to reuse and recycle solar  
112.20 photovoltaic modules and installation components in the state.

112.21 (b) The report must include options for a system to collect, reuse, and recycle solar  
112.22 photovoltaic modules and installation components at end of life. Any system option included  
112.23 in the report must be convenient and accessible throughout the state, recover 100 percent  
112.24 of discarded components, and maximize value and materials recovery. Any system option  
112.25 developed must include analysis of:

112.26 (1) the reuse and recycling values of solar photovoltaic modules, installation components,  
112.27 and recovered materials;

112.28 (2) system infrastructure and technology needs;

112.29 (3) how to maximize in-state employment and economic development;

112.30 (4) net costs for the program; and

113.1 (5) potential benefits and negative impacts of the plan on environmental justice and  
 113.2 Tribal communities.

113.3 (c) The report must include a survey of solar photovoltaic modules and installation  
 113.4 components that are currently coming out of service and those projected to come out of  
 113.5 service in the future in Minnesota. The report must include a description of how solar  
 113.6 photovoltaic modules and installation components are currently being managed at end of  
 113.7 life and how they would likely be managed in the future without the proposed reuse and  
 113.8 recycling system.

113.9 (d) After completing the report, the commissioner must convene a working group to  
 113.10 advise on developing policy recommendations for a statewide system to manage solar  
 113.11 photovoltaic modules and installation components. The working group must include but is  
 113.12 not limited to:

113.13 (1) the commissioners of commerce and employment and economic development or  
 113.14 their designees;

113.15 (2) representatives of the solar industry and electric utilities;

113.16 (3) representatives of state, local, and Tribal governments; and

113.17 (4) other relevant stakeholders.

113.18 (e) By January 15, 2025, the commissioner must submit the report and the policy  
 113.19 recommendations developed under this section to the chairs and ranking minority members  
 113.20 of the legislative committees and divisions with jurisdiction over environment and natural  
 113.21 resources policy and finance and energy policy and finance.

113.22 **Sec. 66. STATUTORY AND RULE REVISIONS TO PREVENT FISH KILLS IN**  
 113.23 **DRIFTLESS AREA.**

113.24 By January 15, 2024, the commissioners of agriculture, health, and natural resources  
 113.25 and the commissioner of the Pollution Control Agency must make recommendations to the  
 113.26 legislature for statutes and rules that should be amended to prevent fish kills within the  
 113.27 boundaries of the Department of Natural Resources Paleozoic Plateau ecological section.

113.28 **Sec. 67. TEMPORARY EXEMPTION FOR TERMINALS AND OIL REFINERIES.**

113.29 Subdivision 1. **Temporary exemption.** Minnesota Statutes, section 325F.072, subdivision  
 113.30 3, does not apply to the manufacture, sale, distribution, or use of class B firefighting foam  
 113.31 for the purposes of use at a terminal or oil refinery until January 1, 2026.

114.1 Subd. 2. Extension; waiver. (a) A person who operates a terminal or oil refinery may  
114.2 apply to the state fire marshal for a waiver to extend the exemption under subdivision 1  
114.3 beyond January 1, 2026, as provided in this subdivision.

114.4 (b) The state fire marshal may grant a waiver to extend the exemption under subdivision  
114.5 1 for a specific use if the applicant provides all of the following:

114.6 (1) clear and convincing evidence that there is no commercially available replacement  
114.7 that does not contain intentionally added PFAS chemicals and that is capable of suppressing  
114.8 fire for that specific use;

114.9 (2) information on the amount of firefighting foam containing intentionally added PFAS  
114.10 chemicals stored, used, or released on-site on an annual basis;

114.11 (3) a detailed plan, with timelines, for the operator of the terminal or oil refinery to  
114.12 transition to firefighting foam that does not contain intentionally added PFAS chemicals  
114.13 for that specific use; and

114.14 (4) a plan for meeting the requirements under subdivision 3.

114.15 (c) The state fire marshal must ensure there is an opportunity for public comment during  
114.16 the waiver process. The state fire marshal must consider both information provided by the  
114.17 applicant and information provided through public comment when making a decision on  
114.18 whether to grant a waiver. The term of a waiver must not exceed two years. The state fire  
114.19 marshal must not grant a waiver for a specific use if any other terminal or oil refinery is  
114.20 known to have transitioned to commercially available class B firefighting foam that does  
114.21 not contain intentionally added PFAS chemicals for that specific use. All waivers must  
114.22 expire by January 1, 2028. A person that anticipates applying for a waiver for a terminal or  
114.23 oil refinery must submit a notice of intent to the state fire marshal by January 1, 2025, in  
114.24 order to be considered for a waiver beyond January 1, 2026. The state fire marshal must  
114.25 notify the waiver applicant of a decision within six months of the waiver submission date.

114.26 (d) The state fire marshal must provide an applicant for a waiver under this subdivision  
114.27 an opportunity to:

114.28 (1) correct deficiencies when applying for a waiver; and

114.29 (2) provide evidence to dispute a determination that another terminal or oil refinery is  
114.30 known to have transitioned to commercially available class B firefighting foam that does  
114.31 not contain intentionally added PFAS chemicals for that specific use, including evidence  
114.32 that the specific use is different.

115.1 Subd. 3. Use requirements. (a) A person that uses class B firefighting foam containing  
115.2 intentionally added PFAS chemicals under this section must:

115.3 (1) implement tactics that have been demonstrated to prevent release directly to the  
115.4 environment, such as to unsealed ground, soakage pits, waterways, or uncontrolled drains;

115.5 (2) attempt to fully contain all firefighting foams with PFAS on-site using demonstrated  
115.6 practices designed to contain all PFAS releases;

115.7 (3) implement containment measures such as bunds and ponds that are controlled, are  
115.8 impervious to PFAS chemicals, and do not allow fire water, wastewater, runoff, and other  
115.9 wastes to be released to the environment, such as to soils, groundwater, waterways, or  
115.10 stormwater; and

115.11 (4) dispose of all fire water, wastewater, runoff, impacted soils, and other wastes in a  
115.12 way that prevents releases to the environment.

