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State of Minnesota

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HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. **2310**

- 03/01/2023 Authored by Hansen, R.,
The bill was read for the first time and referred to the Committee on Rules and Legislative Administration
- 03/06/2023 Adoption of Report: Re-referred to the Committee on Environment and Natural Resources Finance and Policy
- 04/04/2023 Adoption of Report: Amended and re-referred to the Committee on Ways and Means
- 04/12/2023 Adoption of Report: Placed on the General Register as Amended
Read for the Second Time
- 04/17/2023 Calendar for the Day, Amended
Read Third Time as Amended
Passed by the House as Amended and transmitted to the Senate to include Floor Amendments
- 04/21/2023 Returned to the House as Amended by the Senate
Refused to concur and a Conference Committee was appointed
- 05/17/2023 Bill was laid on the Table
Bill was taken from the Table
By motion, the bill was returned to the Conference Committee
- 05/18/2023 Conference Committee Report Adopted
Read Third Time as Amended by Conference and repassed by the House
- 05/23/2023 Presented to Governor
- 05/24/2023 Governor Approval

1.1 A bill for an act

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

1.3 resources, climate, and energy; appropriating money from environment and natural

1.4 resources trust fund; modifying prior appropriations; providing for and modifying

1.5 disposition of certain receipts; modifying and establishing duties, authorities, and

1.6 prohibitions regarding environment and natural resources; modifying and creating

1.7 environment and natural resources programs; modifying and creating grant

1.8 programs; modifying permit and environmental review requirements; modifying

1.9 requirements for recreational vehicles; modifying state trail, state forest, and state

1.10 park provisions; authorizing sales, conveyances, and leases of certain state lands;

1.11 modifying forestry provisions; modifying game and fish provisions; modifying

1.12 regulation of farmed Cervidae; regulating certain seeds and pesticides; modifying

1.13 Water Law; modifying and providing for fees; establishing a biennial budget for

1.14 Department of Commerce, Public Utilities Commission, and energy, climate, and

1.15 clean energy activities; establishing and modifying provisions governing energy,

1.16 clean and renewable energy, energy storage, energy use and conservation, and

1.17 utility regulation; adding and modifying provisions governing Public Utilities

1.18 Commission proceedings; making technical changes; requiring reports; requiring

1.19 rulemaking; amending Minnesota Statutes 2022, sections 16A.151, subdivision

1.20 2, as amended; 16B.325, subdivision 2; 16C.135, subdivision 3; 16C.137,

1.21 subdivision 1; 18B.01, subdivision 31; 18B.09, subdivision 2, by adding a

1.22 subdivision; 21.86, subdivision 2; 35.155, subdivisions 1, 4, 10, 11, 12, by adding

1.23 subdivisions; 35.156, subdivision 2, by adding subdivisions; 84.02, by adding a

1.24 subdivision; 84.415, subdivisions 3, 6, 7, by adding a subdivision; 84.66,

1.25 subdivision 7; 84.788, subdivision 5; 84.82, subdivision 2, by adding a subdivision;

1.26 84.821, subdivision 2; 84.84; 84.86, subdivision 1; 84.87, subdivision 1; 84.90,

1.27 subdivision 7; 84.922, subdivision 4; 84.992, subdivisions 2, 5; 84D.02, subdivision

1.28 3; 84D.10, subdivision 3; 85.015, subdivision 10; 85.052, subdivision 6; 85A.01,

1.29 subdivision 1; 86B.005, by adding a subdivision; 86B.313, subdivision 4; 86B.415,

1.30 subdivisions 1, 1a, 2, 3, 4, 5; 89A.03, subdivision 5; 89A.11; 90.181, subdivision

1.31 2; 97A.015, subdivision 51, by adding a subdivision; 97A.031; 97A.045,

1.32 subdivision 5; 97A.126; 97A.137, subdivisions 3, 5; 97A.315, subdivision 1;

1.33 97A.401, subdivision 1, by adding a subdivision; 97A.405, subdivisions 2, 5;

1.34 97A.420, subdivision 1; 97A.421, subdivision 3; 97A.465, subdivisions 3, 8;

1.35 97A.475, subdivision 41; 97B.031, subdivision 1; 97B.037; 97B.071; 97B.301,

1.36 subdivisions 2, 6; 97B.668; 97C.041; 97C.315, subdivision 1; 97C.345, subdivision

1.37 1; 97C.355, by adding a subdivision; 97C.371, subdivisions 1, 2, 4; 97C.395,

1.38 subdivision 1; 97C.601, subdivision 1; 97C.605, subdivisions 1, 2c, 3; 97C.611;

2.1 97C.836; 103B.101, subdivisions 2, 9, 16, by adding a subdivision; 103B.103;
 2.2 103C.501, subdivisions 1, 4, 5, 6, by adding a subdivision; 103D.605, subdivision
 2.3 5; 103F.505; 103F.511, by adding subdivisions; 103G.005, by adding subdivisions;
 2.4 103G.2242, subdivision 1; 103G.271, subdivision 6; 103G.287, subdivisions 2,
 2.5 3; 103G.299, subdivisions 1, 2, 5, 10; 103G.301, subdivisions 2, 6, 7; 115.01, by
 2.6 adding subdivisions; 115.03, subdivision 1; 115.061; 115A.03, by adding
 2.7 subdivisions; 115A.1415; 115A.49; 115A.51; 115A.54, subdivisions 1, 2, 2a, as
 2.8 amended; 115A.565, subdivisions 1, 3; 115B.17, subdivision 14; 115B.171,
 2.9 subdivision 3; 115B.52, subdivision 4; 116.07, by adding a subdivision; 116C.03,
 2.10 subdivision 2a; 116C.779, subdivision 1; 116C.7792; 116P.05, subdivisions 1, 1a,
 2.11 2; 116P.09, subdivision 6; 116P.11; 116P.15; 116P.16; 116P.18; 168.27, by adding
 2.12 a subdivision; 171.07, by adding a subdivision; 216B.096, subdivision 11; 216B.16,
 2.13 subdivision 10; 216B.164, by adding a subdivision; 216B.1641; 216B.1645,
 2.14 subdivision 4; 216B.1691, by adding a subdivision; 216B.17, subdivision 1;
 2.15 216B.2402, subdivision 16; 216B.2424, subdivision 5c; 216B.2425, subdivision
 2.16 3, by adding a subdivision; 216B.243, subdivision 8, as amended; 216B.50,
 2.17 subdivision 1; 216B.62, subdivision 3b; 216C.08; 216C.09; 216C.264, subdivision
 2.18 5, by adding subdivisions; 216C.375; 216C.435, subdivision 8; 216C.436,
 2.19 subdivision 2, by adding a subdivision; 216E.01, subdivision 6, by adding a
 2.20 subdivision; 216E.03, subdivisions 1, 3, 5, as amended, 6, 7, as amended; 216E.04,
 2.21 subdivision 2, as amended; 216E.05, subdivision 2; 216E.06; 216E.07; 216E.10;
 2.22 216G.02, subdivision 1; 216H.02, subdivision 1; 237.55; 297A.94; 325E.046;
 2.23 325F.072, subdivisions 1, 3, by adding a subdivision; 373.475; 515B.2-103;
 2.24 515B.3-102; Laws 2005, chapter 97, article 10, section 3, as amended; Laws 2021,
 2.25 First Special Session chapter 6, article 5, section 2, subdivision 9; Laws 2022,
 2.26 chapter 94, section 2, subdivisions 5, 8, 9; Laws 2023, chapter 9, section 19;
 2.27 proposing coding for new law in Minnesota Statutes, chapters 16B; 18B; 21; 84;
 2.28 86B; 97B; 97C; 103B; 103F; 103G; 115A; 116; 116P; 123B; 216B; 216C; 325E;
 2.29 473; 500; repealing Minnesota Statutes 2022, sections 35.155, subdivision 14;
 2.30 86B.101; 86B.305; 86B.313, subdivisions 2, 3; 97C.605, subdivisions 2, 2a, 2b,
 2.31 5; 103C.501, subdivisions 2, 3; 115.44, subdivision 9; 116.011; 216C.376;
 2.32 325E.389; 325E.3891; Minnesota Rules, parts 6100.5000, subparts 3, 4, 5;
 2.33 6100.5700, subpart 4; 6115.1220, subpart 8; 6256.0500, subparts 2, 2a, 2b, 4, 5,
 2.34 6, 7, 8; 8400.0500; 8400.0550; 8400.0600, subparts 4, 5; 8400.0900, subparts 1,
 2.35 2, 4, 5; 8400.1650; 8400.1700; 8400.1750; 8400.1800; 8400.1900.

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

2.37 **ARTICLE 1**

2.38 **ENVIRONMENT AND NATURAL RESOURCES APPROPRIATIONS**

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

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

2.43 The figures "2024" and "2025" used in this article mean that the appropriations listed under
 2.44 them are available for the fiscal year ending June 30, 2024, or June 30, 2025, respectively.

2.45 "The first year" is fiscal year 2024. "The second year" is fiscal year 2025. "The biennium"
 2.46 is fiscal years 2024 and 2025.

2.47 **APPROPRIATIONS**
 2.48 **Available for the Year**

3.1 Ending June 30
 3.2 2024 2025

3.3 **Sec. 2. POLLUTION CONTROL AGENCY**

3.4 **Subdivision 1. Total Appropriation** **\$ 305,345,000 \$ 229,638,000**

3.5 Appropriations by Fund

	<u>2024</u>	<u>2025</u>
3.6 <u>General</u>	<u>179,534,000</u>	<u>100,098,000</u>
3.7 <u>State Government</u>		
3.8 <u>Special Revenue</u>	<u>85,000</u>	<u>90,000</u>
3.9 <u>Environmental</u>	<u>106,055,000</u>	<u>109,203,000</u>
3.10 <u>Remediation</u>	<u>19,671,000</u>	<u>20,247,000</u>

3.11 The amounts that may be spent for each
 3.12 purpose are specified in the following
 3.13 subdivisions.

3.14 The commissioner must present the agency's
 3.15 biennial budget for fiscal years 2026 and 2027
 3.16 to the legislature in a transparent way by
 3.17 agency division, including the proposed
 3.18 budget bill and presentations of the budget to
 3.19 committees and divisions with jurisdiction
 3.20 over the agency's budget.

3.21 **Subd. 2. Environmental Analysis and Outcomes** **79,311,000 72,785,000**

3.22 Appropriations by Fund

	<u>2024</u>	<u>2025</u>
3.23 <u>General</u>	<u>60,103,000</u>	<u>53,047,000</u>
3.24 <u>Environmental</u>	<u>18,959,000</u>	<u>19,533,000</u>
3.25 <u>Remediation</u>	<u>249,000</u>	<u>205,000</u>

3.26 (a) \$122,000 the first year and \$125,000 the
 3.27 second year are from the general fund for:
 3.28 (1) a municipal liaison to assist municipalities
 3.29 in implementing and participating in the
 3.30 rulemaking process for water quality standards
 3.31 and navigating the NPDES/SDS permitting
 3.32 process;

- 4.1 (2) enhanced economic analysis in the
4.2 rulemaking process for water quality
4.3 standards, including more-specific analysis
4.4 and identification of cost-effective permitting;
- 4.5 (3) developing statewide economic analyses
4.6 and templates to reduce the amount of
4.7 information and time required for
4.8 municipalities to apply for variances from
4.9 water quality standards; and
- 4.10 (4) coordinating with the Public Facilities
4.11 Authority to identify and advocate for the
4.12 resources needed for urban, suburban, and
4.13 Greater Minnesota municipalities to achieve
4.14 permit requirements.
- 4.15 (b) \$216,000 the first year and \$219,000 the
4.16 second year are from the environmental fund
4.17 for a monitoring program under Minnesota
4.18 Statutes, section 116.454.
- 4.19 (c) \$132,000 the first year and \$137,000 the
4.20 second year are for monitoring water quality
4.21 and operating assistance programs.
- 4.22 (d) \$390,000 the first year and \$399,000 the
4.23 second year are from the environmental fund
4.24 for monitoring ambient air for hazardous
4.25 pollutants.
- 4.26 (e) \$106,000 the first year and \$109,000 the
4.27 second year are from the environmental fund
4.28 for duties related to harmful chemicals in
4.29 children's products under Minnesota Statutes,
4.30 sections 116.9401 to 116.9407. Of this
4.31 amount, \$68,000 the first year and \$70,000
4.32 the second year are transferred to the
4.33 commissioner of health.

5.1 (f) \$128,000 the first year and \$132,000 the
5.2 second year are from the environmental fund
5.3 for registering wastewater laboratories.

5.4 (g) \$1,492,000 the first year and \$1,519,000
5.5 the second year are from the environmental
5.6 fund to continue perfluorochemical
5.7 biomonitoring in eastern metropolitan
5.8 communities, as recommended by the
5.9 Environmental Health Tracking and
5.10 Biomonitoring Advisory Panel, and to address
5.11 other environmental health risks, including air
5.12 quality. The communities must include Hmong
5.13 and other immigrant farming communities.

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

5.17 (h) \$61,000 the first year and \$62,000 the
5.18 second year are from the environmental fund
5.19 for the listing procedures for impaired waters
5.20 required under this act.

5.21 (i) \$72,000 the first year and \$74,000 the
5.22 second year are from the remediation fund for
5.23 the leaking underground storage tank program
5.24 to investigate, clean up, and prevent future
5.25 releases from underground petroleum storage
5.26 tanks and for the petroleum remediation
5.27 program for vapor assessment and
5.28 remediation. These same annual amounts are
5.29 transferred from the petroleum tank fund to
5.30 the remediation fund.

5.31 (j) \$500,000 the first year is to facilitate the
5.32 collaboration and modeling of greenhouse gas
5.33 impacts, costs, and benefits of strategies to
5.34 reduce statewide greenhouse gas emissions.
5.35 This is a onetime appropriation.

6.1 (k) \$50,266,000 the first year and \$50,270,000
6.2 the second year are to establish and implement
6.3 a local government climate resiliency and
6.4 water infrastructure grant program for local
6.5 governmental units and Tribal governments.
6.6 Of this amount, \$49,100,000 each year is for
6.7 grants to support communities in planning and
6.8 implementing projects that will allow for
6.9 adaptation for a changing climate. At least 40
6.10 percent of the money granted under this
6.11 paragraph must be for projects in areas that
6.12 meet environmental justice criteria. By
6.13 December 30, 2027, the commissioner must
6.14 submit a report on the use of grant money to
6.15 the chairs and ranking minority members of
6.16 the legislative committees with jurisdiction
6.17 over environment and natural resources
6.18 finance. This appropriation is available until
6.19 June 30, 2027. The base for this appropriation
6.20 in fiscal year 2026 and beyond is \$270,000.

6.21 (l) \$75,000 the first year is for a grant to the
6.22 city of Fergus Falls to address water-quality
6.23 concerns at Lake Alice.

6.24 (m) \$150,000 the first year is for a grant to
6.25 Rice County to address water-quality concerns
6.26 at French Lake.

6.27 (n) \$75,000 the first year is for a grant to
6.28 Ramsey County to address water-quality
6.29 concerns at Round Lake.

6.30 (o) Recipients of money appropriated in
6.31 paragraphs (l), (m), and (n) may use the grants
6.32 to contract for water-quality improvement
6.33 services, testing, necessary infrastructure,
6.34 training, and maintenance.

- 7.1 (p) \$2,070,000 the first year and \$2,070,000
7.2 the second year are from the environmental
7.3 fund to develop and implement a program
7.4 related to emerging issues, including
7.5 Minnesota's PFAS Blueprint.
- 7.6 (q) \$1,820,000 the first year and \$1,820,000
7.7 the second year are from the environmental
7.8 fund to support improved management of data
7.9 collected by the agency and its partners and
7.10 regulated parties to facilitate decision-making
7.11 and public access.
- 7.12 (r) \$500,000 the first year is from the general
7.13 fund for the report on firefighter turnout gear
7.14 and biomonitoring required under this act. Of
7.15 this amount, up to \$250,000 may be
7.16 transferred to the commissioner of health for
7.17 biomonitoring of firefighters.
- 7.18 (s) \$500,000 the first year is to develop
7.19 protocols to be used by agencies and
7.20 departments for sampling and testing
7.21 groundwater, surface water, public drinking
7.22 water, and private wells for microplastics and
7.23 nanoplastics and to begin implementation. The
7.24 commissioner of the Pollution Control Agency
7.25 may transfer money appropriated under this
7.26 paragraph to the commissioners of agriculture,
7.27 natural resources, and health to implement the
7.28 protocols developed. This is a onetime
7.29 appropriation and is available until June 30,
7.30 2025.
- 7.31 (t) \$50,000 the first year is from the
7.32 remediation fund for the work group on PFAS
7.33 manufacturer fees and report required under
7.34 this act.

8.1 (u) \$387,000 the first year and \$90,000 the
 8.2 second year are to develop and implement the
 8.3 requirements for fish kills under Minnesota
 8.4 Statutes, sections 103G.216 and 103G.2165.
 8.5 Of this amount, up to \$331,000 the first year
 8.6 and \$90,000 the second year may be
 8.7 transferred to the commissioners of health,
 8.8 natural resources, agriculture, and public
 8.9 safety and to the Board of Regents of the
 8.10 University of Minnesota as necessary to
 8.11 implement those sections. The base for this
 8.12 appropriation for fiscal year 2026 and beyond
 8.13 is \$7,000.

8.14 (v) \$63,000 the first year and \$92,000 the
 8.15 second year are for transfer to the
 8.16 commissioner of health for amending the
 8.17 health risk limit for PFOS. This is a onetime
 8.18 appropriation and is available until June 30,
 8.19 2026.

8.20 (w) \$5,000,000 the first year is for community
 8.21 air-monitoring grants as provided in this act.
 8.22 This is a onetime appropriation and is
 8.23 available until June 30, 2027.

8.24 (x) \$2,333,000 the first year and \$2,333,000
 8.25 the second year are to adopt rules and
 8.26 implement air toxics emissions requirements
 8.27 under Minnesota Statutes, section 116.062.
 8.28 The general fund appropriations are onetime
 8.29 and are available until June 30, 2027. The base
 8.30 for this appropriation is \$0 in fiscal year 2026
 8.31 and \$1,400,000 from the environmental fund
 8.32 in fiscal year 2027 and beyond.

8.33 Subd. 3. **Industrial** 45,214,000 26,929,000

8.34 Appropriations by Fund
 8.35 2024 2025

9.1	<u>General</u>	<u>26,415,000</u>	<u>7,475,000</u>
9.2	<u>Environmental</u>	<u>17,078,000</u>	<u>17,681,000</u>
9.3	<u>Remediation</u>	<u>1,721,000</u>	<u>1,773,000</u>

9.4 (a) \$1,621,000 the first year and \$1,670,000
 9.5 the second year are from the remediation fund
 9.6 for the leaking underground storage tank
 9.7 program to investigate, clean up, and prevent
 9.8 future releases from underground petroleum
 9.9 storage tanks and for the petroleum
 9.10 remediation program for vapor assessment
 9.11 and remediation. These same annual amounts
 9.12 are transferred from the petroleum tank fund
 9.13 to the remediation fund.

9.14 (b) \$448,000 the first year and \$457,000 the
 9.15 second year are from the environmental fund
 9.16 to further evaluate the use and reduction of
 9.17 trichloroethylene around Minnesota and
 9.18 identify its potential health effects on
 9.19 communities. Of this amount, \$145,000 the
 9.20 first year and \$149,000 the second year are
 9.21 transferred to the commissioner of health.

9.22 (c) \$4,000 the first year and \$4,000 the second
 9.23 year are from the environmental fund to
 9.24 purchase air emissions monitoring equipment
 9.25 to support compliance and enforcement
 9.26 activities.

9.27 (d) \$3,200,000 the first year and \$3,200,000
 9.28 the second year are to provide air emission
 9.29 reduction grants. Of this amount, \$2,800,000
 9.30 each year is for grants to reduce air pollution
 9.31 at regulated facilities within environmental
 9.32 justice areas of concern. This appropriation is
 9.33 available until June 30, 2027, and is a onetime
 9.34 appropriation.

- 10.1 (e) \$40,000 the first year and \$40,000 the
10.2 second year are for air compliance equipment
10.3 maintenance. This is a onetime appropriation.
- 10.4 (f) \$19,100,000 the first year and \$300,000
10.5 the second year are to support research on
10.6 innovative technologies to treat
10.7 difficult-to-manage pollutants and for
10.8 implementation grants based on this research
10.9 at taconite facilities. Of this amount,
10.10 \$2,100,000 is for the Board of Regents of the
10.11 University of Minnesota for academic and
10.12 applied research through the MnDRIVE
10.13 program at the Natural Resources Research
10.14 Institute for research to foster economic
10.15 development of the state's natural resources
10.16 in an environmentally sound manner and
10.17 \$16,700,000 is for grants. This appropriation
10.18 is onetime and is available until June 30, 2027.
- 10.19 (g) \$280,000 the first year and \$140,000 the
10.20 second year are from the general fund for the
10.21 purposes of the public informational meeting
10.22 requirements under Minnesota Statutes,
10.23 section 116.07, subdivision 4m. The general
10.24 fund appropriations are onetime and are
10.25 available until June 30, 2027. The base for this
10.26 appropriation in fiscal year 2026 is \$0 and the
10.27 base for fiscal year 2027 is \$140,000 from the
10.28 environmental fund.
- 10.29 (h) \$250,000 the first year and \$250,000 the
10.30 second year are for rulemaking and
10.31 implementation of the odor management
10.32 requirements under Minnesota Statutes,
10.33 section 116.064.
- 10.34 (i) 2,457,000 the first year and \$2,457,000 the
10.35 second year are from the general fund for

11.1 implementation of the environmental justice,
 11.2 cumulative impact analysis and other
 11.3 requirements under Minnesota Statutes,
 11.4 section 116.065. The general fund
 11.5 appropriations are onetime and are available
 11.6 until June 30, 2028. The base for this
 11.7 appropriation in fiscal year 2026 is \$0 and the
 11.8 base for fiscal year 2027 is \$2,500,000 from
 11.9 the environmental fund.

11.10 (j) \$1,088,000 the first year and \$1,088,000
 11.11 the second year are to support water permitting
 11.12 and compliance programs. This appropriation
 11.13 is available until June 30, 2027. This is a
 11.14 onetime appropriation.

11.15 (k) The total general fund base budget for the
 11.16 industrial division for fiscal year 2026 and
 11.17 later is \$250,000.

11.18 Subd. 4. **Municipal** 11,269,000 11,917,000

	<u>Appropriations by Fund</u>	
	<u>2024</u>	<u>2025</u>
11.20		
11.21 <u>General</u>	<u>1,305,000</u>	<u>1,311,000</u>
11.22 <u>State Government</u>		
11.23 <u>Special Revenue</u>	<u>85,000</u>	<u>90,000</u>
11.24 <u>Environmental</u>	<u>9,879,000</u>	<u>10,516,000</u>

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

11.27 (1) a municipal liaison to assist municipalities
 11.28 in implementing and participating in the
 11.29 rulemaking process for water quality standards
 11.30 and navigating the NPDES/SDS permitting
 11.31 process;

11.32 (2) enhanced economic analysis in the
 11.33 rulemaking process for water quality

- 12.1 standards, including more-specific analysis
12.2 and identification of cost-effective permitting;
12.3 (3) developing statewide economic analyses
12.4 and templates to reduce the amount of
12.5 information and time required for
12.6 municipalities to apply for variances from
12.7 water quality standards; and
12.8 (4) coordinating with the Public Facilities
12.9 Authority to identify and advocate for the
12.10 resources needed for municipalities to achieve
12.11 permit requirements.
12.12 (b) \$50,000 the first year and \$50,000 the
12.13 second year are from the environmental fund
12.14 for transfer to the Office of Administrative
12.15 Hearings to establish sanitary districts.
12.16 (c) \$1,240,000 the first year and \$1,338,000
12.17 the second year are from the environmental
12.18 fund for subsurface sewage treatment system
12.19 (SSTS) program administration and
12.20 community technical assistance and education,
12.21 including grants and technical assistance to
12.22 communities for water-quality protection. Of
12.23 this amount, \$350,000 each year is for
12.24 assistance to counties through grants for SSTS
12.25 program administration. A county receiving
12.26 a grant from this appropriation must submit
12.27 the results achieved with the grant to the
12.28 commissioner as part of its annual SSTS
12.29 report. Any unexpended balance in the first
12.30 year does not cancel but is available in the
12.31 second year.
12.32 (d) \$994,000 the first year and \$1,094,000 the
12.33 second year are from the environmental fund
12.34 to address the need for continued increased

13.1 activity in new technology review, technical
 13.2 assistance for local governments, and
 13.3 enforcement under Minnesota Statutes,
 13.4 sections 115.55 to 115.58, and to complete the
 13.5 requirements of Laws 2003, chapter 128,
 13.6 article 1, section 165.

13.7 (e) \$1,088,000 the first year and \$1,088,000
 13.8 the second year are to support water permitting
 13.9 and compliance programs. This appropriation
 13.10 is available until June 30, 2027. This is a
 13.11 onetime appropriation.

13.12 (f) Notwithstanding Minnesota Statutes,
 13.13 section 16A.28, the appropriations
 13.14 encumbered on or before June 30, 2025, as
 13.15 grants or contracts for subsurface sewage
 13.16 treatment systems, surface water and
 13.17 groundwater assessments, storm water, and
 13.18 water-quality protection in this subdivision
 13.19 are available until June 30, 2028.

13.20 (g) The total general fund base budget for the
 13.21 municipal division for fiscal year 2026 and
 13.22 later is \$223,000.

13.23 **Subd. 5. Operations** 31,658,000 30,363,000

13.24	<u>Appropriations by Fund</u>	
13.25	<u>2024</u>	<u>2025</u>
13.26	<u>General</u>	<u>20,750,000</u> <u>19,359,000</u>
13.27	<u>Environmental</u>	<u>8,291,000</u> <u>8,513,000</u>
13.28	<u>Remediation</u>	<u>2,617,000</u> <u>2,491,000</u>

13.29 (a) \$1,154,000 the first year and \$1,124,000
 13.30 the second year are from the remediation fund
 13.31 for the leaking underground storage tank
 13.32 program to investigate, clean up, and prevent
 13.33 future releases from underground petroleum
 13.34 storage tanks and for the petroleum

- 14.1 remediation program for vapor assessment
14.2 and remediation. These same annual amounts
14.3 are transferred from the petroleum tank fund
14.4 to the remediation fund.
- 14.5 (b) \$3,000,000 the first year and \$3,109,000
14.6 the second year are to support agency
14.7 information technology services provided at
14.8 the enterprise and agency level to improve
14.9 operations.
- 14.10 (c) \$906,000 the first year and \$919,000 the
14.11 second year are from the environmental fund
14.12 to develop and maintain systems to support
14.13 agency permitting and regulatory business
14.14 processes and data.
- 14.15 (d) \$2,000,000 the first year and \$2,000,000
14.16 the second year are to provide technical
14.17 assistance to Tribal governments. This is a
14.18 onetime appropriation.
- 14.19 (e) \$15,750,000 the first year and \$14,250,000
14.20 the second year are to support modernizing
14.21 and automating agency environmental
14.22 programs and data systems and how the
14.23 agency provides services to regulated parties,
14.24 partners, and the public. This appropriation is
14.25 available until June 30, 2027. This is a onetime
14.26 appropriation.
- 14.27 (f) \$270,000 the first year and \$270,000 the
14.28 second year are from the environmental fund
14.29 to support current and future career pathways
14.30 for underrepresented students.
- 14.31 (g) \$700,000 the first year and \$700,000 the
14.32 second year are from the environmental fund
14.33 to improve the coordination, effectiveness,

15.1 transparency, and accountability of the
 15.2 environmental review and permitting process.
 15.3 (h) \$360,000 the first year and \$360,000 the
 15.4 second are from the environmental fund to
 15.5 support financial planning and analysis to
 15.6 assist with risk and compliance management
 15.7 across agency programs and financial systems.

15.8 **Subd. 6. Remediation** 42,458,000 16,162,000

15.9	<u>Appropriations by Fund</u>	
15.10	<u>2024</u>	<u>2025</u>
15.11	<u>General</u>	<u>140,000</u>
15.12	<u>Environmental</u>	<u>628,000</u>
15.13	<u>Remediation</u>	<u>15,394,000</u>

15.14 (a) All money for environmental response,
 15.15 compensation, and compliance in the
 15.16 remediation fund not otherwise appropriated
 15.17 is appropriated to the commissioners of the
 15.18 Pollution Control Agency and agriculture for
 15.19 purposes of Minnesota Statutes, section
 15.20 115B.20, subdivision 2, clauses (1), (2), (3),
 15.21 (6), and (7). At the beginning of each fiscal
 15.22 year, the two commissioners must jointly
 15.23 submit to the commissioner of management
 15.24 and budget an annual spending plan that
 15.25 maximizes resource use and appropriately
 15.26 allocates the money between the two
 15.27 departments.

15.28 (b) \$415,000 the first year and \$426,000 the
 15.29 second year are from the environmental fund
 15.30 to manage contaminated sediment projects at
 15.31 multiple sites identified in the St. Louis River
 15.32 remedial action plan to restore water quality
 15.33 in the St. Louis River Area of Concern.

- 16.1 (c) \$4,476,000 the first year and \$4,622,000
16.2 the second year are from the remediation fund
16.3 for the leaking underground storage tank
16.4 program to investigate, clean up, and prevent
16.5 future releases from underground petroleum
16.6 storage tanks and for the petroleum
16.7 remediation program for vapor assessment
16.8 and remediation. These same annual amounts
16.9 are transferred from the petroleum tank fund
16.10 to the remediation fund.
- 16.11 (d) \$308,000 the first year and \$316,000 the
16.12 second year are from the remediation fund for
16.13 transfer to the commissioner of health for
16.14 private water-supply monitoring and health
16.15 assessment costs in areas contaminated by
16.16 unpermitted mixed municipal solid waste
16.17 disposal facilities and drinking water
16.18 advisories and public information activities
16.19 for areas contaminated by hazardous releases.
- 16.20 (e) \$25,000,000 the first year is for grants to
16.21 support planning, designing, and preparing for
16.22 solutions for public water treatment systems
16.23 contaminated with PFAS and for the agency
16.24 to conduct source investigations of PFAS
16.25 contamination and to sample, address, and
16.26 treat private drinking water wells. This
16.27 appropriation is available until June 30, 2027,
16.28 and is a onetime appropriation.
- 16.29 (f) \$76,000 the first year is from the
16.30 remediation fund for the petroleum tank
16.31 release cleanup program duties and report
16.32 required under this act. This is a onetime
16.33 appropriation.
- 16.34 (g) \$2,000,000 the first year is for a grant to
16.35 St. Louis County to plan, design, and construct

17.1 one or more facilities, structures, or other
 17.2 solutions to protect Lake Superior and other
 17.3 waters in the Great Lakes watershed from
 17.4 PFAS contamination from landfills.
 17.5 (h) \$140,000 the first year and \$140,000 the
 17.6 second year are for the Pig's Eye Landfill Task
 17.7 Force. This is a onetime appropriation.

17.8 **Subd. 7. Resource Management and Assistance** 82,000,000 57,974,000

17.9	<u>Appropriations by Fund</u>	
17.10	<u>2024</u>	<u>2025</u>
17.11	<u>General</u>	<u>38,464,000</u> <u>13,850,000</u>
17.12	<u>Environmental</u>	<u>43,536,000</u> <u>44,124,000</u>

17.13 (a) Up to \$150,000 the first year and \$150,000
 17.14 the second year may be transferred from the
 17.15 environmental fund to the small business
 17.16 environmental improvement loan account
 17.17 under Minnesota Statutes, section 116.993.

17.18 (b) \$1,000,000 the first year and \$1,000,000
 17.19 the second year are for competitive recycling
 17.20 grants under Minnesota Statutes, section
 17.21 115A.565. Of this amount, \$300,000 the first
 17.22 year and \$300,000 the second year are from
 17.23 the general fund, and \$700,000 the first year
 17.24 and \$700,000 the second year are from the
 17.25 environmental fund. This appropriation is
 17.26 available until June 30, 2027.

17.27 (c) \$694,000 the first year and \$694,000 the
 17.28 second year are from the environmental fund
 17.29 for emission-reduction activities and grants to
 17.30 small businesses and other
 17.31 nonpoint-emission-reduction efforts. Of this
 17.32 amount, \$100,000 the first year and \$100,000
 17.33 the second year are to continue work with
 17.34 Clean Air Minnesota, and the commissioner

- 18.1 may enter into an agreement with
18.2 Environmental Initiative to support this effort.
- 18.3 (d) \$18,450,000 the first year and \$18,450,000
18.4 the second year are from the environmental
18.5 fund for SCORE block grants to counties.
- 18.6 (e) \$119,000 the first year and \$119,000 the
18.7 second year are from the environmental fund
18.8 for environmental assistance grants or loans
18.9 under Minnesota Statutes, section 115A.0716.
- 18.10 (f) \$400,000 the first year and \$400,000 the
18.11 second year are from the environmental fund
18.12 for grants to develop and expand recycling
18.13 markets for Minnesota businesses. This
18.14 appropriation is available until June 30, 2027.
- 18.15 (g) \$767,000 the first year and \$770,000 the
18.16 second year are from the environmental fund
18.17 for reducing and diverting food waste,
18.18 redirecting edible food for consumption, and
18.19 removing barriers to collecting and recovering
18.20 organic waste. Of this amount, \$500,000 each
18.21 year is for grants to increase food rescue and
18.22 waste prevention. This appropriation is
18.23 available until June 30, 2027.
- 18.24 (h) \$2,797,000 the first year and \$2,811,000
18.25 the second year are from the environmental
18.26 fund for the purposes of Minnesota Statutes,
18.27 section 473.844.
- 18.28 (i) \$318,000 the first year and \$324,000 the
18.29 second year are from the environmental fund
18.30 to address chemicals in products, including to
18.31 implement and enforce flame retardant
18.32 provisions under Minnesota Statutes, section
18.33 325F.071, and perfluoroalkyl and
18.34 polyfluoroalkyl substances in food packaging

19.1 provisions under Minnesota Statutes, section
19.2 325F.075. Of this amount, \$78,000 the first
19.3 year and \$80,000 the second year are
19.4 transferred to the commissioner of health.

19.5 (j) \$180,000 the first year and \$140,000 the
19.6 second year are for quantifying climate-related
19.7 impacts from projects for environmental
19.8 review. This is a onetime appropriation. This
19.9 appropriation is available until June 30, 2026.

19.10 (k) \$1,790,000 the first year and \$70,000 the
19.11 second year are for accelerating pollution
19.12 prevention at small businesses. Of this amount,
19.13 \$1,720,000 the first year is for zero-interest
19.14 loans to phase out high-polluting equipment,
19.15 products, and processes and replace with new
19.16 options. This appropriation is available until
19.17 June 30, 2027. This is a onetime appropriation.

19.18 (l) \$190,000 the first year and \$190,000 the
19.19 second year are to support the Greenstep Cities
19.20 program. This is a onetime appropriation. This
19.21 appropriation is available until June 30, 2026.

19.22 (m) \$420,000 the first year is to complete a
19.23 study on the viability of recycling solar energy
19.24 equipment. This is a onetime appropriation
19.25 and is available until June 30, 2026.

19.26 (n) \$650,000 the first year and \$650,000 the
19.27 second year are from the environmental fund
19.28 for Minnesota GreenCorps investment.

19.29 (o) \$4,210,000 the first year and \$210,000 the
19.30 second year are for PFAS reduction grants.
19.31 Of this amount, \$4,000,000 the first year is
19.32 for grants to industry and public entities to
19.33 identify sources of PFAS entering facilities
19.34 and to develop pollution prevention and

20.1 reduction initiatives to reduce PFAS entering
20.2 facilities, prevent releases, and monitor the
20.3 effectiveness of these projects. Priority must
20.4 be given to projects in underserved
20.5 communities. This is a onetime appropriation
20.6 and is available until June 30, 2027.

20.7 (p) \$12,940,000 the first year and \$12,940,000
20.8 the second year are for a waste prevention and
20.9 reduction grants and loan program. This is a
20.10 onetime appropriation and is available until
20.11 June 30, 2027. Of this amount in the first year,
20.12 \$7,950,000 is for waste prevention and
20.13 reduction grants and loans and \$3,000,000 is
20.14 for a grant to the owner of a biomass energy
20.15 generation plant in Shakopee that uses waste
20.16 heat from the generation of electricity in the
20.17 malting process to purchase a wood dehydrator
20.18 to facilitate disposal of wood that is infested
20.19 by the emerald ash borer. Of this amount in
20.20 the second year, \$10,950,000 is for waste
20.21 prevention and reduction grants and loans. By
20.22 October 1, 2024, the commissioner of the
20.23 Pollution Control Agency must report to the
20.24 chairs and ranking minority members of the
20.25 legislative committees and divisions with
20.26 jurisdiction over environment and natural
20.27 resources on the use of money appropriated
20.28 for the wood dehydrator under this paragraph.

20.29 (q) \$16,562,000 the first year is for grants to
20.30 a Minnesota nonprofit corporation that owns
20.31 a cogeneration facility that serves a St. Paul
20.32 district heating and cooling system to preserve
20.33 existing biomass energy infrastructure for
20.34 purposes of local and regional emerald ash
20.35 borer response efforts. The commissioner of

21.1 the Pollution Control Agency may require the
21.2 nonprofit corporation to charge a fee per ton
21.3 of wood waste delivered to the facility. This
21.4 is a onetime appropriation and is available
21.5 until June 30, 2030.