115.13 (b) A terminal or oil refinery that has received a waiver under this section may provide  
115.14 and use class B firefighting foam containing intentionally added PFAS chemicals in the  
115.15 form of mutual aid to another terminal or oil refinery at the request of authorities only if  
115.16 the other terminal or oil refinery also has a waiver.

115.17 **EFFECTIVE DATE.** This section is effective January 1, 2024.

115.18 Sec. 68. **TRANSFER OF DUTIES; FARMED WHITE-TAILED DEER.**

115.19 (a) Responsibility for administering and enforcing the statutes and rules listed in clauses  
115.20 (1) and (2) for farmed white-tailed deer are, except as provided in paragraph (c), transferred  
115.21 pursuant to Minnesota Statutes, section 15.039, from the Board of Animal Health to the  
115.22 commissioner of natural resources:

115.23 (1) Minnesota Statutes, sections 35.153 to 35.156; and

115.24 (2) Minnesota Rules, parts 1721.0370 to 1721.0420.

115.25 (b) The Board of Animal Health retains responsibility for administering and enforcing  
115.26 the statutes and rules listed in paragraph (a), clauses (1) and (2), for all other farmed Cervidae.

115.27 (c) Notwithstanding Minnesota Statutes, section 15.039, subdivision 7, the transfer of  
115.28 personnel will not take place. The commissioner of natural resources may contract with the  
115.29 Board of Animal Health for any veterinary services required to administer this program.

115.30 **EFFECTIVE DATE.** This section is effective July 1, 2025.

116.1 **Sec. 69. TURTLE SELLER'S LICENSES; TRANSFER AND RENEWAL.**

116.2 The commissioner of natural resources must not renew or transfer a turtle seller's license  
116.3 after the effective date of this section.

116.4 **EFFECTIVE DATE.** This section is effective January 1, 2024.

116.5 **Sec. 70. UPPER SIOUX AGENCY STATE PARK; LAND TRANSFER.**

116.6 (a) The commissioner of natural resources must convey for no consideration all  
116.7 state-owned land within the boundaries of Upper Sioux Agency State Park to the Upper  
116.8 Sioux Community. By September 15, 2023, the commissioner must identify all state-owned  
116.9 land within Upper Sioux Agency State Park and any funding restrictions or other legal  
116.10 barriers to conveying the land. Lands without restrictions or barriers to being conveyed  
116.11 must be conveyed to the Upper Sioux Community by December 1, 2023.

116.12 (b) By December 15, 2023, the commissioner must submit a report to the chairs and  
116.13 ranking minority members of the legislative committees with jurisdiction over environment  
116.14 and natural resources that identifies all barriers to conveying land within Upper Sioux  
116.15 Agency State Park and recommendations for addressing those barriers, including any  
116.16 legislation needed to eliminate those barriers.

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

116.18 **Sec. 71. WHITE BEAR LAKE AREA WATER-USE STAKEHOLDER GROUP.**

116.19 The commissioner of natural resources must convene a group of stakeholders to advise  
116.20 the commissioner and the legislature on options for ensuring communities in the White Bear  
116.21 Lake area have access to sufficient safe drinking water to allow for municipal growth while  
116.22 simultaneously ensuring the sustainability of surface water and groundwater sources to  
116.23 supply the needs of future generations. By March 1, 2024, the commissioner must report  
116.24 any recommendations of the stakeholder group to the chairs and ranking minority members  
116.25 of the house of representatives and senate committees and divisions with jurisdiction over  
116.26 environment and natural resources.

116.27 **Sec. 72. REVISOR INSTRUCTION.**

116.28 The revisor of statutes must recodify the relevant sections in Minnesota Statutes, chapter  
116.29 35, and Minnesota Rules, chapter 1721, as necessary to conform with section 68. The revisor  
116.30 must also change the responsible agency, remove obsolete language, and make necessary  
116.31 cross-reference changes consistent with section 68 and the renumbering.

117.1 Sec. 73. **REPEALER.**

117.2 (a) Minnesota Statutes 2022, sections 103C.501, subdivisions 2 and 3; 115.44, subdivision  
 117.3 9; 116.011; 325E.389; and 325E.3891, are repealed.

117.4 (b) Minnesota Rules, parts 8400.0500; 8400.0550; 8400.0600, subparts 4 and 5;  
 117.5 8400.0900, subparts 1, 2, 4, and 5; 8400.1650; 8400.1700; 8400.1750; 8400.1800; and  
 117.6 8400.1900, are repealed.

117.7 (c) Minnesota Statutes 2022, sections 35.155, subdivision 14; 86B.101; 86B.305; and  
 117.8 86B.313, subdivisions 2 and 3, are repealed.

117.9 (d) Minnesota Statutes 2022, section 97C.605, subdivisions 2, 2a, 2b, and 5, are repealed.

117.10 (e) Minnesota Rules, part 6256.0500, subparts 2, 2a, 2b, 4, 5, 6, 7, and 8, are repealed.

117.11 **EFFECTIVE DATE.** Paragraph (c) is effective July 1, 2025. Paragraphs (d) and (e)  
 117.12 are effective January 1, 2024.

117.13

**ARTICLE 3**

117.14

**STATE LANDS**

117.15 Section 1. Minnesota Statutes 2022, section 84.66, subdivision 7, is amended to read:

117.16 Subd. 7. **Landowner responsibilities.** The commissioner may enroll eligible land in  
 117.17 the program by signing an easement in recordable form with a landowner in which the  
 117.18 landowner agrees to:

117.19 (1) convey to the state a permanent easement that is not subject to any prior title, lien,  
 117.20 or encumbrance, except for preexisting easements that are acceptable to the commissioner;  
 117.21 and

117.22 (2) manage the land in a manner consistent with the purposes for which the land was  
 117.23 selected for the program and not convert the land to other uses.