21.6 (r) \$1,163,000 the first year and \$1,115,000
21.7 the second year are from the environmental
21.8 fund for rulemaking and implementation of
21.9 the new PFAS requirements under Minnesota
21.10 Statutes, section 116.943. Of this amount,
21.11 \$312,000 the first year and \$468,000 the
21.12 second year are for transfer to the
21.13 commissioner of health.

21.14 (s) \$680,000 the first year is for the resource
21.15 management report required in this act. This
21.16 is a onetime appropriation and is available
21.17 until June 30, 2026.

21.18 (t) \$35,000 the second year is from the
21.19 environmental fund for the compostable
21.20 labeling requirements under Minnesota
21.21 Statutes, section 325E.046. The base for this
21.22 appropriation in fiscal year 2026 and beyond
21.23 is \$68,000 from the environmental fund.

21.24 (u) \$175,000 the first year is for the
21.25 rulemaking required under this act providing
21.26 for the safe and lawful disposal of waste
21.27 treated seed. This appropriation is available
21.28 until June 30, 2025.

21.29 (v) \$1,000,000 the first year is for a lead tackle
21.30 reduction program that provides outreach,
21.31 education, and opportunities to safely dispose
21.32 of and exchange lead tackle throughout the
21.33 state. This is a onetime appropriation and is
21.34 available until June 30, 2027.

22.1 (w) \$17,000 the first year is for rulemaking
 22.2 for the capital assistance program. This is a
 22.3 onetime appropriation.

22.4 (x) Any unencumbered grant and loan
 22.5 balances in the first year do not cancel but are
 22.6 available for grants and loans in the second
 22.7 year. Notwithstanding Minnesota Statutes,
 22.8 section 16A.28, the appropriations
 22.9 encumbered on or before June 30, 2025, as
 22.10 contracts or grants for environmental
 22.11 assistance awarded under Minnesota Statutes,
 22.12 section 115A.0716; technical and research
 22.13 assistance under Minnesota Statutes, section
 22.14 115A.152; technical assistance under
 22.15 Minnesota Statutes, section 115A.52; and
 22.16 pollution prevention assistance under
 22.17 Minnesota Statutes, section 115D.04, are
 22.18 available until June 30, 2027.

22.19 **Subd. 8. Watershed** 11,360,000 11,869,000

22.20	<u>Appropriations by Fund</u>	
22.21	<u>2024</u>	<u>2025</u>
22.22	<u>General</u>	<u>3,503,000</u>
22.23	<u>Environmental</u>	<u>7,484,000</u>
22.24	<u>Remediation</u>	<u>373,000</u>

22.25 (a) \$2,959,000 the first year and \$2,959,000
 22.26 the second year are for grants to delegated
 22.27 counties to administer the county feedlot
 22.28 program under Minnesota Statutes, section
 22.29 116.0711, subdivisions 2 and 3. Money
 22.30 remaining after the first year is available for
 22.31 the second year.

22.32 (b) \$236,000 the first year and \$241,000 the
 22.33 second year are from the environmental fund
 22.34 for the costs of implementing general

23.1 operating permits for feedlots over 1,000
 23.2 animal units.
 23.3 (c) \$125,000 the first year and \$129,000 the
 23.4 second year are from the remediation fund for
 23.5 the leaking underground storage tank program
 23.6 to investigate, clean up, and prevent future
 23.7 releases from underground petroleum storage
 23.8 tanks and for the petroleum remediation
 23.9 program for vapor assessment and
 23.10 remediation. These same annual amounts are
 23.11 transferred from the petroleum tank fund to
 23.12 the remediation fund.

23.13 (d) \$544,000 the first year and \$544,000 the
 23.14 second year are to support water permitting
 23.15 and compliance programs. This appropriation
 23.16 is available until June 30, 2027. This is a
 23.17 onetime appropriation.

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

23.19	<u>Appropriations by Fund</u>	
23.20	<u>2024</u>	<u>2025</u>
23.21	<u>1,854,000</u>	<u>1,413,000</u>
23.22	<u>221,000</u>	<u>226,000</u>

23.23 \$620,000 the first year and \$140,000 the
 23.24 second year are to develop a Minnesota-based
 23.25 greenhouse gas sector and source-specific
 23.26 guidance, including climate information, a
 23.27 greenhouse gas calculator, and technical
 23.28 assistance for users. This is a onetime
 23.29 appropriation.

23.30 Subd. 10. Transfers

23.31 (a) The commissioner must transfer up to
 23.32 \$24,000,000 the first year and \$24,000,000
 23.33 the second year from the environmental fund
 23.34 to the remediation fund for purposes of the

25.1 The amounts that may be spent for each
 25.2 purpose are specified in the following
 25.3 subdivisions.

25.4 **Subd. 2. Land and Mineral Resources**
 25.5 **Management**

9,937,000

9,670,000

25.6 Appropriations by Fund

	<u>2024</u>	<u>2025</u>
25.7		
25.8 <u>General</u>	<u>4,937,000</u>	<u>4,670,000</u>
25.9 <u>Natural Resources</u>	<u>4,438,000</u>	<u>4,438,000</u>
25.10 <u>Game and Fish</u>	<u>344,000</u>	<u>344,000</u>
25.11 <u>Permanent School</u>	<u>218,000</u>	<u>218,000</u>

25.12 (a) \$319,000 the first year and \$319,000 the
 25.13 second year are for environmental research
 25.14 relating to mine permitting, of which \$200,000
 25.15 each year is from the minerals management
 25.16 account in the natural resources fund and
 25.17 \$119,000 each year is from the general fund.

25.18 (b) \$3,383,000 the first year and \$3,383,000
 25.19 the second year are from the minerals
 25.20 management account in the natural resources
 25.21 fund for use as provided under Minnesota
 25.22 Statutes, section 93.2236, paragraph (c), for
 25.23 mineral resource management, projects to
 25.24 enhance future mineral income, and projects
 25.25 to promote new mineral-resource
 25.26 opportunities.

25.27 (c) \$218,000 the first year and \$218,000 the
 25.28 second year are transferred from the forest
 25.29 suspense account to the permanent school fund
 25.30 and are appropriated from the permanent
 25.31 school fund to secure maximum long-term
 25.32 economic return from the school trust lands
 25.33 consistent with fiduciary responsibilities and
 25.34 sound natural resources conservation and
 25.35 management principles.

26.1 (d) \$338,000 the first year and \$338,000 the
 26.2 second year are from the water management
 26.3 account in the natural resources fund for
 26.4 mining hydrology.

26.5 (e) \$1,294,000 the first year and \$484,000 the
 26.6 second year are for modernizing utility
 26.7 licensing for state lands and public waters.

26.8 These appropriations are available through
 26.9 fiscal year 2028. This is a onetime
 26.10 appropriation.

26.11 (f) The total general fund base budget for the
 26.12 land and mineral resources management
 26.13 division for fiscal year 2026 and later is
 26.14 \$3,586,000.

26.15 **Subd. 3. Ecological and Water Resources** 48,738,000 45,797,000

	<u>Appropriations by Fund</u>	
	<u>2024</u>	<u>2025</u>
26.18 <u>General</u>	<u>27,083,000</u>	<u>26,142,000</u>
26.19 <u>Natural Resources</u>	<u>13,831,000</u>	<u>13,831,000</u>
26.20 <u>Game and Fish</u>	<u>7,824,000</u>	<u>5,824,000</u>

26.21 (a) \$4,222,000 the first year and \$4,222,000
 26.22 the second year are from the invasive species
 26.23 account in the natural resources fund and
 26.24 \$2,831,000 the first year and \$2,831,000 the
 26.25 second year are from the general fund for
 26.26 management, public awareness, assessment
 26.27 and monitoring research, and water access
 26.28 inspection to prevent the spread of invasive
 26.29 species; management of invasive plants in
 26.30 public waters; and management of terrestrial
 26.31 invasive species on state-administered lands.

26.32 (b) \$6,056,000 the first year and \$6,056,000
 26.33 the second year are from the water
 26.34 management account in the natural resources

27.1 fund for only the purposes specified in
27.2 Minnesota Statutes, section 103G.27,
27.3 subdivision 2.

27.4 (c) \$124,000 the first year and \$124,000 the
27.5 second year are for a grant to the Mississippi
27.6 Headwaters Board for up to 50 percent of the
27.7 cost of implementing the comprehensive plan
27.8 for the upper Mississippi within areas under
27.9 the board's jurisdiction. By December 15,
27.10 2025, the board must submit a report to the
27.11 chairs and ranking minority members of the
27.12 legislative committees and divisions with
27.13 jurisdiction over environment and natural
27.14 resources on the activities funded under this
27.15 paragraph and the progress made in
27.16 implementing the comprehensive plan.

27.17 (d) \$10,000 the first year and \$10,000 the
27.18 second year are for payment to the Leech Lake
27.19 Band of Chippewa Indians to implement the
27.20 band's portion of the comprehensive plan for
27.21 the upper Mississippi River.

27.22 (e) \$300,000 the first year and \$300,000 the
27.23 second year are for grants for up to 50 percent
27.24 of the cost of implementing the Red River
27.25 mediation agreement. The base for this
27.26 appropriation in fiscal year 2026 and beyond
27.27 is \$264,000.

27.28 (f) \$2,598,000 the first year and \$2,598,000
27.29 the second year are from the heritage
27.30 enhancement account in the game and fish
27.31 fund for only the purposes specified in
27.32 Minnesota Statutes, section 297A.94,
27.33 paragraph (h), clause (1).

- 28.1 (g) \$1,150,000 the first year and \$1,150,000
28.2 the second year are from the nongame wildlife
28.3 management account in the natural resources
28.4 fund for nongame wildlife management.
28.5 Notwithstanding Minnesota Statutes, section
28.6 290.431, \$100,000 the first year and \$100,000
28.7 the second year may be used for nongame
28.8 wildlife information, education, and
28.9 promotion.
- 28.10 (h) Notwithstanding Minnesota Statutes,
28.11 section 84.943, \$48,000 the first year and
28.12 \$48,000 the second year from the critical
28.13 habitat private sector matching account may
28.14 be used to publicize the critical habitat license
28.15 plate match program.
- 28.16 (i) \$6,000,000 the first year and \$6,000,000
28.17 the second year are for the following activities:
- 28.18 (1) financial reimbursement and technical
28.19 support to soil and water conservation districts
28.20 or other local units of government for
28.21 groundwater-level monitoring;
- 28.22 (2) surface water monitoring and analysis,
28.23 including installing monitoring gauges;
- 28.24 (3) groundwater analysis to assist with
28.25 water-appropriation permitting decisions;
- 28.26 (4) permit application review incorporating
28.27 surface water and groundwater technical
28.28 analysis;
- 28.29 (5) precipitation data and analysis to improve
28.30 irrigation use;
- 28.31 (6) information technology, including
28.32 electronic permitting and integrated data
28.33 systems; and

- 29.1 (7) compliance and monitoring.
- 29.2 (j) \$2,410,000 the first year and \$410,000 the
29.3 second year are from the heritage enhancement
29.4 account in the game and fish fund and
29.5 \$500,000 the first year and \$500,000 the
29.6 second year are from the general fund for
29.7 grants to the Minnesota Aquatic Invasive
29.8 Species Research Center at the University of
29.9 Minnesota to prioritize, support, and develop
29.10 research-based solutions that can reduce the
29.11 effects of aquatic invasive species in
29.12 Minnesota by preventing spread, controlling
29.13 populations, and managing ecosystems and to
29.14 advance knowledge to inspire action by others.
- 29.15 (k) \$268,000 the first year and \$268,000 the
29.16 second year are for increased capacity for
29.17 broadband utility licensing for state lands and
29.18 public waters. This is a onetime appropriation
29.19 and is available until June 30, 2028.
- 29.20 (l) \$998,000 the first year and \$568,000 the
29.21 second year are for protecting and restoring
29.22 carbon storage in state-administered peatlands
29.23 by reviewing and updating the state's peatland
29.24 inventory, piloting a restoration project, and
29.25 piloting trust fund buyouts. This is a onetime
29.26 appropriation and is available until June 30,
29.27 2028.
- 29.28 (m) \$250,000 the first year is for a grant to the
29.29 Minnesota Lakes and Rivers Advocates to
29.30 work with civic leaders to purchase, install,
29.31 and operate waterless cleaning stations for
29.32 watercraft; conduct aquatic invasive species
29.33 education; and implement education upgrades
29.34 at public accesses to prevent invasive starry
29.35 stonewort spread beyond the lakes already

30.1 infested. This is a onetime appropriation and
30.2 is available until June 30, 2025.

30.3 (n) \$1,720,000 the first year is to prevent and
30.4 manage invasive carp. This includes activities
30.5 related to the Mississippi River Lock and Dam
30.6 and stakeholder engagement. Up to \$325,000
30.7 may be used for a grant to the Board of
30.8 Regents of the University of Minnesota to
30.9 study the Mississippi River Lock Dam 5
30.10 spillway and provide preliminary design to
30.11 optimize management to reduce invasive carp
30.12 passage.

30.13 (o) Up to \$6,000,000 the first year is available
30.14 for transfer from the critical habitat private
30.15 sector matching account to the reinvest in
30.16 Minnesota fund to expand Grey Cloud Island
30.17 Scientific and Natural Area and for other
30.18 scientific and natural area acquisition,
30.19 restoration, and enhancement according to
30.20 Minnesota Statutes, section 84.943,
30.21 subdivision 5b.

30.22 (p) \$40,000 the first year is for a grant to the
30.23 Stearns Coalition of Lake Associations to
30.24 manage aquatic invasive species. The
30.25 unencumbered balance of the general fund
30.26 appropriation in Laws 2021, First Special
30.27 Session chapter 6, article 1, section 3,
30.28 subdivision 3, paragraph (a), for the grant to
30.29 the Stearns Coalition of Lake Associations,
30.30 estimated to be \$40,000, is canceled no later
30.31 than June 29, 2023.

30.32 (q) \$200,000 the first year is for a grant to the
30.33 Board of Regents of the University of
30.34 Minnesota for the University of Minnesota
30.35 Water Council to develop a scope of work,

31.1 timeline, and budget for a plan to promote and
 31.2 protect clean water in Minnesota for the next
 31.3 50 years according to this act.

31.4 (r) The total general fund base budget for the
 31.5 ecological and water resources division for
 31.6 fiscal year 2026 and later is \$24,870,000.

31.7 **Subd. 4. Forest Management** 69,423,000 71,765,000

31.8	<u>Appropriations by Fund</u>	
31.9	<u>2024</u>	<u>2025</u>
31.10 <u>General</u>	<u>51,645,000</u>	<u>53,987,000</u>
31.11 <u>Natural Resources</u>	<u>16,161,000</u>	<u>16,161,000</u>
31.12 <u>Game and Fish</u>	<u>1,617,000</u>	<u>1,617,000</u>

31.13 (a) \$7,521,000 the first year and \$7,521,000
 31.14 the second year are for prevention,
 31.15 presuppression, and suppression costs of
 31.16 emergency firefighting and other costs
 31.17 incurred under Minnesota Statutes, section
 31.18 88.12. The amount necessary to pay for
 31.19 presuppression and suppression costs during
 31.20 the biennium is appropriated from the general
 31.21 fund. By January 15 each year, the
 31.22 commissioner of natural resources must submit
 31.23 a report to the chairs and ranking minority
 31.24 members of the house and senate committees
 31.25 and divisions having jurisdiction over
 31.26 environment and natural resources finance that
 31.27 identifies all firefighting costs incurred and
 31.28 reimbursements received in the prior fiscal
 31.29 year. These appropriations may not be
 31.30 transferred. Any reimbursement of firefighting
 31.31 expenditures made to the commissioner from
 31.32 any source other than federal mobilizations
 31.33 must be deposited into the general fund.

31.34 (b) \$15,386,000 the first year and \$15,386,000
 31.35 the second year are from the forest

- 32.1 management investment account in the natural
32.2 resources fund for only the purposes specified
32.3 in Minnesota Statutes, section 89.039,
32.4 subdivision 2.
- 32.5 (c) \$1,617,000 the first year and \$1,617,000
32.6 the second year are from the heritage
32.7 enhancement account in the game and fish
32.8 fund to advance ecological classification
32.9 systems (ECS), forest habitat, and invasive
32.10 species management.
- 32.11 (d) \$906,000 the first year and \$926,000 the
32.12 second year are for the Forest Resources
32.13 Council to implement the Sustainable Forest
32.14 Resources Act.
- 32.15 (e) \$1,143,000 the first year and \$1,143,000
32.16 the second year are for the Next Generation
32.17 Core Forestry data system. Of this
32.18 appropriation, \$868,000 each year is from the
32.19 general fund and \$275,000 each year is from
32.20 the forest management investment account in
32.21 the natural resources fund.
- 32.22 (f) \$500,000 the first year and \$500,000 the
32.23 second year are from the forest management
32.24 investment account in the natural resources
32.25 fund for forest road maintenance on state
32.26 forest roads.
- 32.27 (g) \$500,000 the first year and \$500,000 the
32.28 second year are for forest road maintenance
32.29 on county forest roads.
- 32.30 (h) \$2,086,000 the first year and \$2,086,000
32.31 the second year are to support forest
32.32 management, cost-share assistance, and
32.33 inventory on private woodlands. This is a
32.34 onetime appropriation.

33.1 (i) \$400,000 the first year and \$400,000 the
 33.2 second year are to accelerate tree seed
 33.3 collection to support a growing demand for
 33.4 tree planting on public and private lands. This
 33.5 is a onetime appropriation and is available
 33.6 until June 30, 2027.

33.7 (j) \$7,998,000 the first year and \$7,998,000
 33.8 the second year are for grants to local and
 33.9 Tribal governments and nonprofit
 33.10 organizations to enhance community forest
 33.11 ecosystem health and sustainability under
 33.12 Minnesota Statutes, section 88.82, the
 33.13 Minnesota ReLeaf program. This
 33.14 appropriation is available until June 30, 2027.

33.15 Money appropriated for grants under this
 33.16 paragraph may be used to pay reasonable costs
 33.17 incurred by the commissioner of natural
 33.18 resources to administer the grants. The base
 33.19 is \$400,000 beginning in fiscal year 2026.

33.20 (k) \$1,500,000 the first year and \$1,500,000
 33.21 the second year are for forest stand
 33.22 improvement and to meet the reforestation
 33.23 requirements of Minnesota Statutes, section
 33.24 89.002, subdivision 2. This is a onetime
 33.25 appropriation.

33.26 **Subd. 5. Parks and Trails Management** 118,305,000 111,680,000

33.27	<u>Appropriations by Fund</u>	
33.28	<u>2024</u>	<u>2025</u>
33.29	<u>General</u>	<u>42,952,000</u> <u>36,707,000</u>
33.30	<u>Natural Resources</u>	<u>73,053,000</u> <u>72,673,000</u>
33.31	<u>Game and Fish</u>	<u>2,300,000</u> <u>2,300,000</u>

33.32 (a) \$8,485,000 the first year and \$8,735,000
 33.33 the second year are from the natural resources
 33.34 fund for state trail, park, and recreation area
 33.35 operations. This appropriation is from revenue

34.1 deposited in the natural resources fund under
34.2 Minnesota Statutes, section 297A.94,
34.3 paragraph (h), clause (2).

34.4 (b) \$21,828,000 the first year and \$22,078,000
34.5 the second year are from the state parks
34.6 account in the natural resources fund to
34.7 operate and maintain state parks and state
34.8 recreation areas.

34.9 (c) \$1,300,000 the first year and \$1,300,000
34.10 the second year are from the natural resources
34.11 fund for park and trail grants to local units of
34.12 government on land to be maintained for at
34.13 least 20 years for parks or trails. Priority must
34.14 be given for projects that are in underserved
34.15 communities or that increase access to persons
34.16 with disabilities. This appropriation is from
34.17 revenue deposited in the natural resources fund
34.18 under Minnesota Statutes, section 297A.94,
34.19 paragraph (h), clause (4). Any unencumbered
34.20 balance does not cancel at the end of the first
34.21 year and is available for the second year.

34.22 (d) \$9,624,000 the first year and \$9,624,000
34.23 the second year are from the snowmobile trails
34.24 and enforcement account in the natural
34.25 resources fund for the snowmobile
34.26 grants-in-aid program. Any unencumbered
34.27 balance does not cancel at the end of the first
34.28 year and is available for the second year.

34.29 (e) \$2,435,000 the first year and \$2,435,000
34.30 the second year are from the natural resources
34.31 fund for the off-highway vehicle grants-in-aid
34.32 program. Of this amount, \$1,960,000 each
34.33 year is from the all-terrain vehicle account;
34.34 \$150,000 each year is from the off-highway
34.35 motorcycle account; and \$325,000 each year

35.1 is from the off-road vehicle account. Any
35.2 unencumbered balance does not cancel at the
35.3 end of the first year and is available for the
35.4 second year.

35.5 (f) \$2,250,000 the first year and \$2,250,000
35.6 the second year are from the state land and
35.7 water conservation account in the natural
35.8 resources fund for priorities established by the
35.9 commissioner for eligible state projects and
35.10 administrative and planning activities
35.11 consistent with Minnesota Statutes, section
35.12 84.0264, and the federal Land and Water
35.13 Conservation Fund Act. Any unencumbered
35.14 balance does not cancel at the end of the first
35.15 year and is available for the second year.

35.16 (g) \$250,000 the first year and \$250,000 the
35.17 second year are for matching grants for local
35.18 parks and outdoor recreation areas under
35.19 Minnesota Statutes, section 85.019,
35.20 subdivision 2.

35.21 (h) \$250,000 the first year and \$250,000 the
35.22 second year are for matching grants for local
35.23 trail connections under Minnesota Statutes,
35.24 section 85.019, subdivision 4c.

35.25 (i) \$750,000 the first year is from the
35.26 all-terrain vehicle account in the natural
35.27 resources fund for a grant to St. Louis County
35.28 to match other funding sources for design,
35.29 right-of-way acquisition, permitting, and
35.30 construction of trails within the Voyageur
35.31 Country ATV trail system. This is a onetime
35.32 appropriation and is available until June 30,
35.33 2026. This appropriation may be used as a
35.34 local match to a state capital investment
35.35 appropriation.

36.1 (j) \$700,000 the first year is from the
36.2 all-terrain vehicle account in the natural
36.3 resources fund for a grant to St. Louis County
36.4 to match other funding sources for design,
36.5 right-of-way acquisition, permitting, and
36.6 construction of a new trail within the
36.7 Prospector trail system. This is a onetime
36.8 appropriation and is available until June 30,
36.9 2026. This appropriation may be used as a
36.10 local match to a state capital investment
36.11 appropriation.

36.12 (k) \$5,000,000 the first year is to facilitate the
36.13 transfer of land within Upper Sioux Agency
36.14 State Park required under this act, including
36.15 but not limited to the acquisition of any land
36.16 necessary to facilitate the transfer. This is a
36.17 onetime appropriation and is available until
36.18 June 30, 2033.

36.19 (l) \$400,000 the first year and \$600,000 the
36.20 second year are from the natural resources
36.21 fund for parks and trails of regional
36.22 significance outside of the seven-county
36.23 metropolitan area under Minnesota Statutes,
36.24 section 85.535, based on the recommendations
36.25 from the Greater Minnesota Regional Parks
36.26 and Trails Commission. This appropriation is
36.27 from revenue deposited in the natural
36.28 resources fund under Minnesota Statutes,
36.29 section 297A.94, paragraph (i).

36.30 (m) \$400,000 the first year and \$600,000 the
36.31 second year are from the natural resources
36.32 fund for projects and activities that connect
36.33 diverse and underserved Minnesotans through
36.34 expanding cultural environmental experiences,
36.35 exploration of their environment, and outdoor

37.1 recreational activities. This appropriation is
37.2 from revenue deposited in the natural
37.3 resources fund under Minnesota Statutes,
37.4 section 297A.94, paragraph (j).

37.5 (n) \$250,000 the first year and \$250,000 the
37.6 second year are from the all-terrain vehicle
37.7 account in the natural resources fund to the
37.8 commissioner of natural resources for a grant
37.9 to Aitkin County, in cooperation with the
37.10 Northwoods Regional ATV Trail Alliance, to
37.11 maintain and repair the Northwoods Regional
37.12 ATV trail system. This is a onetime
37.13 appropriation and is available until June 30,
37.14 2026.

37.15 (o) \$458,000 the first year is for a grant to
37.16 Dakota County for improvements to the Swing
37.17 Bridge Trailhead and historic Rock Island
37.18 Swing Bridge along the Mississippi River
37.19 Greenway, including LED lighting.

37.20 (p) \$1,200,000 the first year is for a grant to
37.21 Dakota County for adding a public boat launch
37.22 along the Mississippi River between South St.
37.23 Paul and Hastings.

37.24 (q) \$400,000 the first year is for a grant to the
37.25 city of Silver Bay for construction of the Silver
37.26 Bay Trailhead.

37.27 (r) \$500,000 the first year is for a grant to the
37.28 city of Chisolm for trail development,
37.29 maintenance, and related amenities at Redhead
37.30 Mountain Bike Park.

37.31 (s) \$1,900,000 the first year is for a grant to
37.32 the town of Crane Lake for construction,
37.33 improvements, and maintenance at one or
37.34 more of the following locations: the Crane

38.1 Lake Voyageurs National Park Visitor Center
 38.2 and Campground and the state-operated boat
 38.3 ramp at Crane Lake. This is a onetime
 38.4 appropriation and is available until June 30,
 38.5 2026.

38.6 (t) The total general fund base budget for the
 38.7 parks and trails division for fiscal year 2026
 38.8 and later is \$35,707,000.

38.9 **Subd. 6. Fish and Wildlife Management** 111,125,000 96,963,000

38.10	<u>Appropriations by Fund</u>	
38.11	<u>2024</u>	<u>2025</u>
38.12 <u>General</u>	<u>23,643,000</u>	<u>9,888,000</u>
38.13 <u>Natural Resources</u>	<u>2,082,000</u>	<u>2,082,000</u>
38.14 <u>Game and Fish</u>	<u>85,400,000</u>	<u>84,993,000</u>

38.15 (a) \$11,158,000 the first year and \$11,158,000
 38.16 the second year are from the heritage
 38.17 enhancement account in the game and fish
 38.18 fund only for activities specified under
 38.19 Minnesota Statutes, section 297A.94,
 38.20 paragraph (h), clause (1). Notwithstanding
 38.21 Minnesota Statutes, section 297A.94, five
 38.22 percent of this appropriation may be used for
 38.23 expanding hunter and angler recruitment and
 38.24 retention.

38.25 (b) \$982,000 the first year and \$982,000 the
 38.26 second year are from the general fund and
 38.27 \$1,675,000 the first year and \$1,675,000 the
 38.28 second year are from the game and fish fund
 38.29 for statewide response and management of
 38.30 chronic wasting disease. The commissioner
 38.31 and the Board of Animal Health must each
 38.32 submit annual reports on chronic wasting
 38.33 disease activities funded in this biennium to
 38.34 the chairs and ranking minority members of
 38.35 the legislative committees and divisions with

39.1 jurisdiction over environment and natural
39.2 resources and agriculture. The general fund
39.3 base for this appropriation in fiscal year 2026
39.4 and beyond is \$282,000.

39.5 (c) \$5,150,000 the first year and \$3,250,000
39.6 the second year are for inspections,
39.7 investigations, and enforcement activities
39.8 taken for the white-tailed deer farm program
39.9 and for statewide response and management
39.10 of chronic wasting disease. This appropriation
39.11 is available until June 30, 2029.

39.12 (d) \$8,546,000 the first year and \$8,546,000
39.13 the second year are from the deer management
39.14 account for the purposes identified in
39.15 Minnesota Statutes, section 97A.075,
39.16 subdivision 1.

39.17 (e) \$268,000 the first year and \$268,000 the
39.18 second year are for increased capacity for
39.19 broadband utility licensing for state lands and
39.20 public waters. This is a onetime appropriation
39.21 and is available until June 30, 2028.

39.22 (f) \$10,000,000 the first year is for enhancing
39.23 prairies and grasslands and restoring wetlands
39.24 on state-owned wildlife management areas to
39.25 sequester more carbon and enhance climate
39.26 resiliency. This is a onetime appropriation and
39.27 is available until June 30, 2027.

39.28 (g) \$500,000 the first year and \$500,000 the
39.29 second year are from the general fund and
39.30 \$500,000 the first year and \$500,000 the
39.31 second year are from the heritage enhancement
39.32 account in the game and fish fund for grants
39.33 for natural-resource-based education and
39.34 recreation programs serving youth under

40.1 Minnesota Statutes, section 84.976, and for
40.2 grant administration. Priority must be given
40.3 to projects benefiting underserved
40.4 communities. The base for this appropriation
40.5 in fiscal year 2026 and beyond is \$500,000
40.6 from the heritage enhancement account in the
40.7 game and fish fund. The general fund
40.8 appropriation is onetime.

40.9 (h) \$2,300,000 the first year is for a grant to
40.10 the Fond du Lac Band of Lake Superior
40.11 Chippewa to expand Minnesota's wild elk
40.12 population and range. Consideration must be
40.13 given to moving elk from existing herds in
40.14 northwest Minnesota to the area of the Fond
40.15 du Lac State Forest and the Fond du Lac
40.16 Reservation in Carlton and southern St. Louis
40.17 Counties. The Fond du Lac Band of Lake
40.18 Superior Chippewa's elk reintroduction efforts
40.19 must undergo thorough planning with the
40.20 Department of Natural Resources to develop
40.21 necessary capture and handling protocols,
40.22 including protocols related to cervid disease
40.23 management, and to produce postrelease state
40.24 and Tribal elk comanagement plans. Of this
40.25 amount, \$300,000 is for the department for
40.26 the purposes of this paragraph. This is a
40.27 onetime appropriation and is available until
40.28 June 30, 2026.

40.29 (i) \$767,000 the first year is from the heritage
40.30 enhancement account in the game and fish
40.31 fund to examine the effects of neonicotinoid
40.32 exposure on the reproduction and survival of
40.33 Minnesota's game species, including deer and
40.34 prairie chicken. This is a onetime

41.1 appropriation and is available until June 30,
41.2 2027.

41.3 (j) \$134,000 the first year and \$134,000 the
41.4 second year are from the heritage enhancement
41.5 account in the game and fish fund for native
41.6 fish conservation and classification.

41.7 (k) \$82,000 the first year is for the native fish
41.8 reports required under this act. This is a
41.9 onetime appropriation.

41.10 (l) \$65,000 the first year is for preparing the
41.11 report on feral pigs and mink required under
41.12 this act and holding at least one public meeting
41.13 on the topic.

41.14 (m) Up to \$5,750,000 the first year and up to
41.15 \$2,225,000 the second year are available for
41.16 transfer from the critical habitat private sector
41.17 matching account to the reinvest in Minnesota
41.18 fund for wildlife management areas
41.19 acquisition, restoration, and enhancement
41.20 according to Minnesota Statutes, section
41.21 84.943, subdivision 5b.

41.22 (n) Notwithstanding Minnesota Statutes,
41.23 section 297A.94, \$300,000 the first year and
41.24 \$300,000 the second year are from the heritage
41.25 enhancement account in the game and fish
41.26 fund for shooting sports facility grants under
41.27 Minnesota Statutes, section 87A.10, including
41.28 grants for archery facilities. Grants must be
41.29 matched with a nonstate match, which may
41.30 include in-kind contributions. This is a
41.31 onetime appropriation and is available until
41.32 June 30, 2026. This appropriation must be
41.33 allocated as follows:

42.1 (1) \$200,000 each fiscal year is for grants of
 42.2 \$25,000 or less; and
 42.3 (2) \$100,000 each fiscal year is for grants in
 42.4 excess of \$25,000.
 42.5 (o) \$75,000 the first year is from the heritage
 42.6 enhancement account in the game and fish
 42.7 fund for enhanced fish stocking of white bass
 42.8 and crappies in lakes in the metropolitan area
 42.9 that have pier and shore fishing opportunities
 42.10 where communities are currently underserved.
 42.11 (p) \$1,633,000 the first year is for a grant to
 42.12 the Board of Regents of the University of
 42.13 Minnesota for chronic wasting disease
 42.14 contingency plans developed by the Center
 42.15 for Infectious Disease Research and Policy.
 42.16 This is a onetime appropriation.
 42.17 (q) \$900,000 the first year is to create new or
 42.18 expand existing outreach and education
 42.19 programs for non-native English-speaking
 42.20 communities. Of this amount, \$250,000 is for
 42.21 the commissioner of the Pollution Control
 42.22 Agency and \$250,000 is for the Board of
 42.23 Water and Soil Resources for this purpose. Up
 42.24 to \$400,000 may be used to expand the
 42.25 Fishing in the Neighborhood program for
 42.26 outreach to new and underserved audiences.
 42.27 This appropriation may be used for community
 42.28 outreach consultants for reaching new
 42.29 audiences. This is a onetime appropriation and
 42.30 is available until June 30, 2027.

42.31 **Subd. 7. Enforcement** 62,062,000 61,618,000

42.32	<u>Appropriations by Fund</u>	
42.33	<u>2024</u>	<u>2025</u>
42.34	<u>General</u>	<u>15,599,000</u> <u>14,055,000</u>

43.1	<u>Natural Resources</u>	<u>13,911,000</u>	<u>14,011,000</u>
43.2	<u>Game and Fish</u>	<u>32,435,000</u>	<u>33,435,000</u>
43.3	<u>Remediation</u>	<u>117,000</u>	<u>117,000</u>

43.4 (a) \$1,718,000 the first year and \$1,718,000
 43.5 the second year are from the general fund for
 43.6 enforcement efforts to prevent the spread of
 43.7 aquatic invasive species.

43.8 (b) \$2,980,000 the first year and \$2,980,000
 43.9 the second year are from the heritage
 43.10 enhancement account in the game and fish
 43.11 fund for only the purposes specified under
 43.12 Minnesota Statutes, section 297A.94,
 43.13 paragraph (h), clause (1).

43.14 (c) \$1,442,000 the first year and \$1,442,000
 43.15 the second year are from the water recreation
 43.16 account in the natural resources fund for grants
 43.17 to counties for boat and water safety. Any
 43.18 unencumbered balance does not cancel at the
 43.19 end of the first year and is available for the
 43.20 second year.

43.21 (d) \$315,000 the first year and \$315,000 the
 43.22 second year are from the snowmobile trails
 43.23 and enforcement account in the natural
 43.24 resources fund for grants to local law
 43.25 enforcement agencies for snowmobile
 43.26 enforcement activities. Any unencumbered
 43.27 balance does not cancel at the end of the first
 43.28 year and is available for the second year.

43.29 (e) \$250,000 the first year and \$250,000 the
 43.30 second year are from the all-terrain vehicle
 43.31 account in the natural resources fund for grants
 43.32 to qualifying organizations to assist in safety
 43.33 and environmental education and monitoring
 43.34 trails on public lands under Minnesota
 43.35 Statutes, section 84.9011. Grants issued under

44.1 this paragraph must be issued through a formal
44.2 agreement with the organization. By
44.3 December 15 each year, an organization
44.4 receiving a grant under this paragraph must
44.5 report to the commissioner with details on
44.6 expenditures and outcomes from the grant. Of
44.7 this appropriation, \$25,000 each year is for
44.8 administering these grants. Any unencumbered
44.9 balance does not cancel at the end of the first
44.10 year and is available for the second year.

44.11 (f) \$510,000 the first year and \$510,000 the
44.12 second year are from the natural resources
44.13 fund for grants to county law enforcement
44.14 agencies for off-highway vehicle enforcement
44.15 and public education activities based on
44.16 off-highway vehicle use in the county. Of this
44.17 amount, \$498,000 each year is from the
44.18 all-terrain vehicle account, \$11,000 each year
44.19 is from the off-highway motorcycle account,
44.20 and \$1,000 each year is from the off-road
44.21 vehicle account. The county enforcement
44.22 agencies may use money received under this
44.23 appropriation to make grants to other local
44.24 enforcement agencies within the county that
44.25 have a high concentration of off-highway
44.26 vehicle use. Of this appropriation, \$25,000
44.27 each year is for administering the grants. Any
44.28 unencumbered balance does not cancel at the
44.29 end of the first year and is available for the
44.30 second year.

44.31 (g) \$2,900,000 of the general fund
44.32 appropriation for fiscal years 2022 and 2023
44.33 in Laws 2021, First Special Session chapter
44.34 6, article 1, section 3, subdivision 7, paragraph
44.35 (i), for inspections, investigations, and

45.1 enforcement activities taken in conjunction
 45.2 with the Board of Animal Health for the
 45.3 white-tailed deer farm program is canceled no
 45.4 later than June 29, 2023.

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

45.8 **Subd. 8. Operations Support** 1,984,000 1,408,000

45.9 (a) \$1,684,000 the first year and \$1,408,000
 45.10 second year are for information technology
 45.11 security and modernization. This is a onetime
 45.12 appropriation.

45.13 (b) \$300,000 the first year is for legal costs.
 45.14 The unencumbered amount of the general fund
 45.15 appropriation in Laws 2019, First Special
 45.16 Session chapter 4, article 1, section 3,
 45.17 subdivision 8, for legal costs, estimated to be
 45.18 \$300,000, is canceled no later than June 29,
 45.19 2023.