117.24 Sec. 2. **ADDITIONS TO STATE PARKS.**

117.25 Subdivision 1. [85.012] [Subd. 21.] Frontenac State Park, Goodhue County. The  
 117.26 following area is added to Frontenac State Park, Goodhue County:

117.27 That part of the Southeast Quarter of Section 10, Township 112 North, Range 13 West,  
 117.28 and that part of the Southwest Quarter of Section 11, Township 112 North, Range 13  
 117.29 West, Goodhue County, Minnesota, described as follows: Commencing at the northeast  
 117.30 corner of the Southeast Quarter of said Section 10; thence southerly on an assumed

118.1 azimuth from North of 189 degrees 34 minutes 33 seconds, along the east line of the  
 118.2 Southeast Quarter of said Section 10, a distance of 1,100.31 feet; thence westerly 269  
 118.3 degrees 34 minutes 33 seconds azimuth, a distance of 80.53 feet to the point of beginning  
 118.4 of the land to be described; thence northerly 340 degrees 42 minutes 19 seconds azimuth,  
 118.5 a distance of 300.00 feet; thence easterly 100 degrees 22 minutes 46 seconds azimuth,  
 118.6 a distance of 286.97 feet to the centerline of County Road Number 2, as now located  
 118.7 and established; thence southerly and southwesterly, along said centerline, to the  
 118.8 intersection with a line drawn southerly 160 degrees 42 minutes 19 seconds azimuth  
 118.9 from the point of beginning; thence northerly 340 degrees 42 minutes 19 seconds azimuth,  
 118.10 a distance of 51.66 feet to the point of beginning.

118.11 EXCEPT the following described premises:

118.12 Part of the Northeast Quarter of the Southeast Quarter of Section 10, Township 112  
 118.13 North, Range 13 West, Goodhue County, shown as Parcel 6 on the plat designated as  
 118.14 Goodhue County Right-of-Way Plat No. 23 on file and of record in the Office of the  
 118.15 County Recorder in and for Goodhue County, Minnesota.

118.16 ALSO EXCEPT the following:

118.17 Part of the Northwest Quarter of the Southwest Quarter of Section 11, Township 112  
 118.18 North, Range 13 West, Goodhue County, shown as Parcel 1 on the plat designated as  
 118.19 Goodhue County Highway Right-Of-Way Plat No. 24 on file and of record in the Office  
 118.20 of the County Recorder in and for Goodhue County, Minnesota.

118.21 Subd. 2. [85.012] [Subd. 60.] William O'Brien State Park, Washington County. The  
 118.22 following area is added to William O'Brien State Park, Washington County:

118.23 The South Half of the Northwest Quarter, except the East 2 rods thereof, Section 25,  
 118.24 Township 32, Range 20.

118.25 Sec. 3. ADDITION TO STATE FOREST.

118.26 [89.021] [Subd. 42a.] Riverlands State Forest. Those parts of St. Louis County  
 118.27 described as follows are added to Riverlands State Forest:

118.28 That part of Government Lot 8, Section 30, Township 51 North, Range 19, St. Louis  
 118.29 County, Minnesota, lying northwesterly of the railroad right-of-way.

119.1 Sec. 4. **PRIVATE SALE OF SURPLUS STATE LAND BORDERING PUBLIC**  
119.2 **WATER; AITKIN COUNTY.**

119.3 (a) Notwithstanding Minnesota Statutes, sections 92.45, 94.09, and 94.10, the  
119.4 commissioner of natural resources may sell by private sale the surplus land bordering public  
119.5 water that is described in paragraph (c).

119.6 (b) The commissioner may make necessary changes to the legal description to correct  
119.7 errors and ensure accuracy.

119.8 (c) The land that may be sold is located in Aitkin County and is described as:

119.9 The West 16.25 feet of that part of the 32.50-foot-wide road, as delineated on the Plat  
119.10 of Sugar Lake Addition, according to the plat of record and on file in the Office of the  
119.11 County Recorder in and for Aitkin County, Minnesota lying northerly of the following  
119.12 described line: Commencing at the iron monument at the southwest corner of Section  
119.13 2, Township 45, Range 25, said Aitkin County, Minnesota; thence North 0 degrees 00  
119.14 minutes 23 seconds West, assumed bearing, 2,020.36 feet along the west line of said  
119.15 Section 2 to the point of beginning of the line to be described; thence North 89 degrees  
119.16 59 minutes 37 seconds East 32.50 feet to the west line of Lot 1 said Sugar Lake Addition  
119.17 and said line there terminating.

119.18 (d) The land borders Sugar Lake. The Department of Natural Resources has determined  
119.19 that the land is not needed for natural resource purposes and that the state's land management  
119.20 interests would best be served if the land was returned to private ownership.

119.21 Sec. 5. **PUBLIC SALE OF SURPLUS STATE LAND BORDERING PUBLIC**  
119.22 **WATER; BECKER COUNTY.**

119.23 (a) Notwithstanding Minnesota Statutes, sections 92.45, 94.09, and 94.10, the  
119.24 commissioner of natural resources may sell by public sale the surplus land bordering public  
119.25 water that is described in paragraph (c).

119.26 (b) The commissioner may make necessary changes to the legal description to correct  
119.27 errors and ensure accuracy.