45.20 **Subd. 9. Pass Through Funds** 4,294,000 4,215,000

45.21	<u>Appropriations by Fund</u>	
45.22	<u>2024</u>	<u>2025</u>
45.23 <u>General</u>	<u>3,211,000</u>	<u>3,221,000</u>
45.24 <u>Natural Resources</u>	<u>510,000</u>	<u>510,000</u>
45.25 <u>Permanent School</u>	<u>573,000</u>	<u>484,000</u>

45.26 (a) \$510,000 the first year and \$510,000 the
 45.27 second year are from the natural resources
 45.28 fund for grants to be divided equally between
 45.29 the city of St. Paul for the Como Park Zoo and
 45.30 Conservatory and the city of Duluth for the
 45.31 Lake Superior Zoo. This appropriation is from
 45.32 revenue deposited to the natural resources fund
 45.33 under Minnesota Statutes, section 297A.94,
 45.34 paragraph (h), clause (5).

46.1 (b) \$211,000 the first year and \$221,000 the
 46.2 second year are for the Office of School Trust
 46.3 Lands.

46.4 (c) \$250,000 the first year and \$150,000 the
 46.5 second year are transferred from the forest
 46.6 suspense account to the permanent school fund
 46.7 and are appropriated from the permanent
 46.8 school fund for transaction and project
 46.9 management costs for divesting of school trust
 46.10 lands within Boundary Waters Canoe Area
 46.11 Wilderness.

46.12 (d) \$323,000 the first year and \$334,000 the
 46.13 second year are transferred from the forest
 46.14 suspense account to the permanent school fund
 46.15 and are appropriated from the permanent
 46.16 school fund for the Office of School Trust
 46.17 Lands.

46.18 (e) \$3,000,000 the first year and \$3,000,000
 46.19 the second year are for proportional payments
 46.20 to Tribes receiving payments under Minnesota
 46.21 Statutes, section 97A.157. This is a onetime
 46.22 appropriation. The commissioner must work
 46.23 with the signatory Tribes to update and amend
 46.24 the affected agreement.

46.25 **Subd. 10. Get Out MORE (Modernizing Outdoor**
 46.26 **Recreation Experiences)**

110,000,000

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46.27 (a) \$110,000,000 the first year is for
 46.28 modernizing Minnesota's state-managed
 46.29 outdoor recreation experiences. Of this
 46.30 amount:

46.31 (1) \$25,000,000 is for enhancing access and
 46.32 welcoming new users to public lands and
 46.33 outdoor recreation facilities, including
 46.34 improvements to improve climate resiliency;

47.1 (2) \$5,000,000 is for modernizing camping
47.2 and related infrastructure, including
47.3 improvements to improve climate resiliency;

47.4 (3) \$35,000,000 is for modernizing fish
47.5 hatcheries and fishing infrastructure;

47.6 (4) \$10,000,000 is for restoring streams and
47.7 modernizing water-related infrastructure with
47.8 priority given to fish habitat improvements,
47.9 dam removal, and improvements to improve
47.10 climate resiliency; and

47.11 (5) \$35,000,000 is for modernizing boating
47.12 access.

47.13 (b) Priority for money allocated under
47.14 paragraph (a), clauses (1), (3), (4), and (5),
47.15 must be given to projects where communities
47.16 are currently underserved.

47.17 (c) The commissioner may reallocate money
47.18 appropriated in paragraph (a) across those
47.19 purposes based on project readiness and
47.20 priority. The appropriations in paragraph (a)
47.21 are available until June 30, 2029.

47.22 (d) No later than November 30 each year, the
47.23 commissioner must provide a progress report
47.24 on the expenditure of money appropriated
47.25 under this subdivision to the chairs of the
47.26 legislative committees with jurisdiction over
47.27 environment and natural resources finance.

47.28 **Subd. 11. Fiscal Year 2023 Appropriation**

47.29 \$1,000,000 in fiscal year 2023 is from the
47.30 general fund to address safety concerns at the
47.31 drill core library. This is a onetime
47.32 appropriation and is available until June 30,
47.33 2026.

48.1 Subd. 12. **Transfer**

48.2 By June 30, 2024, the commissioner of
 48.3 management and budget must transfer \$58,000
 48.4 from the water recreation account in the
 48.5 natural resources fund to the driver services
 48.6 operating account under Minnesota Statutes,
 48.7 section 299A.705.

48.8 **EFFECTIVE DATE.** Subdivisions 3, 7, 8, 11, and 12 are effective the day following
 48.9 final enactment.

48.10 Sec. 4. **BOARD OF WATER AND SOIL**
 48.11 **RESOURCES**

<u>\$</u>	<u>61,943,000</u>	<u>\$</u>	<u>58,131,000</u>
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48.12 (a) \$3,116,000 the first year and \$3,116,000
 48.13 the second year are for grants and payments
 48.14 to soil and water conservation districts for
 48.15 accomplishing the purposes of Minnesota
 48.16 Statutes, chapter 103C, and for other general
 48.17 purposes, nonpoint engineering, and
 48.18 implementation and stewardship of the
 48.19 reinvest in Minnesota reserve program.
 48.20 Expenditures may be made from this
 48.21 appropriation for supplies and services
 48.22 benefiting soil and water conservation
 48.23 districts. Any district receiving a payment
 48.24 under this paragraph must maintain a website
 48.25 that publishes, at a minimum, the district's
 48.26 annual report, annual audit, annual budget,
 48.27 and meeting notices.

48.28 (b) \$761,000 the first year and \$761,000 the
 48.29 second year are to implement, enforce, and
 48.30 provide oversight for the Wetland
 48.31 Conservation Act, including administering the
 48.32 wetland banking program and in-lieu fee
 48.33 mechanism.

48.34 (c) \$1,560,000 the first year and \$1,560,000
 48.35 the second year are for the following:

- 49.1 (1) \$1,460,000 the first year and \$1,460,000
49.2 the second year are for cost-sharing programs
49.3 of soil and water conservation districts for
49.4 accomplishing projects and practices
49.5 consistent with Minnesota Statutes, section
49.6 103C.501, including perennially vegetated
49.7 riparian buffers, erosion control, water
49.8 retention and treatment, water quality
49.9 cost-sharing for feedlots under 500 animal
49.10 units and nutrient and manure management
49.11 projects in watersheds where there are
49.12 impaired waters, and other high-priority
49.13 conservation practices; and
- 49.14 (2) \$100,000 the first year and \$100,000 the
49.15 second year are for county cooperative weed
49.16 management programs and to restore native
49.17 plants at selected invasive species management
49.18 sites.
- 49.19 (d) \$166,000 the first year and \$166,000 the
49.20 second year are to provide technical assistance
49.21 to local drainage management officials and
49.22 for the costs of the Drainage Work Group. The
49.23 board must coordinate the activities of the
49.24 Drainage Work Group according to Minnesota
49.25 Statutes, section 103B.101, subdivision 13.
49.26 The Drainage Work Group must review a
49.27 drainage authority's power under Minnesota
49.28 Statutes, chapter 103E, to consider the
49.29 abandonment or dismantling of drainage
49.30 systems; to re-meander, restore, or reconstruct
49.31 a natural waterway that has been modified by
49.32 drainage; or to deconstruct dikes, dams, or
49.33 other water-control structures.
- 49.34 (e) \$100,000 the first year and \$100,000 the
49.35 second year are for a grant to the Red River

50.1 Basin Commission for water quality and
50.2 floodplain management, including program
50.3 administration. This appropriation must be
50.4 matched by nonstate funds.

50.5 (f) \$190,000 the first year and \$190,000 the
50.6 second year are for grants to Area II
50.7 Minnesota River Basin Projects for floodplain
50.8 management. The base for fiscal year 2026
50.9 and later is \$140,000.

50.10 (g) \$125,000 the first year and \$125,000 the
50.11 second year are for conservation easement
50.12 stewardship.

50.13 (h) \$240,000 the first year and \$240,000 the
50.14 second year are for a grant to the Lower
50.15 Minnesota River Watershed District to defray
50.16 the annual cost of operating and maintaining
50.17 sites for dredge spoil to sustain the state,
50.18 national, and international commercial and
50.19 recreational navigation on the lower Minnesota
50.20 River.

50.21 (i) \$2,000,000 the first year and \$2,000,000
50.22 the second year are for the lawns to legumes
50.23 program under Minnesota Statutes, section
50.24 103B.104. The board may enter into
50.25 agreements with local governments, Metro
50.26 Blooms, and other organizations to support
50.27 this effort. This is a onetime appropriation and
50.28 is available until June 30, 2027.

50.29 (j) \$2,000,000 the first year and \$2,000,000
50.30 the second year are for the habitat
50.31 enhancement landscape program under
50.32 Minnesota Statutes, section 103B.106. This is
50.33 a onetime appropriation and is available until
50.34 June 30, 2027.

51.1 (k) \$10,557,000 the first year and \$10,557,000
51.2 the second year are for soil health activities to
51.3 achieve water quality, soil productivity,
51.4 climate change resiliency, or carbon
51.5 sequestration benefits consistent with
51.6 Minnesota Statutes, section 103F.06. This is
51.7 a onetime appropriation and is available until
51.8 June 30, 2027. The board may use grants to
51.9 local governments, including soil and water
51.10 conservation districts, and agreements with
51.11 the United States Department of Agriculture;
51.12 the University of Minnesota, Office for Soil
51.13 Health; AgCentric, Minnesota State Northern
51.14 Center of Excellence; and other practitioners
51.15 and partners to accomplish this work.

51.16 (l) \$203,000 the first year and \$203,000 the
51.17 second year are for soil health practice
51.18 adoption purposes consistent with the
51.19 cost-sharing provisions of Minnesota Statutes,
51.20 section 103C.501, and for soil health program
51.21 responsibilities in consultation with the
51.22 University of Minnesota Office for Soil
51.23 Health.

51.24 (m) \$10,500,000 the first year and
51.25 \$10,500,000 the second year are for
51.26 conservation easements and to restore and
51.27 enhance grasslands and adjacent lands
51.28 consistent with Minnesota Statutes, sections
51.29 103F.501 to 103F.531, for the purposes of
51.30 climate resiliency, adaptation, carbon
51.31 sequestration, and related benefits. Of this
51.32 amount, up to \$423,000 is for deposit in the
51.33 water and soil conservation easement
51.34 stewardship account established under
51.35 Minnesota Statutes, section 103B.103. This is

52.1 a onetime appropriation and is available until
52.2 June 30, 2029. The board must give priority
52.3 to leveraging nonstate funding, including
52.4 practices, programs, and projects funded by
52.5 the U.S. Department of Agriculture via the
52.6 Conservation Reserve Enhancement Program,
52.7 the Conservation Reserve Program, the
52.8 Federal Inflation Reduction Act, the Federal
52.9 Farm Bill, or the Climate-Smart Commodities
52.10 Program.

52.11 (n) \$4,000,000 the first year and \$5,000,000
52.12 the second year are to acquire conservation
52.13 easements and to restore and enhance
52.14 peatlands and adjacent lands consistent with
52.15 Minnesota Statutes, sections 103F.501 to
52.16 103F.531, for the purposes of climate
52.17 resiliency, adaptation, carbon sequestration,
52.18 and related benefits. Of this amount, up to
52.19 \$299,000 is for deposit in the water and soil
52.20 conservation easement stewardship account
52.21 established under Minnesota Statutes, section
52.22 103B.103. This is a onetime appropriation and
52.23 is available until June 30, 2029. The board
52.24 must give priority to leveraging nonstate
52.25 funding, including practices, programs, and
52.26 projects funded by the U.S. Department of
52.27 Agriculture via the Conservation Reserve
52.28 Enhancement Program, the Conservation
52.29 Reserve Program, the Federal Inflation
52.30 Reduction Act, the Federal Farm Bill, or the
52.31 Climate-Smart Commodities Program.

52.32 (o) \$2,000,000 the first year and \$2,000,000
52.33 the second year are to enhance existing
52.34 easements established under Minnesota
52.35 Statutes, sections 103F.501 to 103F.531.

53.1 Enhancements are for the purposes of climate
53.2 resiliency, adaptation, and carbon
53.3 sequestration and include but are not limited
53.4 to increasing biodiversity and mitigating the
53.5 effects of rainfall and runoff events. This is a
53.6 onetime appropriation and is available until
53.7 June 30, 2029. The board must give priority
53.8 to leveraging nonstate funding, including
53.9 practices, programs, and projects funded by
53.10 the U.S. Department of Agriculture via the
53.11 Conservation Reserve Enhancement Program,
53.12 the Conservation Reserve Program, the
53.13 Federal Inflation Reduction Act, the Federal
53.14 Farm Bill, or the Climate-Smart Commodities
53.15 Program.

53.16 (p) \$8,500,000 the first year and \$8,500,000
53.17 the second year are for water quality and
53.18 storage practices and projects to protect
53.19 infrastructure, improve water quality and
53.20 related public benefits, and mitigate climate
53.21 change impacts consistent with Minnesota
53.22 Statutes, section 103F.05. This is a onetime
53.23 appropriation and is available until June 30,
53.24 2029. The board must give priority to
53.25 leveraging nonstate funding, including
53.26 practices, programs, and projects funded by
53.27 the U.S. Department of Agriculture via the
53.28 Conservation Reserve Enhancement Program,
53.29 the Conservation Reserve Program, the
53.30 Federal Inflation Reduction Act, the Federal
53.31 Farm Bill, or the Climate-Smart Commodities
53.32 Program.

53.33 (q) \$4,673,000 the first year and \$4,673,000
53.34 the second year are for natural resources block
53.35 grants to local governments to implement the

54.1 Wetland Conservation Act and shoreland
54.2 management program under Minnesota
54.3 Statutes, chapter 103F, and local water
54.4 management responsibilities under Minnesota
54.5 Statutes, chapter 103B. The board may reduce
54.6 the amount of the natural resources block grant
54.7 to a county by an amount equal to any
54.8 reduction in the county's general services
54.9 allocation to a soil and water conservation
54.10 district from the county's previous year
54.11 allocation when the board determines that the
54.12 reduction was disproportionate. The base for
54.13 this appropriation in fiscal year 2026 and
54.14 beyond is \$3,423,000.

54.15 (r) \$129,000 the first year and \$136,000 the
54.16 second year are to accomplish the objectives
54.17 of Minnesota Statutes, section 10.65, and
54.18 related Tribal government coordination. The
54.19 base for fiscal year 2026 and each year
54.20 thereafter is \$144,000.

54.21 (s) \$3,000,000 the first year is to provide
54.22 onetime state incentive payments to enrollees
54.23 in the federal Conservation Reserve Program
54.24 (CRP) during the continuous enrollment
54.25 period and to enroll complementary areas in
54.26 conservation easements consistent with
54.27 Minnesota Statutes, section 103F.515. The
54.28 board may establish payment rates based on
54.29 land valuation and on environmental benefit
54.30 criteria, including but not limited to surface
54.31 water or groundwater pollution reduction,
54.32 drinking water protection, soil health,
54.33 pollinator and wildlife habitat, and other
54.34 conservation enhancements. The board may
54.35 use state funds to implement the program and

55.1 to provide technical assistance to landowners
55.2 or their agents to fulfill enrollment and
55.3 contract provisions. The board must consult
55.4 with the commissioners of agriculture, health,
55.5 natural resources, and the Pollution Control
55.6 Agency and the United States Department of
55.7 Agriculture in establishing program criteria.
55.8 This is a onetime appropriation and is
55.9 available until June 30, 2027.

55.10 (t) \$2,000,000 the first year is to acquire
55.11 conservation easements from landowners to
55.12 preserve, restore, create, and enhance wetlands
55.13 and associated uplands of prairie and
55.14 grasslands and to restore and enhance rivers
55.15 and streams, riparian lands, and associated
55.16 uplands of prairie and grasslands, in order to
55.17 protect soil and water quality, support fish and
55.18 wildlife habitat, reduce flood damage, and
55.19 provide other public benefits. Minnesota
55.20 Statutes, section 103F.515, applies to this
55.21 program. The board must give priority to
55.22 leveraging federal money by enrolling targeted
55.23 new lands or enrolling environmentally
55.24 sensitive lands that have expiring federal
55.25 conservation agreements. The board is
55.26 authorized to enter into new agreements and
55.27 amend past agreements with landowners as
55.28 required by Minnesota Statutes, section
55.29 103F.515, subdivision 5, to allow for
55.30 restoration. Up to five percent of this
55.31 appropriation may be used for restoration and
55.32 enhancement.

55.33 (u) \$5,623,000 the first year and \$5,804,000
55.34 the second year are for agency administration

57.1 regional parks operation and maintenance
57.2 according to Minnesota Statutes, section
57.3 473.351.

57.4 (b) \$8,950,000 the first year and \$8,950,000
57.5 the second year are from the natural resources
57.6 fund for metropolitan-area regional parks and
57.7 trails maintenance and operations. This
57.8 appropriation is from revenue deposited in the
57.9 natural resources fund under Minnesota
57.10 Statutes, section 297A.94, paragraph (h),
57.11 clause (3).

57.12 (c) \$9,000,000 the first year is to modernize
57.13 regional parks and trails. This is a onetime
57.14 appropriation and is available until June 30,
57.15 2027.

57.16 (d) \$2,750,000 the first year is for capital
57.17 improvements to the municipal wastewater
57.18 collection system within the city of Newport
57.19 to reduce the amount of inflow and infiltration
57.20 to the sanitary sewer disposal system. This is
57.21 a onetime appropriation and is available until
57.22 June 30, 2026.

57.23 (e) \$1,000,000 the first year is for grants to
57.24 implementing agencies to remove hazardous
57.25 trees and replace ash trees with more diverse,
57.26 climate-adapted species within the
57.27 metropolitan regional park system. This is a
57.28 onetime appropriation.

57.29 (f) \$2,000,000 the first year is to develop a
57.30 comprehensive plan to ensure communities in
57.31 the White Bear Lake area have access to
57.32 sufficient safe drinking water to allow for
57.33 municipal growth while simultaneously
57.34 ensuring the sustainability of surface water

58.1 and groundwater resources to supply the needs
58.2 of future generations. The Metropolitan
58.3 Council must establish a work group
58.4 consisting of the commissioners of natural
58.5 resources, health, and the Pollution Control
58.6 Agency or their designees and representatives
58.7 from the Metropolitan Area Water Supply
58.8 Advisory Committee; the St. Paul Regional
58.9 Water Services; the cities of Stillwater,
58.10 Mahtomedi, Hugo, Lake Elmo, Lino Lakes,
58.11 North St. Paul, Oakdale, Vadnais Heights,
58.12 Shoreview, Woodbury, New Brighton, North
58.13 Oaks, and White Bear Lake; and the town of
58.14 White Bear to advise the council in developing
58.15 the comprehensive plan. This is a onetime
58.16 appropriation and is available until June 30,
58.17 2027. The comprehensive plan must:
58.18 (1) evaluate methods for conserving and
58.19 recharging groundwater in the area, including:
58.20 (i) converting water supplies that are
58.21 groundwater dependent to total or partial
58.22 supplies from surface water sources;
58.23 (ii) reusing water, including water discharged
58.24 from contaminated wells;
58.25 (iii) projects designed to increase groundwater
58.26 recharge; and
58.27 (iv) other methods for reducing groundwater
58.28 use;
58.29 (2) based on the evaluation conducted under
58.30 clause (1), determine which existing
58.31 groundwater supply wells, if converted to
58.32 surface water sources, would be most effective
58.33 and efficient in ensuring future water
58.34 sustainability in the area;

59.1 (3) identify a long-term plan for converting
 59.2 groundwater supply wells identified in clause
 59.3 (2) to surface water sources, including
 59.4 recommendations on water supply governance
 59.5 and concept-level engineering that addresses
 59.6 preliminary design considerations, including
 59.7 supply source, treatment, distribution,
 59.8 operation, and financing needed to complete
 59.9 any changes to water supply infrastructure;
 59.10 (4) include any policy and funding
 59.11 recommendations for converting groundwater
 59.12 supply wells to surface water sources,
 59.13 recommendations for treating and reusing
 59.14 wastewater, and any other recommendations
 59.15 for additional measures that reduce
 59.16 groundwater use, promote water reuse, and
 59.17 increase groundwater recharge;
 59.18 (5) include any policy and funding
 59.19 recommendations for local wastewater
 59.20 treatment and recharge; and
 59.21 (6) be submitted to the chairs and ranking
 59.22 minority members of the house of
 59.23 representatives and senate committees and
 59.24 divisions with jurisdiction over environment
 59.25 and natural resources finance and policy by
 59.26 June 30, 2027.

59.27 **Sec. 6. CONSERVATION CORPS**
 59.28 **MINNESOTA** **\$ 1,070,000 \$ 1,070,000**

59.29	<u>Appropriations by Fund</u>	
59.30	<u>2024</u>	<u>2025</u>
59.31	<u>General</u>	<u>580,000</u>
59.32	<u>Natural Resources</u>	<u>490,000</u>

59.33 Conservation Corps Minnesota may receive
 59.34 money appropriated from the natural resources
 59.35 fund under this section only as provided in an

60.1 agreement with the commissioner of natural
 60.2 resources.

60.3 **Sec. 7. ZOOLOGICAL BOARD** **\$ 14,244,000 \$ 13,812,000**

60.4 Appropriations by Fund

	<u>2024</u>	<u>2025</u>
60.5		
60.6 <u>General</u>	<u>13,989,000</u>	<u>13,557,000</u>
60.7 <u>Natural Resources</u>	<u>255,000</u>	<u>255,000</u>

60.8 (a) \$255,000 the first year and \$255,000 the
 60.9 second year are from the natural resources
 60.10 fund from revenue deposited under Minnesota
 60.11 Statutes, section 297A.94, paragraph (h),
 60.12 clause (5).

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

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

60.17 \$7,000,000 the first year is for debt reduction,
 60.18 rehiring and retaining employees, supporting
 60.19 employee contracts, and diversity and
 60.20 inclusion training and outreach.

60.21 **Sec. 9. UNIVERSITY OF MINNESOTA** **\$ 1,500,000 \$ -0-**

60.22 (a) \$1,000,000 the first year is for the
 60.23 Minnesota Aquatic Invasive Species Research
 60.24 Center to enhance and implement the center's
 60.25 aquatic invasive species research-based
 60.26 solutions through:

60.27 (1) implementation of a watershed-scale carp
 60.28 management plan and additional research
 60.29 focused on site-specific method refinement
 60.30 and evaluation;

60.31 (2) creation of a long-term monitoring
 60.32 program with state and local partners that
 60.33 evaluates the feasibility of whole-lake zebra

61.1 mussel control projects and the development
61.2 of criteria for selecting and managing lakes;
61.3 (3) refinement and implementation of
61.4 large-scale surveillance and early detection
61.5 methods for high-priority aquatic invasive
61.6 species, including but not limited to zebra
61.7 mussels, spiny water flea, and starry
61.8 stonewort; and
61.9 (4) development and sharing, with relevant
61.10 experts and stakeholders, contingency plans
61.11 regarding the potential risks of aquatic
61.12 invasive species. The contingency plans must
61.13 provide a blueprint for preparedness and
61.14 response planning documents, including
61.15 authoritative risk communication, education,
61.16 and outreach materials. The communication,
61.17 education, and outreach materials must be
61.18 prepared in multiple languages, including but
61.19 not limited to Tribal languages.
61.20 (b) The board must ensure that the Minnesota
61.21 Aquatic Invasive Species Research Center
61.22 coordinates research activities funded under
61.23 paragraph (a) with Tribal governments.
61.24 (c) The appropriation under paragraph (a) is
61.25 onetime and available until June 30, 2027.
61.26 (d) \$500,000 the first year is for a
61.27 multidisciplinary research study involving
61.28 several departments of the University of
61.29 Minnesota, including the Department of Forest
61.30 Resources; Department of Soil, Water, and
61.31 Climate; Department of Bioproducts and
61.32 Biosystems Engineering; and Department of
61.33 Applied Economics, of lowland conifer stands
61.34 over 40 acres that are under state management.

62.1 The study must provide spatial estimates for
 62.2 carbon found in aboveground biomass, as well
 62.3 as soils and peat; develop strategies that
 62.4 maximize mitigation of global climate change;
 62.5 and provide recommendations for maximizing
 62.6 climate resilience, encouraging biodiversity,
 62.7 and providing air- and water-quality benefits.
 62.8 A report with the results of the study must be
 62.9 submitted to the chairs and ranking minority
 62.10 members of the house of representatives and
 62.11 senate committees and divisions with
 62.12 jurisdiction over environment and natural
 62.13 resources by January 15, 2027. This is a
 62.14 onetime appropriation and is available until
 62.15 June 30, 2027.

62.16	Sec. 10. <u>PUBLIC SAFETY</u>	<u>\$</u>	<u>-0-</u>	<u>\$</u>	<u>229,000</u>
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62.17 \$229,000 the second year is from the fire
 62.18 safety account in the special revenue fund for
 62.19 purposes of the class B firefighting foam
 62.20 requirements under Minnesota Statutes,
 62.21 section 325F.072. This is a onetime
 62.22 appropriation and is available until June 30,
 62.23 2026.

ARTICLE 2

ENVIRONMENT AND NATURAL RESOURCES TRUST FUND

62.26 Section 1. **APPROPRIATIONS.**

62.27 The sums shown in the columns marked "Appropriations" are appropriated to the agencies
 62.28 and for the purposes specified in this article. The appropriations are from the environment
 62.29 and natural resources trust fund, or another named fund, and are available for the fiscal
 62.30 years indicated for each purpose. The figures "2024" and "2025" used in this article mean
 62.31 that the appropriations listed under them are available for the fiscal year ending June 30,
 62.32 2024, or June 30, 2025, respectively. "The first year" is fiscal year 2024. "The second year"
 62.33 is fiscal year 2025. "The biennium" is fiscal years 2024 and 2025. Any unencumbered

63.1 balance remaining in the first year does not cancel and is available for the second year or
 63.2 until the end of the appropriation. These are onetime appropriations.

63.3		<u>APPROPRIATIONS</u>	
63.4		<u>Available for the Year</u>	
63.5		<u>Ending June 30</u>	
63.6		<u>2024</u>	<u>2025</u>

63.7 **Sec. 2. MINNESOTA RESOURCES**

63.8	<u>Subdivision 1. Total Appropriation</u>	<u>\$</u>	<u>79,833,000</u>	<u>\$</u>	<u>-0-</u>
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63.9	<u>Appropriations by Fund</u>				
63.10		<u>2024</u>		<u>2025</u>	

63.11	<u>Environment and</u>				
63.12	<u>Natural Resources</u>				
63.13	<u>Trust Fund</u>	<u>79,644,000</u>		<u>-0-</u>	

63.14	<u>Great Lakes</u>				
63.15	<u>Protection Account</u>	<u>189,000</u>		<u>-0-</u>	

63.16 The amounts that may be spent for each
 63.17 purpose are specified in the following
 63.18 subdivisions.

63.19 **Subd. 2. Definitions**

63.20 (a) "Trust fund" means the Minnesota
 63.21 environment and natural resources trust fund
 63.22 established under the Minnesota Constitution,
 63.23 article XI, section 14.

63.24 (b) "Great Lakes protection account" means
 63.25 the account referred to in Minnesota Statutes,
 63.26 section 116Q.02.

63.27	<u>Subd. 3. Foundational Natural Resource Data</u>				
63.28	<u>and Information</u>		<u>8,219,000</u>		<u>-0-</u>

63.29 **(a) Assessing Restorations for Rusty-Patched**
 63.30 **and Other Bumblebee Habitat**

63.31 \$75,000 the first year is from the trust fund to
 63.32 the commissioner of natural resources for an
 63.33 agreement with the Friends of the Mississippi
 63.34 River to assess how prairie restoration and
 63.35 different restoration seeding methods affect
 63.36 bumblebee abundance, diversity, and habitat

64.1 and make recommendations to improve
64.2 restoration outcomes.

64.3 **(b) Removing Barriers to Carbon Market Entry**

64.4 \$482,000 the first year is from the trust fund
64.5 to the Board of Regents of the University of
64.6 Minnesota to develop ground-tested carbon
64.7 stock models of forest resources throughout
64.8 Minnesota to enable better resource
64.9 management of public and private forests as
64.10 well as generate reliable tools for landowners
64.11 seeking to enter carbon markets.

64.12 **(c) Mapping Migratory Bird Pit Stops in**
64.13 **Minnesota**

64.14 \$340,000 the first year is from the trust fund
64.15 to the commissioner of natural resources for
64.16 an agreement with the National Audubon
64.17 Society, Minnesota office, to identify avian
64.18 migratory stopover sites, develop a shared
64.19 decision-support tool, and publish guidance
64.20 for conserving migratory birds in Minnesota.
64.21 This appropriation is available until June 30,
64.22 2027, by which time the project must be
64.23 completed and final products delivered.

64.24 **(d) Enhancing Knowledge of Minnesota River**
64.25 **Fish Ecology**

64.26 \$199,000 the first year is from the trust fund
64.27 to the commissioner of natural resources to
64.28 collect baseline information about the diets,
64.29 distribution, status, and movement patterns of
64.30 fish in the Minnesota River to inform
64.31 management and conservation decisions.

64.32 **(e) Changing Distribution of Flying Squirrel**
64.33 **Species in Minnesota**

64.34 \$186,000 the first year is from the trust fund
64.35 to the Board of Regents of the University of

65.1 Minnesota for the Natural Resources Research
65.2 Institute in Duluth to determine current
65.3 distribution and habitat associations of
65.4 northern and southern flying squirrels to fill
65.5 key knowledge gaps in flying squirrel status
65.6 in Minnesota.

65.7 **(f) Statewide Forest Carbon Inventory and**
65.8 **Change Mapping**

65.9 \$987,000 the first year is from the trust fund
65.10 to the commissioner of natural resources to
65.11 work with Minnesota Forest Resources
65.12 Council, Minnesota Forestry Association, the
65.13 Board of Water and Soil Resources, and the
65.14 University of Minnesota to develop a
65.15 programmatic approach and begin collecting
65.16 plot-based inventories on private forestland
65.17 for use with remote sensing data to better
65.18 assess changing forest conditions and climate
65.19 mitigation opportunities across all ownerships
65.20 in the state.

65.21 **(g) Predicting the Future of Aquatic Species by**
65.22 **Understanding the Past**

65.23 \$170,000 the first year is from the trust fund
65.24 to the Board of Regents of the University of
65.25 Minnesota to use past and present information
65.26 to model future ranges of native aquatic
65.27 species in Minnesota to generate publicly
65.28 available tools for species and habitat
65.29 management.

65.30 **(h) Assessing Status of Common Tern**
65.31 **Populations in Minnesota**

65.32 \$199,000 the first year is from the trust fund
65.33 to the Board of Regents of the University of
65.34 Minnesota for the Natural Resources Research
65.35 Institute in Duluth to assess the population

66.1 status of Common Tern breeding colonies in
66.2 Minnesota, implement management activities,
66.3 and develop a standardized monitoring
66.4 protocol and online database for accessing
66.5 current and historic monitoring data to help
66.6 prioritize conservation and restoration actions
66.7 for this state-threatened species.

66.8 **(i) Salvaged Wildlife to Inform Environmental**
66.9 **Health, Ecology, and Education**

66.10 \$486,000 the first year is from the trust fund
66.11 to the Board of Regents of the University of
66.12 Minnesota, Bell Museum of Natural History,
66.13 to establish a statewide network to collect,
66.14 analyze, and archive salvaged dead wildlife
66.15 and build a foundation of biodiversity
66.16 resources to track ecosystem-wide changes,
66.17 monitor environmental health, and educate
66.18 Minnesotans about the value of scientific
66.19 specimens.

66.20 **(j) Developing Conservation Priorities for Rare**
66.21 **and Specialist Bees**

66.22 \$619,000 the first year is from the trust fund
66.23 to the Board of Regents of the University of
66.24 Minnesota to collect data on rare and specialist
66.25 bees and their habitat preferences, determine
66.26 their conservation status, and develop
66.27 strategies to improve their chances of survival.

66.28 **(k) Efficacy of Urban Archery Hunting to**
66.29 **Manage Deer**

66.30 \$393,000 the first year is from the trust fund
66.31 to the Board of Trustees of the Minnesota
66.32 State Colleges and Universities for Bemidji
66.33 State University to conduct an analysis of deer
66.34 survival, habitat use, and hunter data in the
66.35 city of Bemidji to improve special archery

67.1 hunt management practices in urban areas of
67.2 the state.

67.3 **(l) Mapping the Ecology of Urban and Rural**
67.4 **Canids**

67.5 \$601,000 the first year is from the trust fund
67.6 to the Board of Regents of the University of
67.7 Minnesota to determine how disease
67.8 prevalence, diet, habitat use, and interspecies
67.9 interactions of coyotes and foxes change from
67.10 urban to rural areas along the Mississippi
67.11 River corridor.

67.12 **(m) Maximizing Lowland Conifer Ecosystem**
67.13 **Services - Phase II**

67.14 \$482,000 the first year is from the trust fund
67.15 to the Board of Regents of the University of
67.16 Minnesota to continue monitoring forested
67.17 peatland hydrology and wildlife, conduct new
67.18 wildlife and habitat surveys, and quantify
67.19 carbon storage to provide support for
67.20 management decisions.

67.21 **(n) Modernizing Minnesota's Wildlife (and**
67.22 **Plant) Action Plan**

67.23 \$889,000 the first year is from the trust fund
67.24 to the commissioner of natural resources to
67.25 modernize the Minnesota Wildlife Action Plan
67.26 by filling critical data gaps, including adding
67.27 rare plants to the plan, and standardizing
67.28 conservation status assessment methods to
67.29 ensure Minnesota's natural heritage is
67.30 protected into the future.

67.31 **(o) Linking Breeding and Migratory Bird**
67.32 **Populations in Minnesota**

67.33 \$199,000 the first year is from the trust fund
67.34 to the commissioner of natural resources for
67.35 an agreement with Hawk Ridge Bird

68.1 Observatory to map year-round habitat use of
68.2 understudied bird species of special
68.3 conservation concern and evaluate areas with
68.4 the greatest risk of contaminant exposure.

68.5 **(p) Old Growth Forest Monitoring**

68.6 \$441,000 the first year is from the trust fund
68.7 to the commissioner of natural resources to
68.8 establish baseline conditions and develop a
68.9 cost-effective method to monitor
68.10 approximately 93,000 acres of old growth
68.11 forest in Minnesota to ensure that these rare
68.12 and important forest resources are properly
68.13 protected.

68.14 **(q) Integrating Remotely Sensed Data with**
68.15 **Traditional Forest Inventory**

68.16 \$191,000 the first year is from the trust fund
68.17 to the Board of Regents of the University of
68.18 Minnesota for the Natural Resources Research
68.19 Institute in Duluth to calibrate and optimize
68.20 the use of LiDAR for forest inventory
68.21 purposes and estimate stand-level forest
68.22 resource metrics in northeastern Minnesota so
68.23 ecosystem services can be better considered
68.24 in management decisions.

68.25 **(r) Community Response Monitoring for**
68.26 **Adaptive Management in Southeast Minnesota**

68.27 \$483,000 the first year is from the trust fund
68.28 to the commissioner of natural resources for
68.29 an agreement with The Nature Conservancy
68.30 to assess community-level plant and animal
68.31 responses to past restoration efforts in select
68.32 southeast Minnesota conservation focus areas
68.33 to determine if management outcomes are
68.34 being achieved.

68.35 **(s) Minnesota Biodiversity Atlas - Phase III**

69.1 \$797,000 the first year is from the trust fund
 69.2 to the Board of Regents of the University of
 69.3 Minnesota, Bell Museum of Natural History,
 69.4 to expand the Minnesota Biodiversity Atlas
 69.5 to include more than 2,000,000 records and
 69.6 images of Minnesota wildlife, plants, and
 69.7 fungi by adding insect specimens, collections
 69.8 from new partners, historical data, and
 69.9 repatriating records of Minnesota's
 69.10 biodiversity that exist in various federal
 69.11 institutions.

69.12 **Subd. 4. Water Resources** 8,328,000 -0-

69.13 Appropriations by Fund

69.14	<u>Environment and</u>		
69.15	<u>Natural Resources</u>		
69.16	<u>Trust Fund</u>	<u>8,139,000</u>	<u>-0-</u>
69.17	<u>Great Lakes</u>		
69.18	<u>Protection Account</u>	<u>189,000</u>	<u>-0-</u>

69.19 **(a) Ditching Delinquent Ditches: Optimizing**
 69.20 **Wetland Restoration**

69.21 \$199,000 the first year is from the trust fund
 69.22 to the Board of Regents of the University of
 69.23 Minnesota to use new techniques to identify
 69.24 and rank areas statewide where targeted
 69.25 removal of poorly functioning drainage ditches
 69.26 and restoration to wetlands can provide
 69.27 maximum human and ecological benefits,
 69.28 including aquifer recharge and flood
 69.29 prevention.

69.30 **(b) Assessment of Red River Basin Project**
 69.31 **Outcomes**

69.32 \$920,000 the first year is from the trust fund
 69.33 to the commissioner of natural resources for
 69.34 an agreement with Red River Watershed
 69.35 Management Board acting as fiscal agent for
 69.36 the Red River Basin Flood Damage Reduction

70.1 Work Group to plan and implement
70.2 multiresource monitoring at flood damage
70.3 reduction and natural resource enhancement
70.4 projects across the Red River Basin to evaluate
70.5 outcomes and improve design of future
70.6 projects at a regional scale. This appropriation
70.7 is available until June 30, 2028, by which time
70.8 the project must be completed and final
70.9 products delivered.