119.28 (c) The land that may be sold is located in Becker County and is described as:

119.29 All that part of Government Lot 2, Section 12, Township 139 North, Range 40 West of  
119.30 the 5th P.M., bounded by the water's edge of Cotton Lake and the following described  
119.31 lines: Commencing at the North quarter corner of said Section 12, from which the  
119.32 northwest corner of said section bears North 90 degrees 00 minutes West; thence South

120.1 00 degrees 00 minutes East, 325.0 feet; thence North 90 degrees 00 minutes East, 72.0  
120.2 feet to the point of beginning and the centerline of County State-Aid Highway No. 29;  
120.3 thence South 25 degrees 52 minutes East, 222.27 feet along the centerline of said  
120.4 highway; thence North 90 degrees 00 minutes West, 284.0 feet, more or less, to the  
120.5 water's edge of Cotton Lake and there terminating; and from the point of beginning,  
120.6 North 90 degrees 00 minutes West, 249.1 feet, more or less, to the water's edge of Cotton  
120.7 Lake and there terminating.

120.8 (d) The land borders Cotton Lake and is not contiguous to other state lands. The  
120.9 Department of Natural Resources has determined that the land is not needed for natural  
120.10 resource purposes and that the state's land management interests would best be served if  
120.11 the land was returned to private ownership.

120.12 **Sec. 6. PUBLIC SALE OF SURPLUS STATE LAND BORDERING PUBLIC**  
120.13 **WATER; BECKER COUNTY.**

120.14 (a) Notwithstanding Minnesota Statutes, sections 92.45, 94.09, and 94.10, the  
120.15 commissioner of natural resources may sell by public sale the surplus land bordering public  
120.16 water that is described 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 Becker County and is described as:

120.20 Lot 1, Pearl Hill, according to the certified plat on file and of record in the Office of the  
120.21 Register of Deeds in and for Becker County, Minnesota, and being a part of Government  
120.22 Lots 2 and 3, Section 13, Township 138 North, Range 42 West.

120.23 (d) The land borders Pearl Lake and is not contiguous to other state lands. The Department  
120.24 of Natural Resources has determined that the land is not needed for natural resource purposes  
120.25 and that the state's land management interests would best be served if the land was returned  
120.26 to private ownership.

120.27 **Sec. 7. PRIVATE SALE OF SURPLUS LAND BORDERING PUBLIC WATER;**  
120.28 **CROW WING COUNTY.**

120.29 (a) Notwithstanding Minnesota Statutes, sections 92.45, 94.09, and 94.10, the  
120.30 commissioner of natural resources may sell by private sale the surplus land that is described  
120.31 in paragraph (c).

121.1 (b) The commissioner may make necessary changes to the legal description to correct  
121.2 errors and ensure accuracy.

121.3 (c) The land that may be conveyed is located in Crow Wing County and is described as:  
121.4 That part of Government Lot 2, Section 11, Township 44, Range 28, Crow Wing County,  
121.5 Minnesota, described as follows: Commencing at the southeast corner of said Government  
121.6 Lot 2; thence South 89 degrees 08 minutes 05 seconds West, assumed bearing along the  
121.7 south line of said Government Lot 2 a distance of 203.73 feet to the westerly right-of-way  
121.8 of State Highway No. 18; thence North 24 degrees 13 minutes 27 seconds West, along  
121.9 said westerly right-of-way 692.40 feet, to the point of beginning; thence continuing  
121.10 North 24 degrees 13 minutes 27 seconds West along said westerly right-of-way 70.31  
121.11 feet; thence North 89 degrees 25 minutes 27 seconds West 90.00 feet; thence South 11  
121.12 degrees 16 minutes 29 seconds East 87.00 feet; thence North 78 degrees 43 minutes 31  
121.13 seconds East 103.84 feet to the point of beginning. Said parcel contains 0.17 acres of  
121.14 land, more or less, and is subject to existing easements of record.

121.15 (d) The tax parcel from which the land will be split borders Borden Lake, but the land  
121.16 to be sold does not border Borden Lake. The Department of Natural Resources has  
121.17 determined that the land is not needed for natural resource purposes and that the state's land  
121.18 management interests would best be served if the land were returned to private ownership.

121.19 **Sec. 8. PRIVATE SALE OF TAX-FORFEITED LAND; ITASCA COUNTY.**

121.20 (a) Notwithstanding the public sale provisions of Minnesota Statutes, chapter 282, or  
121.21 other law to the contrary, Itasca County may sell by private sale the tax-forfeited land  
121.22 described in paragraph (c).

121.23 (b) The conveyance must be in a form approved by the attorney general. The attorney  
121.24 general may make changes to the land description to correct errors and ensure accuracy.

121.25 (c) The land to be sold is located in Itasca County and is described as: the Northwest  
121.26 Quarter of the Southeast Quarter, Section 25, Township 56, Range 25 (parcel identification  
121.27 number 02-025-4200).

121.28 (d) The county has determined that the county's land management interests would best  
121.29 be served if the lands were returned to private ownership.

122.1 **Sec. 9. PUBLIC OR PRIVATE SALE OF SURPLUS STATE LAND BORDERING**  
122.2 **PUBLIC WATER; KANDIYOHI COUNTY.**

122.3 (a) Notwithstanding Minnesota Statutes, sections 92.45, 94.09, and 94.10, the  
122.4 commissioner of natural resources may sell by public or private sale the surplus land that  
122.5 is described in paragraph (c), subject to the state's reservation of a perpetual flowage  
122.6 easement.

122.7 (b) The commissioner may make necessary changes to the legal description to correct  
122.8 errors and ensure accuracy.

122.9 (c) The land that may be sold is located in Kandiyohi County and is described as:

122.10 Lots 18 and 19 of First Addition to Walleye Beach, according to the plat thereof on file  
122.11 and of record in the Office of the Register of Deeds in and for Kandiyohi County,  
122.12 Minnesota.

122.13 (d) The land borders Florida Lake and is not contiguous to other state lands. The  
122.14 Department of Natural Resources has determined that the land is not needed for natural  
122.15 resource purposes and that the state's land management interests would best be served if  
122.16 the land was returned to private ownership.

122.17 **Sec. 10. PRIVATE SALE OF TAX-FORFEITED LANDS; KOOCHICHING**  
122.18 **COUNTY.**

122.19 (a) Notwithstanding the public sale provisions of Minnesota Statutes, chapter 282, or  
122.20 any other law to the contrary, Koochiching County may sell by private sale the tax-forfeited  
122.21 lands described in paragraph (c).