70.10 **(c) Wind Wave and Boating Impacts on Inland**
70.11 **Lakes**

70.12 \$415,000 the first year is from the trust fund
70.13 to the Board of Regents of the University of
70.14 Minnesota for the St. Anthony Falls
70.15 Laboratory to conduct a field study to measure
70.16 the impacts of boat propeller wash and boat
70.17 wakes on lake bottoms, shorelines, and water
70.18 quality compared to the impacts of
70.19 wind-generated waves.

70.20 **(d) Finding, Capturing, and Destroying PFAS**
70.21 **in Minnesota Waters**

70.22 \$478,000 the first year is from the trust fund
70.23 to the Board of Regents of the University of
70.24 Minnesota to develop novel methods for the
70.25 detection, sequestration, and degradation of
70.26 poly- and perfluoroalkyl substances (PFAS)
70.27 in Minnesota's lakes and rivers.

70.28 **(e) Sinking and Suspended Microplastic**
70.29 **Particles in Lake Superior**

70.30 \$412,000 the first year is to the Board of
70.31 Regents of the University of Minnesota for
70.32 the Large Lakes Observatory in Duluth to
70.33 investigate the abundance, characteristics, and
70.34 fate of microplastic particles in Lake Superior
70.35 to inform remediation strategies and analyses

71.1 of environmental impacts. Of this amount,
71.2 \$189,000 is from the Great Lakes protection
71.3 account and \$223,000 is from the trust fund.
71.4 These appropriations may also be used to
71.5 educate the public about the research
71.6 conducted with this appropriation.

71.7 **(f) Ecotoxicological Impacts of Quinone Outside**
71.8 **Inhibitor (QoI) Fungicides**

71.9 \$279,000 the first year is from the trust fund
71.10 to the commissioner of natural resources for
71.11 an agreement with the University of St.
71.12 Thomas to assess the ecological hazards
71.13 associated with QoI fungicides and their major
71.14 environmental transformation products.

71.15 **(g) Brightsdale Dam Channel Restoration**

71.16 \$1,004,000 the first year is from the trust fund
71.17 to the commissioner of natural resources for
71.18 an agreement with Fillmore County Soil and
71.19 Water Conservation District to reduce
71.20 sedimentation and improve aquatic habitat by
71.21 restoring a channel of the north branch of the
71.22 Root River at the site of a failed hydroelectric
71.23 power dam that was removed in 2003.

71.24 **(h) Mapping Aquifer Recharge Potential**

71.25 \$391,000 the first year is from the trust fund
71.26 to the Board of Regents of the University of
71.27 Minnesota for the St. Anthony Falls
71.28 Laboratory to partner with the Freshwater
71.29 Society to develop a practical tool for mapping
71.30 aquifer recharge potential, demonstrate the
71.31 tool with laboratory and field tests, use the
71.32 tool to evaluate recharge potential of several
71.33 aquifers in Minnesota, and analyze aquifer
71.34 recharge policy.

72.1 **(i) ALASD's Chloride Source Reduction Pilot**
72.2 **Program**

72.3 \$764,000 the first year is from the trust fund
72.4 to the commissioner of natural resources for
72.5 an agreement with Alexandria Lake Area
72.6 Sanitary District (ALASD) to coordinate with
72.7 Douglas County and the Pollution Control
72.8 Agency to pilot an incentive program for
72.9 residences and businesses to install
72.10 high-efficiency water softeners, salt-free
72.11 systems, or softener discharge disposal
72.12 systems to reduce the annual salt load to Lake
72.13 Winona and downstream waters. The pilot
72.14 program includes rebates, inspections,
72.15 community education, and water quality
72.16 monitoring to measure chloride reduction
72.17 success. This appropriation is available until
72.18 June 30, 2027, by which time the project must
72.19 be completed and final products delivered.

72.20 **(j) Removing CECs from Stormwater with**
72.21 **Biofiltration**

72.22 \$641,000 the first year is from the trust fund
72.23 to the Board of Regents of the University of
72.24 Minnesota for the St. Anthony Falls
72.25 Laboratory to develop a treatment practice
72.26 design using biofiltration media to remove
72.27 contaminants of emerging concern (CECs)
72.28 from stormwater runoff and to provide
72.29 statewide stormwater management guidance.

72.30 **(k) Didymo II The North Shore Threat**
72.31 **Continues**

72.32 \$394,000 the first year is from the trust fund
72.33 to the Science Museum of Minnesota for the
72.34 St. Croix Watershed Research Station to
72.35 identify North Shore streams with didymo,
72.36 determine the risk of invasion to other streams,

73.1 document didymo impacts to stream
 73.2 functioning, and develop strategies to prevent
 73.3 further spread of didymo.

73.4 **(l) Leveraging Data Analytics Innovations for**
 73.5 **Watershed District Planning**

73.6 \$738,000 the first year is from the trust fund
 73.7 to the commissioner of natural resources for
 73.8 an agreement with Minnehaha Creek
 73.9 Watershed District to integrate local and
 73.10 statewide data sets into a high-resolution
 73.11 planning tool that forecasts the impacts of
 73.12 changing precipitation patterns and
 73.13 quantitatively compares cost effectiveness and
 73.14 outcomes for water quality, ecological
 73.15 integrity, and flood prevention projects in the
 73.16 district. Minnehaha Creek Watershed District
 73.17 may license third parties to use products
 73.18 developed with this appropriation without
 73.19 further approval from the legislature or the
 73.20 Legislative-Citizen Commission on Minnesota
 73.21 Resources, provided the licensing does not
 73.22 generate income. This appropriation is subject
 73.23 to Minnesota Statutes, section 116P.10.

73.24 **(m) Protecting Water in the Central Sands**
 73.25 **Region of the Mississippi River Headwaters**

73.26 \$1,693,000 the first year is from the trust fund
 73.27 to the commissioner of natural resources for
 73.28 an agreement with the White Earth Band of
 73.29 Minnesota Chippewa Indians to conduct a
 73.30 policy analysis and assess aggregate irrigation
 73.31 impacts on water quality and quantity in the
 73.32 Pineland Sands region of the state.

73.33 **Subd. 5. Environmental Education**

3,905,000

-0-

73.34 **(a) Fostering Conservation by Connecting**
 73.35 **Students to the BWCA**

74.1 \$1,080,000 the first year is from the trust fund
74.2 to the commissioner of natural resources for
74.3 an agreement with the Friends of the Boundary
74.4 Waters Wilderness to connect Minnesota
74.5 youth to the Boundary Waters through
74.6 environmental education, experiential learning,
74.7 and wilderness canoe trips.

74.8 **(b) Statewide Environmental Education via PBS**
74.9 **Outdoor Series**

74.10 \$391,000 the first year is from the trust fund
74.11 to the commissioner of natural resources for
74.12 an agreement with Pioneer Public
74.13 Broadcasting Service to produce new episodes
74.14 of a statewide public television series and an
74.15 educational web page designed to inspire
74.16 Minnesotans to connect with the outdoors and
74.17 to restore and protect the state's natural
74.18 resources.

74.19 **(c) Increasing Diversity in Environmental**
74.20 **Careers**

74.21 \$763,000 the first year is from the trust fund
74.22 to the commissioner of natural resources in
74.23 cooperation with Conservation Corps
74.24 Minnesota and Iowa to ensure a stable and
74.25 prepared natural resources work force in
74.26 Minnesota by encouraging a diversity of
74.27 students to pursue careers in environment and
74.28 natural resources through internships,
74.29 mentorships, and fellowships with the
74.30 Department of Natural Resources, the Board
74.31 of Water and Soil Resources, and the Pollution
74.32 Control Agency. This appropriation is
74.33 available until June 30, 2028, by which time
74.34 the project must be completed and final
74.35 products delivered.

75.1 **(d) Reducing Biophobia & Fostering**
75.2 **Environmental Stewardship in Underserved**
75.3 **Schools**

75.4 \$180,000 the first year is from the trust fund
75.5 to the Board of Regents of the University of
75.6 Minnesota for the Raptor Center to foster
75.7 long-lasting environmental stewardship and
75.8 literacy in Minnesota youth in underserved
75.9 schools by providing engaging, multiunit,
75.10 standards-based environmental programming
75.11 featuring positive interactions with raptors and
75.12 evaluating program effectiveness and areas
75.13 for improvement.

75.14 **(e) Sharing Minnesota's Biggest Environmental**
75.15 **Investment**

75.16 \$628,000 the first year is from the trust fund
75.17 to the Science Museum of Minnesota, in
75.18 coordination with the Legislative-Citizen
75.19 Commission on Minnesota Resources
75.20 (LCCMR), to increase public access to the
75.21 results of LCCMR-recommended research,
75.22 including through a free online interactive
75.23 map, in-depth videos, and public events.

75.24 **(f) North Shore Private Forestry Outreach and**
75.25 **Implementation**

75.26 \$375,000 the first year is from the trust fund
75.27 to the commissioner of natural resources for
75.28 an agreement with Sugarloaf: The North Shore
75.29 Stewardship Association to conduct outreach
75.30 to private forest landowners, develop site
75.31 restoration plans, and connect landowners with
75.32 restoration assistance to encourage private
75.33 forest restoration and improve the ecological
75.34 health of Minnesota's North Shore forest
75.35 landscape.

76.1 **(g) Teaching Students about Watersheds**
 76.2 **through Outdoor Science**

76.3 \$290,000 the first year is from the trust fund
 76.4 to the commissioner of natural resources for
 76.5 an agreement with Minnesota Trout Unlimited
 76.6 to engage students in classroom and outdoor
 76.7 hands-on learning focused on water quality,
 76.8 groundwater, aquatic life, and watershed
 76.9 stewardship and provide youth and their
 76.10 families with fishing experiences to further
 76.11 foster a conservation ethic.

76.12 **(h) Bioblitz Urban Parks: Engaging**
 76.13 **Communities in Scientific Efforts**

76.14 \$198,000 the first year is from the trust fund
 76.15 to the commissioner of natural resources for
 76.16 an agreement with the Minneapolis Park and
 76.17 Recreation Board to work with volunteers to
 76.18 collect baseline biodiversity data for
 76.19 neighborhood and regional parks to inspire
 76.20 stewardship and inform habitat restoration
 76.21 work.

76.22 **Subd. 6. Aquatic and Terrestrial Invasive**
 76.23 **Species**

5,104,000

-0-

76.24 **(a) Northward Expansion of Ecologically**
 76.25 **Damaging Amphibians and Reptiles**

76.26 \$163,000 the first year is from the trust fund
 76.27 to the Board of Regents of the University of
 76.28 Minnesota to assess the distribution and
 76.29 potential for expansion of key detrimental and
 76.30 nonnative amphibians and reptiles in
 76.31 Minnesota.

76.32 **(b) Developing Research-Based Solutions to**
 76.33 **Minnesota's AIS Problems**

76.34 \$4,941,000 the first year is from the trust fund
 76.35 to the Board of Regents of the University of

77.1 Minnesota for the Minnesota Aquatic Invasive
 77.2 Species Research Center to conduct
 77.3 high-priority projects aimed at solving
 77.4 Minnesota's aquatic invasive species problems
 77.5 using rigorous science and a collaborative
 77.6 process. Additionally, funds may be spent to
 77.7 deliver research findings to end users through
 77.8 strategic communication and outreach. This
 77.9 appropriation is subject to Minnesota Statutes,
 77.10 section 116P.10. This appropriation is
 77.11 available until June 30, 2027, by which time
 77.12 the project must be completed and final
 77.13 products delivered.

77.14 **Subd. 7. Air Quality, Climate Change, and**
 77.15 **Renewable Energy**

3,913,000

-0-

77.16 **(a) Community Forestry AmeriCorps**

77.17 \$1,500,000 the first year is from the trust fund
 77.18 to the commissioner of natural resources for
 77.19 an agreement with ServeMinnesota to preserve
 77.20 and increase tree canopy throughout the state
 77.21 by training, supporting, and deploying
 77.22 AmeriCorps members to local agencies and
 77.23 nonprofit organizations to plant and inventory
 77.24 trees, develop and implement pest
 77.25 management plans, create and maintain
 77.26 nursery beds for replacement trees, and
 77.27 organize opportunities for community
 77.28 engagement in tree stewardship activities.

77.29 **(b) Biochar Implementation in Habitat**
 77.30 **Restoration: A Pilot**

77.31 \$185,000 the first year is from the trust fund
 77.32 to the commissioner of natural resources for
 77.33 an agreement with Great River Greening to
 77.34 pilot the use of portable biochar kilns as an
 77.35 alternative to open-pile burning of trees and

78.1 shrubs to reduce smoke and carbon emissions
78.2 and produce beneficial by-products from
78.3 invasive species removal and land restoration
78.4 efforts.

78.5 **(c) Completing Installment of the Minnesota**
78.6 **Ecological Monitoring Network**

78.7 \$1,094,000 the first year is from the trust fund
78.8 to the commissioner of natural resources to
78.9 improve conservation and management of
78.10 Minnesota's native forests, wetlands, and
78.11 grasslands by completing the Ecological
78.12 Monitoring Network to measure ecosystems'
78.13 change through time.

78.14 **(d) Lichens as Low-Cost Air Quality Monitors**
78.15 **in Minnesota**

78.16 \$341,000 the first year is from the trust fund
78.17 to the Board of Regents of the University of
78.18 Minnesota to develop community science
78.19 protocols for using lichens as indicators of air
78.20 quality and conduct an analysis of air pollution
78.21 changes across Minnesota in the present and
78.22 in the past century.

78.23 **(e) Environment-Friendly Decarbonizing of Steel**
78.24 **Production with Hydrogen Plasma**

78.25 \$739,000 the first year is from the trust fund
78.26 to the Board of Regents of the University of
78.27 Minnesota to investigate the use of microwave
78.28 hydrogen plasma to reduce fossil fuel use,
78.29 carbon dioxide emissions, and waste and
78.30 enable the use of alternative iron resources,
78.31 including lower quality iron ores, tailings, and
78.32 iron ore waste piles, in the iron-making
78.33 industry. This appropriation is subject to
78.34 Minnesota Statutes, section 116P.10.

79.1 **(f) Economic Analysis Guide for Minnesota**
 79.2 **Climate Investments**

79.3 \$54,000 the first year is from the trust fund to
 79.4 the commissioner of the Minnesota Pollution
 79.5 Control Agency to create a guide that will
 79.6 incorporate nation-wide best practices for
 79.7 considering costs, benefits, economics, and
 79.8 equity in Minnesota climate policy decisions.

79.9 **Subd. 8. Methods to Protect or Restore Land,**
 79.10 **Water, and Habitat**

15,997,000

-0-

79.11 **(a) Minnesota Bee and Beneficial Species Habitat**
 79.12 **Enhancement II**

79.13 \$876,000 the first year is from the trust fund
 79.14 to the commissioner of natural resources for
 79.15 an agreement with Pheasants Forever Inc. to
 79.16 enhance grassland habitats to benefit
 79.17 pollinators and other wildlife species on
 79.18 permanently protected lands and to collaborate
 79.19 with the University of Minnesota to determine
 79.20 best practices for seeding timing and
 79.21 techniques.

79.22 **(b) Karner Blue Butterfly Insurance Population**
 79.23 **Establishment in Minnesota**

79.24 \$405,000 the first year is from the trust fund
 79.25 to the commissioner of natural resources for
 79.26 an agreement with the Three Rivers Park
 79.27 District to establish a breeding population of
 79.28 the federally endangered Karner blue butterfly
 79.29 on protected lands within the butterfly's
 79.30 northern expanding range, increase the habitat
 79.31 area, and evaluate the butterfly establishment
 79.32 effort to assist with adaptive management.
 79.33 This appropriation is available until June 30,
 79.34 2027, by which time the project must be
 79.35 completed and final products delivered.

80.1 **(c) Root River Habitat Restoration at Eagle**
80.2 **Bluff**

80.3 \$866,000 the first year is from the trust fund
80.4 to the commissioner of natural resources for
80.5 an agreement with Eagle Bluff Environmental
80.6 Learning Center to restore habitat in and
80.7 alongside the Root River north of Lanesboro,
80.8 Minnesota, and to conduct monitoring to
80.9 ensure water quality and fish population
80.10 improvements are achieved. This appropriation
80.11 is available until June 30, 2028, by which time
80.12 the project must be completed and final
80.13 products delivered.

80.14 **(d) Restoring Mussels in Streams and Lakes -**
80.15 **Continuation**

80.16 \$825,000 the first year is from the trust fund
80.17 to the commissioner of natural resources to
80.18 propagate, rear, and restore native freshwater
80.19 mussel assemblages and the ecosystem
80.20 services they provide in the Mississippi,
80.21 Cedar, and Cannon Rivers; to evaluate
80.22 reintroduction success; and to inform the
80.23 public on mussels and mussel conservation.

80.24 **(e) Minnesota Million: Seedlings for**
80.25 **Reforestation and CO₂ Sequestration**

80.26 \$906,000 the first year is from the trust fund
80.27 to the Board of Regents of the University of
80.28 Minnesota, Duluth, to collaborate with The
80.29 Nature Conservancy and Minnesota Extension
80.30 to expand networks of seed collectors and tree
80.31 growers and to research tree planting strategies
80.32 to accelerate reforestation for carbon
80.33 sequestration, wildlife habitat, and watershed
80.34 resilience.

80.35 **(f) Panoway on Wayzata Bay Shoreline**
80.36 **Restoration Project**

81.1 \$200,000 the first year is from the trust fund
81.2 to the commissioner of natural resources for
81.3 an agreement with the city of Wayzata to
81.4 restore native lake bottom and shoreline
81.5 vegetation to improve shoreline stability,
81.6 wildlife habitat, and the natural beauty of Lake
81.7 Minnetonka's Wayzata Bay. The recipient
81.8 must report to the Legislative-Citizen
81.9 Commission on Minnesota Resources on the
81.10 effectiveness of any new methods tested while
81.11 conducting the project and may use a portion
81.12 of the appropriation to prepare that report.

81.13 **(g) Pollinator Central III: Habitat Improvement**
81.14 **with Community Monitoring**

81.15 \$190,000 the first year is from the trust fund
81.16 to the commissioner of natural resources for
81.17 an agreement with Great River Greening to
81.18 restore and enhance pollinator habitat in parks,
81.19 schools, and other public spaces to benefit
81.20 pollinators and people and to build knowledge
81.21 about impacts of the pollinator plantings
81.22 through community-based monitoring.