122.22 (b) The conveyance must be in a form approved by the attorney general. The attorney  
122.23 general may make changes to the land description to correct errors and ensure accuracy.

122.24 (c) The land to be sold is located in Koochiching County and is described as:

122.25 That part of Lot 53, Plat of Riverview Acres, according to the recorded plat thereof on  
122.26 file in the Office of the County Recorder, Koochiching County, Minnesota, lying  
122.27 northwesterly of the following described line: Commencing at the northwest corner of  
122.28 said Lot 53; thence South 89 degrees 59 minutes 47 seconds East 31.00 feet along the  
122.29 north line of said Lot 53 to the point of beginning of the line to be described; thence  
122.30 South 67 degrees 10 minutes 42 seconds West 33.51 feet to the west line of said Lot 53  
122.31 and there terminating. Said parcel contains 200 square feet, more or less.

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. 11. PRIVATE SALE OF TAX-FORFEITED LANDS; ST. LOUIS COUNTY.**

123.4 (a) Notwithstanding the public sale provisions of Minnesota Statutes, chapter 282, or  
123.5 other law to the contrary, St. Louis County may sell by private sale the tax-forfeited land  
123.6 described in paragraph (c).

123.7 (b) The conveyance must be in a form approved by the attorney general. The attorney  
123.8 general may make changes to the land description to correct errors and ensure accuracy.

123.9 (c) The land to be sold is located in St. Louis County and is described as:

123.10 Lot 6, Block 12, Chambers First Division of Duluth (parcel number 010-0460-00660).

123.11 (d) The county has determined that the county's land management interests would best  
123.12 be served if the land was returned to private ownership to resolve a structure encroachment.

123.13 **Sec. 12. PRIVATE SALE OF TAX-FORFEITED LANDS; ST. LOUIS COUNTY.**

123.14 (a) Notwithstanding the public sale provisions of Minnesota Statutes, chapter 282, or  
123.15 other law to the contrary, St. Louis County may sell by private sale the tax-forfeited land  
123.16 described in paragraph (c).

123.17 (b) The conveyance must be in a form approved by the attorney general. The attorney  
123.18 general may make changes to the land description to correct errors and ensure accuracy.

123.19 (c) The land to be sold is located in St. Louis County and is described as:

123.20 The West 3 feet of the North 20 feet of Lot 87, Block 75, Duluth Proper Third Division  
123.21 (parcel number 010-1310-01945).

123.22 (d) The county has determined that the county's land management interests would best  
123.23 be served if the land was returned to private ownership to resolve a structure encroachment.

123.24 **Sec. 13. PRIVATE SALE OF TAX-FORFEITED LANDS; ST. LOUIS COUNTY.**

123.25 (a) Notwithstanding the public sale provisions of Minnesota Statutes, chapter 282, or  
123.26 other law to the contrary, St. Louis County may sell by private sale the tax-forfeited land  
123.27 described in paragraph (c).

123.28 (b) The conveyance must be in a form approved by the attorney general. The attorney  
123.29 general may make changes to the land description to correct errors and ensure accuracy.

124.1 (c) The land to be sold is located in St. Louis County and is described as:

124.2 Lot 90, except the North 100 feet and except the East Half of the South 50 feet of Lot  
 124.3 90 and except the West 6 feet of the South 50 feet of the West Half of Lot 90, Block 75,  
 124.4 Duluth Proper Third Division (parcel number 010-1310-02125).

124.5 (d) The county has determined that the county's land management interests would best  
 124.6 be served if the land was returned to private ownership to resolve a structure encroachment.

124.7 **Sec. 14. PRIVATE SALE OF TAX-FORFEITED LANDS; ST. LOUIS COUNTY.**

124.8 (a) Notwithstanding the public sale provisions of Minnesota Statutes, chapter 282, or  
 124.9 other law to the contrary, St. Louis County may sell by private sale the tax-forfeited land  
 124.10 described in paragraph (c).

124.11 (b) The conveyance must be in a form approved by the attorney general. The attorney  
 124.12 general may make changes to the land description to correct errors and ensure accuracy.

124.13 (c) The land to be sold is located in St. Louis County and is described as:

124.14 Block 11, Endion Park Division of Duluth (parcel number 010-1490-00860).

124.15 (d) The county has determined that the county's land management interests would best  
 124.16 be served if the land was returned to private ownership to resolve a structure encroachment.

124.17 **Sec. 15. PRIVATE SALE OF TAX-FORFEITED LANDS; ST. LOUIS COUNTY.**

124.18 (a) Notwithstanding the public sale provisions of Minnesota Statutes, chapter 282, or  
 124.19 other law to the contrary, St. Louis County may sell by private sale the tax-forfeited lands  
 124.20 described in paragraph (c).

124.21 (b) The conveyances must be in a form approved by the attorney general. The attorney  
 124.22 general may make changes to the land descriptions to correct errors and ensure accuracy.

124.23 (c) The lands to be sold are located in St. Louis County and are described as:

124.24 (1) Lots 52, 54, and 56, Fond Du Lac Fourth Street Duluth (parcel number  
 124.25 010-1620-01260);

124.26 (2) Lots 58 and 60, Fond Du Lac Fourth Street Duluth (parcel number 010-1620-01290);

124.27 (3) Lots 21 thru 39, odd numbers, and Lot 41 except the North 52 feet, and except the  
 124.28 North 52 feet of Lots 43, 45, and 47, and Lots 49 and 51 except that part lying North of a  
 124.29 line drawn from a point on the westerly line of Lot 49 and 52 feet South of the northwest  
 124.30 corner to a point on the easterly line of Lot 51 38.1 feet South of the northeast corner, and

125.1 all of Lots 53, 55, 57, and 59, and except that part of Lots 21 thru 39, odd numbered lots,  
125.2 lying 20 feet northerly and 20 feet southerly of a line beginning at a point on the west line  
125.3 of Lot 21 13.56 feet South of the northwest corner of Lot 21; thence to a point 54.83 feet  
125.4 South of the northeast corner along the east line of Lot 39, and except the southerly 46 feet  
125.5 of the northerly 98 feet of Lots 41, 43, and 45, and except that part of Lots 47 thru 57, odd  
125.6 numbered lots, described as beginning at a point on the west line of Lot 47 52 feet South  
125.7 of the northwest corner of Lot 47; thence easterly 40 feet to a point on the east line of Lot  
125.8 47 52 feet South of the northeast corner of Lot 47; thence northeasterly 81.22 feet to a point  
125.9 on the east line of Lot 51 38.1 feet South of the northeast corner of Lot 51; thence North  
125.10 17.3 feet to a point on the east line of Lot 51 20.8 feet South of the northeast corner of Lot  
125.11 51; thence northeasterly 82.68 feet to the northwest corner of Lot 57; thence East 40 feet  
125.12 to the northeast corner of Lot 57; thence South 64.1 feet along the east line of Lot 57; thence  
125.13 southwesterly 242.22 feet to a point on the west line of Lot 47 98 feet South of the northwest  
125.14 corner of Lot 47; thence North 46 feet along the west line of Lot 47 to the point of beginning,  
125.15 and except Lot 59, and except that part of Lots 25, 27, 29, 31, 33, 35, 37, and 39 lying  
125.16 southerly of a line run parallel with and distant 20 feet southerly of the following described  
125.17 line: beginning at a point on the west line of Lot 21, distant 13.56 feet South of the northwest  
125.18 corner thereof; thence southeasterly to a point on the east line of said Lot 39, distant 54.83  
125.19 feet South of the northeast corner thereof and there terminating, Fond Du Lac Fourth Street  
125.20 Duluth (parcel number 010-1620-00290); and

125.21 (4) that part of Lots 21 thru 39, odd numbered lots, lying 20 feet northerly and 20 feet  
125.22 southerly of a line beginning at a point on the west line of Lot 21 13.56 feet South of the  
125.23 northwest corner of Lot 21; thence to a point 54.83 feet South of the northeast corner along  
125.24 the east line of Lot 39 and the southerly 46 feet of the northerly 98 feet of Lots 41, 43, and  
125.25 45, and that part of Lots 47 thru 57, odd numbered lots, described as beginning at a point  
125.26 on the west line of Lot 47 52 feet South of the northwest corner of Lot 47; thence easterly  
125.27 40 feet to a point on the east line of Lot 47 52 feet South of the northeast corner of Lot 47;  
125.28 thence northeasterly 81.22 feet to a point on the east line of Lot 51 38.1 feet South of the  
125.29 northeast corner of Lot 51; thence North 17.3 feet to a point on the east line of Lot 51 20.8  
125.30 feet South of the northeast corner of Lot 51; thence northeasterly 82.68 feet to the northwest  
125.31 corner of Lot 57; thence East 40 feet to the northeast corner of Lot 57; thence South 64.1  
125.32 feet along the east line of Lot 57; thence southwesterly 242.22 feet to a point on the west  
125.33 line of Lot 47 98 feet South of the northwest corner of Lot 47; thence North 46 feet along  
125.34 the west line of Lot 47 to the point of beginning, and Lot 59, Fond Du Lac Fourth Street  
125.35 Duluth (parcel number 010-1620-00291).

126.1 (d) The county has determined that the county's land management interests would best  
126.2 be served if the lands were returned to private ownership for the Mission Creek Cemetery.

126.3 **Sec. 16. PRIVATE SALE OF TAX-FORFEITED LANDS; ST. LOUIS COUNTY.**

126.4 (a) Notwithstanding the public sale provisions of Minnesota Statutes, chapter 282, or  
126.5 other law to the contrary, St. Louis County may sell by private sale the tax-forfeited lands  
126.6 described in paragraph (c).

126.7 (b) The conveyances must be in a form approved by the attorney general. The attorney  
126.8 general may make changes to the land descriptions to correct errors and ensure accuracy.

126.9 (c) The lands to be sold are located in St. Louis County and are described as:

126.10 (1) Lot 28, Fond Du Lac Fourth Street Duluth (part of parcel number 010-1620-01140);

126.11 (2) Lot 30, Fond Du Lac Fourth Street Duluth (part of parcel number 010-1620-01150);

126.12 (3) Lot 32, Fond Du Lac Fourth Street Duluth (part of parcel number 010-1620-01160);

126.13 (4) Lot 34, Fond Du Lac Fourth Street Duluth (part of parcel number 010-1620-01170);

126.14 (5) Lot 36, Fond Du Lac Fourth Street Duluth (part of parcel number 010-1620-01180);

126.15 (6) Lot 38, Fond Du Lac Fourth Street Duluth (part of parcel number 010-1620-01190);

126.16 (7) Lots 40 thru 48, even numbered lots, Fond Du Lac Fourth Street Duluth (part of  
126.17 parcel number 010-1620-01200); and

126.18 (8) Lot 50, Fond Du Lac Fourth Street Duluth (part of parcel number 010-1620-01250).

126.19 (d) The county has determined that the county's land management interests would best  
126.20 be served if the lands were returned to private ownership for the Mission Creek Cemetery.

126.21 **Sec. 17. PRIVATE SALE OF TAX-FORFEITED LANDS; ST. LOUIS COUNTY.**

126.22 (a) Notwithstanding the public sale provisions of Minnesota Statutes, chapter 282, or  
126.23 other law to the contrary, St. Louis County may sell by private sale the tax-forfeited land  
126.24 described in paragraph (c).

126.25 (b) The conveyance must be in a form approved by the attorney general. The attorney  
126.26 general may make changes to the land description to correct errors and ensure accuracy.

126.27 (c) The land to be sold is located in St. Louis County and is described as:

126.28 The South Half of Section 31, Township 50, Range 20, Town of Fine Lakes (part of  
126.29 parcel number 355-0010-04960).

127.1 (d) The county has determined that the county's land management interests would best  
127.2 be served if the land was returned to private ownership to resolve a structure encroachment.

127.3 **Sec. 18. PRIVATE SALE OF SURPLUS LAND BORDERING PUBLIC WATER;**  
127.4 **SHERBURNE COUNTY.**

127.5 (a) Notwithstanding Minnesota Statutes, sections 92.45, 94.09, and 94.10, the  
127.6 commissioner of natural resources may sell by private sale the surplus land bordering public  
127.7 water that is described in paragraph (c) for less than market value.

127.8 (b) The commissioner may make necessary changes to the legal description to correct  
127.9 errors and ensure accuracy.

127.10 (c) The land that may be conveyed is located in Sherburne County and is described as:

127.11 That part of Government Lot 6, Section 31, Township 34 North, Range 27 West,  
127.12 Sherburne County, Minnesota, described as follows: Commencing at the most northerly  
127.13 corner of Outlot A, Eagle Lake Estates, according to the plat thereof on file and of record  
127.14 in the Office of the County Recorder in and for Sherburne County, Minnesota, being an  
127.15 existing iron monument with an aluminum cap stamped "Judicial Landmark 16095"  
127.16 (JLM); thence southwesterly 146.20 feet along the easterly line of said Outlot A on a  
127.17 curve concave to the southeast, having a central angle of 14 degrees 41 minutes 15  
127.18 seconds, radius of 570.32 feet, and a chord bearing of South 29 degrees 12 minutes 20  
127.19 seconds West, to a JLM; thence South 21 degrees 51 minutes 43 seconds West, along  
127.20 said easterly line, 196.53 feet to the point of beginning; thence continuing South 21  
127.21 degrees 51 minutes 43 seconds West, along said easterly line, 35.00 feet to a JLM; thence  
127.22 South 89 degrees 38 minutes 17 seconds East, along the northerly line of said Outlot A,  
127.23 87 feet, more or less, to the water's edge of Eagle Lake; thence northerly along said  
127.24 water's edge, 45 feet, more or less, to a line bearing North 80 degrees 55 minutes 20  
127.25 seconds East from the point of beginning; thence South 80 degrees 55 minutes 20 seconds  
127.26 West 70 feet, more or less, to the point of beginning.

127.27 (d) The Department of Natural Resources has determined that the land is not needed for  
127.28 natural resource purposes and that the state's land management interests would best be  
127.29 served if the land were returned to private ownership.

127.30 **Sec. 19. EFFECTIVE DATE.**

127.31 Sections 11 to 18 are effective the day following final enactment.

### **35.155 FARMED CERVIDAE.**

Subd. 14. **Concurrent authority; regulating farmed white-tailed deer.** (a) The commissioner of natural resources and the Board of Animal Health possess concurrent authority to regulate farmed white-tailed deer under this section, sections 35.92 to 35.96, and any administrative rules adopted pursuant to this section or sections 35.92 to 35.96. This does not confer to the commissioner any additional authorities under chapter 35, other than those set forth in sections 35.155 and 35.92 to 35.96, and any administrative rules adopted thereto.

(b) By February 1, 2022, the commissioner of natural resources, in conjunction with the Board of Animal Health, must submit a report to the chairs and ranking minority members of the legislative committees and divisions with jurisdiction over the environment and natural resources and agriculture on the implementation of the concurrent authority under this section. The report must include:

(1) a summary of how the agencies worked together under this section, including identification of any challenges;

(2) an assessment of ongoing challenges to managing chronic wasting disease in this state; and

(3) recommendations for statutory and programmatic changes to help the state better manage the disease.

### **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.

(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.

**103C.501 COST-SHARING CONSERVATION CONTRACTS FOR EROSION CONTROL AND WATER MANAGEMENT.**

Subd. 2. **Request by district board.** A district board requesting funds of the state board must submit an application in a form prescribed by the board containing:

(1) a comprehensive plan;

(2) an annual work plan; and

(3) an application for cost-sharing funds.

Subd. 3. **Approving application.** If the state board approves the comprehensive plan, including the plan's most recent amendment, the annual work plan, and the application of the district, the state board shall determine the specific amount of funds to allocate to the district for cost-sharing contracts.

**115.44 CLASSIFICATION OF WATERS; STANDARDS OF QUALITY AND PURITY.**

Subd. 9. **Annual report.** (a) By January 15 each year, the commissioner shall post on the Pollution Control Agency's website a report on the agency's activities the previous calendar year to implement standards and classification requirements into national pollutant discharge elimination system and state disposal system permits held by municipalities. The report must include:

- (1) a summary of permits issued or reissued over the previous calendar year, including any changes to permitted effluent limits due to water quality standards adopted or revised during the previous permit term;
- (2) highlights of innovative approaches employed by the agency and municipalities to develop and achieve permit requirements in a cost-effective manner;
- (3) a summary of standards development and water quality rulemaking activities over the previous calendar year, including economic analyses;
- (4) a summary of standards development and water quality rulemaking activities anticipated for the next three years, including economic analyses;
- (5) a process and timeframe for municipalities to provide input to the agency regarding their needs based on the information provided in the report; and
- (6) a list of anticipated permitting initiatives in the next calendar year that may impact municipalities and the agency's plan for involving the municipalities throughout the planning and decision-making process. The plan must include opportunities for input and public comment from municipalities on rulemaking initiatives prior to preparation of a statement of need and reasonableness required under section 14.131. The commissioner must ensure the agency's plan under this clause is implemented.

(b) For the purposes of this section, "economic analyses" must include assessments of the potential costs to regulated municipalities associated with water quality standards or rules proposed by the agency.

**116.011 POLLUTION REPORT.**

A goal of the Pollution Control Agency is to reduce the amount of pollution that is emitted in the state. By April 1 of each even-numbered year, the Pollution Control Agency shall report the best estimate of the agency of the total volume of water and air pollution that was emitted in the state in the previous two calendar years for which data are available. The agency shall report its findings for both water and air pollution:

- (1) in gross amounts, including the percentage increase or decrease over the previously reported two calendar years; and
- (2) in a manner which will demonstrate the magnitude of the various sources of water and air pollution.

**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;

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(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;

(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

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(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.

(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

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(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;

(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;

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- (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;
  - (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

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(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

(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.

**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

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.

**8400.0500 MAXIMUM COST-SHARE RATES.**

The maximum cost-share rates established by the state board represent the maximum percent or amount of the total cost of a conservation practice that may be funded using state cost-share funds.

**8400.0550 RECORDING CONSERVATION PRACTICES.**

The state board may determine that long-term maintenance of a conservation practice is desirable and may require that maintenance be made a covenant upon the land for the effective life of the practice. A covenant under this part shall be construed in the same manner as a conservation restriction under Minnesota Statutes, section 84.65.

**8400.0600 STATE BOARD ALLOCATION OF FUNDS TO DISTRICTS.**

Subp. 4. **Grants to districts.** The state board shall allocate cost-share funds to district boards that have fully complied with Minnesota Statutes, section 103C.501, subdivision 3; all erosion control and water management program rules; and program policies.

Subp. 5. **Other funds.** Other funds received by the state board may be allocated to districts for the treatment of erosion, sedimentation, water quality problems, or water quantity problems due to altered hydrology. These additional funds may be incorporated with existing erosion control and water management program funds and their use may be governed by the program policy or may be subject to other policies or guidelines required to fully implement the intent for which these additional funds were appropriated.

**8400.0900 DISTRICT ADMINISTRATION OF PROGRAM FUNDS.**

Subpart 1. **General.** Following receipt of grant funds from the state board, a district is responsible for administration of the funds in accordance with Minnesota Statutes, chapter 103C, parts 8400.0050 to 8400.1900, program policies, and all other applicable laws. All funds allocated to districts must be used for the purposes designated by the state board.

Subp. 2. **Maximum cost-share rate.** Prior to considering any applications from land occupiers for cost-share assistance, the district board shall establish cost-share rates for conservation practices to be installed under the program, up to the maximum rates established by the state board.

Subp. 4. **Criteria for district board review.** The district board shall use the factors in items A to D to determine practice eligibility and to review applications for conservation practice funding.

A. The application must be signed by the land occupier and the landowner, if different, indicating their agreement to:

(1) grant the district's representatives access to the parcel where the conservation practice will be located;

(2) obtain all permits required in conjunction with the installation and establishment of the practice prior to starting construction of the practice; and

(3) be responsible for operation and maintenance of conservation practices applied under this program according to an operation and maintenance plan prepared or approved by a district technical representative or the district's delegate.

B. Costs to repair damage to conservation practices installed with state cost-share dollars are eligible if the damage was caused by reasons beyond the control of the land occupier.

C. If the practice has fully met or exceeded its designed effective life, the cost to reconstruct the practice is eligible for cost-share assistance.

D. Conservation practices where construction has begun prior to district approval are ineligible for financial assistance. The board may waive this requirement for emergency needs.

Subp. 5. **Entering into contract.** After review of practice eligibility, the district board, or its delegate, shall approve or deny the application. If the application is approved, the district board, or its delegate, may enter into a contract with the land occupier.

#### **8400.1650 RECORDING CONSERVATION PRACTICES.**

When a district board, or its delegate, determines that long-term maintenance of a conservation practice is desirable, the board, or its delegate, may require that maintenance be made a covenant upon the land for the effective life of the conservation practice. A covenant under this part shall be construed in the same manner as a conservation restriction under Minnesota Statutes, section 84.65.

#### **8400.1700 MAINTENANCE.**

Subpart 1. **Land occupier maintenance responsibilities.** The land occupier is responsible for operation and maintenance of conservation practices applied under this program to ensure that their conservation objective is met and the effective life is achieved. Should the land occupier fail to maintain the conservation practices during their effective life, the land occupier is liable to the district for up to 150 percent of financial assistance received to install and establish the conservation practice. The land occupier is not liable for cost-share assistance received if the failure was caused by reasons beyond the land occupier's control, or if conservation practices are applied at the land occupier's expense which provide equivalent protection of the soil and water resources.

Subp. 2. **Reapplication of conservation practices.** In no case shall a district provide cost-share assistance to a land occupier for the reapplication of conservation practices which were removed by the land occupier during their effective life or that failed due to improper maintenance.

#### **8400.1750 PRACTICE SITE INSPECTIONS.**

The district or the district's delegate shall conduct site inspections of conservation practices installed with cost-share funds to determine if the land occupier is in compliance with the operation and maintenance requirements under part 8400.1700 and the policy, guidelines, and requirements of the state board.

#### **8400.1800 APPEALS.**

Land occupiers may appeal a district's action within 60 days of receiving notice of the action by submitting a written request to the district board asking the board to reconsider its decision. Should the land occupier and the district board reach an impasse, the land occupier may petition to appeal the district board's decision to the state board within 60 days of receiving notice of the district board's final decision. The state board or its executive director, as delegated, shall review and grant the petition, unless it is deemed without sufficient merit, within 30 days of the receipt of the petition. The state board shall make its decision on the appeal, if granted, within 60 days of a hearing date. The state board's decision may uphold, remand, reverse, or amend the decision of the district board.

#### **8400.1900 REPORTS TO STATE BOARD.**

For the purpose of reporting and monitoring the progress of the program and use of funds, each district shall submit an accomplishments report according to the guidelines and requirements established by the state board.