81.23 **(h) Restoring Forests and Savannas Using**
81.24 **Silvopasture - Phase II**

81.25 \$674,000 the first year is from the trust fund
81.26 to the commissioner of natural resources for
81.27 an agreement with Great River Greening to
81.28 continue to partner with the University of
81.29 Minnesota and the Sustainable Farming
81.30 Association to demonstrate, evaluate, and
81.31 increase adoption of the combined use of
81.32 intensive tree, forage, and grazing as a method
81.33 to restore and manage forest and savanna
81.34 habitats.

81.35 **(i) Minnesota Community Schoolyards**

82.1 \$1,433,000 the first year is from the trust fund
82.2 to the commissioner of natural resources for
82.3 an agreement with The Trust for Public Land
82.4 to engage students and communities to create
82.5 nature-focused habitat improvements at
82.6 schoolyards across the state to increase
82.7 environmental outcomes and encourage
82.8 outdoor learning.

82.9 **(j) Pollinator Enhancement and Mississippi**
82.10 **River Shoreline Restoration**

82.11 \$187,000 the first year is from the trust fund
82.12 to the adjutant general of the Department of
82.13 Military Affairs to restore native prairie,
82.14 support pollinator plantings, and stabilize a
82.15 large section of stream bank along the
82.16 Mississippi River within Camp Ripley.

82.17 **(k) Conservation Cooperative for Working**
82.18 **Lands**

82.19 \$2,611,000 the first year is from the trust fund
82.20 to the commissioner of natural resources for
82.21 an agreement with Pheasants Forever Inc. to
82.22 collaborate with Natural Resources
82.23 Conservation Service, Board of Water and
82.24 Soil Resources, and Minnesota Association
82.25 of Soil and Water Conservation Districts to
82.26 accelerate adoption of voluntary conservation
82.27 practices on working lands in Minnesota by
82.28 increasing technical assistance to farmers and
82.29 landowners while also attracting federal
82.30 matching funds.

82.31 **(l) Quantifying Environmental Benefits of**
82.32 **Peatland Restoration in Minnesota**

82.33 \$754,000 the first year is from the trust fund
82.34 to the Board of Regents of the University of
82.35 Minnesota to quantify the capacity of restored

83.1 peatlands to store and accumulate atmospheric
83.2 carbon and prevent release of accumulated
83.3 mercury into the surrounding environment.

83.4 This appropriation is available until June 30,
83.5 2027, by which time the project must be
83.6 completed and final products delivered.

83.7 **(m) Renewing Access to an Iconic North Shore**
83.8 **Vista**

83.9 \$197,000 the first year is from the trust fund
83.10 to the commissioner of natural resources for
83.11 an agreement with the Superior Hiking Trail
83.12 Association to use national trail design best
83.13 practices to renew trails and a campground
83.14 along the Bean and Bear Lakes section of the
83.15 Superior Hiking Trail that provides access to
83.16 one of Minnesota's most iconic vistas.

83.17 **(n) Addressing Erosion Along High Use River**
83.18 **Loops**

83.19 \$368,000 the first year is from the trust fund
83.20 to the commissioner of natural resources for
83.21 an agreement with the Superior Hiking Trail
83.22 Association to rehabilitate and renew popular
83.23 river loops of the Superior Hiking Trail to
83.24 withstand high visitor use and serve
83.25 Minnesotans for years to come.

83.26 **(o) Pollinator Habitat Creation at Minnesota**
83.27 **Closed Landfills**

83.28 \$1,508,000 the first year is from the trust fund
83.29 to the commissioner of the Minnesota
83.30 Pollution Control Agency to conduct a pilot
83.31 project to create pollinator habitat at closed
83.32 landfill sites in the closed landfill program.
83.33 This appropriation is available until June 30,
83.34 2027, by which time the project must be
83.35 completed and final products delivered.

84.1 **(p) Enhancing Habitat Connectivity within the**
84.2 **Urban Mississippi Flyway**

84.3 \$190,000 the first year is from the trust fund
84.4 to the commissioner of natural resources for
84.5 an agreement with the Minneapolis Park and
84.6 Recreation Board to enhance and restore
84.7 habitat in and between urban neighborhood
84.8 parks and the Mississippi River to benefit
84.9 animals, plants, and neighborhoods
84.10 traditionally disconnected from nature and to
84.11 raise awareness of the Mississippi River
84.12 Flyway.

84.13 **(q) Statewide Diversion of Furniture and**
84.14 **Mattress Waste Pilots**

84.15 \$2,833,000 the first year is from the trust fund
84.16 to the commissioner of natural resources for
84.17 an agreement with EMERGE Community
84.18 Development to work collaboratively with the
84.19 University of Minnesota, Second Chance
84.20 Recycling, and local governments to test and
84.21 implement methods to expand mattress and
84.22 furniture recycling statewide, including by
84.23 researching value-add commodity markets for
84.24 recycled materials, piloting mattress collection
84.25 in greater Minnesota counties, piloting
84.26 curbside furniture collection in the
84.27 metropolitan area, and increasing facility
84.28 capacity to recycle collected mattresses. Any
84.29 revenue generated from selling products or
84.30 assets developed or acquired with this
84.31 appropriation must be repaid to the trust fund
84.32 unless a plan is approved for reinvestment of
84.33 income in the project. This appropriation is
84.34 subject to Minnesota Statutes, section 116P.10.

84.35 **(r) Phelps Mill Wetland and Prairie Restoration**

85.1 \$974,000 the first year is from the trust fund
 85.2 to the commissioner of natural resources for
 85.3 an agreement with Otter Tail County to plan,
 85.4 engineer, and restore wetlands and prairie
 85.5 within the newly expanded Phelps Mill County
 85.6 Park to improve habitat connectivity for
 85.7 wildlife and enhance recreational experiences
 85.8 for users. Up to \$322,000 of this appropriation
 85.9 may be used to plan, engineer, and construct
 85.10 a boardwalk, viewing platforms, and soft trails
 85.11 within the park. This appropriation is available
 85.12 until June 30, 2027, by which time the project
 85.13 must be completed and final products
 85.14 delivered.

85.15 **Subd. 9. Land Acquisition, Habitat, and**
 85.16 **Recreation**

31,241,000

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85.17 **(a) SNA Stewardship, Outreach, and**
 85.18 **Biodiversity Protection**

85.19 \$1,919,000 the first year is from the trust fund
 85.20 to the commissioner of natural resources to
 85.21 restore and enhance exceptional habitat on
 85.22 scientific and natural areas (SNAs), increase
 85.23 public involvement and outreach, and
 85.24 strategically acquire lands that meet criteria
 85.25 for SNAs under Minnesota Statutes, section
 85.26 86A.05, from willing sellers. This
 85.27 appropriation is available until June 30, 2027,
 85.28 by which time the project must be completed
 85.29 and final products delivered.

85.30 **(b) Wannigan Regional Park Land Acquisition**

85.31 \$727,000 the first year is from the trust fund
 85.32 to the commissioner of natural resources for
 85.33 an agreement with the city of Frazee to acquire
 85.34 land for protecting and enhancing natural
 85.35 resources and for future development as

86.1 Wannigan Regional Park, where the Heartland
86.2 State, North Country National, and Otter Tail
86.3 River Water Trails will meet. Initial site
86.4 development or restoration work may be
86.5 conducted with this appropriation.

86.6 **(c) Local Parks, Trails, and Natural Areas Grant**
86.7 **Programs**

86.8 \$3,802,000 the first year is from the trust fund
86.9 to the commissioner of natural resources to
86.10 solicit and rank applications and fund
86.11 competitive matching grants for local parks,
86.12 trail connections, and natural and scenic areas
86.13 under Minnesota Statutes, section 85.019. This
86.14 appropriation is for local nature-based
86.15 recreation, connections to regional and state
86.16 natural areas, and recreation facilities and may
86.17 not be used for athletic facilities such as sport
86.18 fields, courts, and playgrounds.

86.19 **(d) Outreach and Stewardship Through the**
86.20 **Native Prairie Bank Program**

86.21 \$620,000 the first year is from the trust fund
86.22 to the commissioner of natural resources to
86.23 enhance and monitor lands enrolled in the
86.24 native prairie bank and to provide outreach
86.25 and technical assistance to landowners,
86.26 practitioners, and the public to increase
86.27 awareness and stewardship of the state's
86.28 remaining native prairie. This appropriation
86.29 is available until June 30, 2027, by which time
86.30 the project must be completed and final
86.31 products delivered.

86.32 **(e) Minnesota State Trails Development**

86.33 \$4,952,000 the first year is from the trust fund
86.34 to the commissioner of natural resources to
86.35 expand recreational opportunities on

87.1 Minnesota state trails by rehabilitating and
87.2 enhancing existing state trails and replacing
87.3 or repairing existing state trail bridges.

87.4 **(f) Construction of East Park**

87.5 \$700,000 the first year is from the trust fund
87.6 to the commissioner of natural resources for
87.7 an agreement with the city of St. Joseph to
87.8 increase recreational opportunities and access
87.9 at East Park along the Sauk River in St. Joseph
87.10 through enhancements such as a canoe and
87.11 kayak access, a floating dock, paved and
87.12 mowed trails, and parking entrance
87.13 improvements.

87.14 **(g) Scandia Gateway Trail to William O'Brien**
87.15 **State Park**

87.16 \$2,689,000 the first year is from the trust fund
87.17 to the commissioner of natural resources for
87.18 an agreement with the city of Scandia to
87.19 engineer and construct a segment of the
87.20 Gateway State Trail between the city of
87.21 Scandia and William O'Brien State Park that
87.22 will be maintained by the Department of
87.23 Natural Resources. The segment to be
87.24 constructed includes a pedestrian tunnel and
87.25 trailhead parking area. This project must be
87.26 designed and constructed in accordance with
87.27 Department of Natural Resources state trail
87.28 standards. Engineering and construction plans
87.29 must be approved by the commissioner of
87.30 natural resources before construction may
87.31 commence. This appropriation is available
87.32 until June 30, 2027, by which time the project
87.33 must be completed and final products
87.34 delivered.

- 88.1 **(h) Grand Marais Mountain Bike Trail**
88.2 **Rehabilitation - Phase II**
- 88.3 \$200,000 the first year is from the trust fund
88.4 to the commissioner of natural resources for
88.5 an agreement with Superior Cycling
88.6 Association to rehabilitate and modify existing
88.7 mountain bike trails at Pincushion Mountain
88.8 to increase the trail's environmental
88.9 sustainability and provide better access to
88.10 beginner and adaptive cyclers.
- 88.11 **(i) Acquisition of State Parks and Trails**
88.12 **Inholdings**
- 88.13 \$5,425,000 the first year is from the trust fund
88.14 to the commissioner of natural resources to
88.15 acquire high-priority inholdings from willing
88.16 sellers within the legislatively authorized
88.17 boundaries of state parks, recreation areas, and
88.18 trails to protect Minnesota's natural heritage,
88.19 enhance outdoor recreation, and improve the
88.20 efficiency of public land management. This
88.21 appropriation is available until June 30, 2027,
88.22 by which time the project must be completed
88.23 and final products delivered.
- 88.24 **(j) St. Louis River Re-Connect - Phase II**
- 88.25 \$1,375,000 the first year is from the trust fund
88.26 to the commissioner of natural resources for
88.27 an agreement with the city of Duluth to
88.28 increase recreational opportunities and access
88.29 to the Waabizheshikana hiking and water trails
88.30 in West Duluth with trail and trailhead
88.31 enhancements such as accessible canoe and
88.32 kayak launches, picnic areas, and restrooms;
88.33 restored habitat; stormwater improvements;
88.34 directional signage, and trailside interpretation.
88.35 This appropriation may also be used to partner

89.1 with the St. Louis River Alliance to create an
89.2 ambassadors program to engage the
89.3 surrounding community and facilitate use of
89.4 the trails.

89.5 **(k) City of Biwabik Recreation**

89.6 \$1,306,000 the first year is from the trust fund
89.7 to the commissioner of natural resources for
89.8 an agreement with the city of Biwabik to
89.9 reconstruct and renovate Biwabik Recreation
89.10 Area's access road, parking area, and bathroom
89.11 facilities.

89.12 **(l) Silver Bay Multimodal Trailhead Project**

89.13 \$1,970,000 the first year is from the trust fund
89.14 to the commissioner of natural resources for
89.15 an agreement with the city of Silver Bay to
89.16 develop a multimodal trailhead center to
89.17 provide safe access to the Superior Hiking,
89.18 Gitchi-Gami Bike, and C.J. Ramstad/North
89.19 Shore trails; Black Beach Park; and other
89.20 recreational destinations. Before any
89.21 construction costs are incurred, the city must
89.22 demonstrate that all funding to complete the
89.23 project are secured.

89.24 **(m) Above the Falls Regional Park Restoration**
89.25 **Planning and Acquisition**

89.26 \$1,376,000 the first year is from the trust fund
89.27 to the commissioner of natural resources for
89.28 an agreement with the Minneapolis Park and
89.29 Recreation Board to acquire land along the
89.30 Mississippi River from willing sellers for
89.31 habitat restoration, trail development, and
89.32 low-intensity recreational facilities in Above
89.33 the Falls Regional Park. This appropriation
89.34 may also be used to prepare restoration plans
89.35 for lands acquired. This appropriation may not

90.1 be used to purchase habitable residential
 90.2 structures. Before the acquisition, a phase 1
 90.3 environmental assessment must be completed
 90.4 and the Minneapolis Park and Recreation
 90.5 Board must not accept any liability for
 90.6 previous contamination of lands acquired with
 90.7 this appropriation.

90.8 **(n) Redhead Mountain Bike Park**
 90.9 \$1,666,000 the first year is from the trust fund
 90.10 to the commissioner of natural resources for
 90.11 an agreement with the city of Chisholm as the
 90.12 fiscal agent for the Minnesota Discovery
 90.13 Center to enhance outdoor recreational
 90.14 opportunities by adding trails and amenities
 90.15 to the Redhead Mountain Bike Park in
 90.16 Chisholm. Amenities may include such things
 90.17 as pump tracks, skills courses, changing
 90.18 stations, shade shakes, and signage.

90.19 **(o) Maplewood State Park Trail Segment of the**
 90.20 **Perham to Pelican Rapids Regional Trail**
 90.21 \$2,514,000 the first year is from the trust fund
 90.22 to the commissioner of natural resources for
 90.23 an agreement with Otter Tail County to partner
 90.24 with the Department of Natural Resources to
 90.25 construct the Maplewood State Park segment
 90.26 of the Perham to Pelican Rapids Regional
 90.27 Trail. This project must be designed and
 90.28 constructed in accordance with Department
 90.29 of Natural Resources state trail standards.
 90.30 Engineering and construction plans must be
 90.31 approved by the commissioner of natural
 90.32 resources before construction may commence.

90.33 **Subd. 10. Administration, Emerging Issues, and**
 90.34 **Contract Agreement Reimbursement**

3,126,000

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90.35 **(a) LCCMR Administrative Budget**

91.1 \$2,133,000 the first year is from the trust fund
91.2 to the Legislative-Citizen Commission on
91.3 Minnesota Resources for administration in
91.4 fiscal years 2024 and 2025 as provided in
91.5 Minnesota Statutes, section 116P.09,
91.6 subdivision 5. This appropriation is available
91.7 until June 30, 2025. Notwithstanding
91.8 Minnesota Statutes, section 116P.11,
91.9 paragraph (b), Minnesota Statutes, section
91.10 16A.281, applies to this appropriation.

91.11 **(b) Emerging Issues**

91.12 \$767,000 the first year is from the trust fund
91.13 to the Legislative-Citizen Commission on
91.14 Minnesota Resources to an emerging issues
91.15 account authorized in Minnesota Statutes,
91.16 section 116P.08, subdivision 4, paragraph (d).

91.17 **(c) Contract Agreement Reimbursement**

91.18 \$224,000 the first year is from the trust fund
91.19 to the commissioner of natural resources, at
91.20 the direction of the Legislative-Citizen
91.21 Commission on Minnesota Resources, for
91.22 expenses incurred in preparing and
91.23 administering contracts, including for the
91.24 agreements specified in this section.

91.25 **(d) Legislative Coordinating Commission Legacy**
91.26 **Website**

91.27 \$2,000 the first year is from the trust fund to
91.28 the Legislative Coordinating Commission for
91.29 the website required in Minnesota Statutes,
91.30 section 3.303, subdivision 10.

91.31 **Subd. 11. Availability of Appropriations**

91.32 Money appropriated in this section may not
91.33 be spent on activities unless they are directly
91.34 related to and necessary for a specific

92.1 appropriation and are specified in the work
92.2 plan approved by the Legislative-Citizen
92.3 Commission on Minnesota Resources. Money
92.4 appropriated in this section must not be spent
92.5 on indirect costs or other institutional overhead
92.6 charges that are not directly related to and
92.7 necessary for a specific appropriation. Costs
92.8 that are directly related to and necessary for
92.9 an appropriation, including financial services,
92.10 human resources, information services, rent,
92.11 and utilities, are eligible only if the costs can
92.12 be clearly justified and individually
92.13 documented specific to the appropriation's
92.14 purpose and would not be generated by the
92.15 recipient but for receipt of the appropriation.
92.16 No broad allocations for costs in either dollars
92.17 or percentages are allowed. Unless otherwise
92.18 provided, the amounts in this section are
92.19 available for three years beginning July 1,
92.20 2023, and ending June 30, 2026, when projects
92.21 must be completed and final products
92.22 delivered. For acquisition of real property, the
92.23 appropriations in this section are available for
92.24 an additional fiscal year if a binding contract
92.25 for acquisition of the real property is entered
92.26 into before the expiration date of the
92.27 appropriation. If a project receives a federal
92.28 award, the period of the appropriation is
92.29 extended to equal the federal award period to
92.30 a maximum trust fund appropriation length of
92.31 six years.

92.32 **Subd. 12. Data Availability Requirements Data**

92.33 Data collected by the projects funded under
92.34 this section must conform to guidelines and
92.35 standards adopted by Minnesota IT Services.

93.1 Spatial data must also conform to additional
93.2 guidelines and standards designed to support
93.3 data coordination and distribution that have
93.4 been published by the Minnesota Geospatial
93.5 Information Office. Descriptions of spatial
93.6 data must be prepared as specified in the state's
93.7 geographic metadata guideline and must be
93.8 submitted to the Minnesota Geospatial
93.9 Information Office. All data must be
93.10 accessible and free to the public unless made
93.11 private under the Data Practices Act,
93.12 Minnesota Statutes, chapter 13. To the extent
93.13 practicable, summary data and results of
93.14 projects funded under this section should be
93.15 readily accessible on the Internet and
93.16 identified as having received funding from the
93.17 environment and natural resources trust fund.

93.18 **Subd. 13. Project Requirements**

93.19 (a) As a condition of accepting an
93.20 appropriation under this section, an agency or
93.21 entity receiving an appropriation or a party to
93.22 an agreement from an appropriation must
93.23 comply with paragraphs (b) to (l) and
93.24 Minnesota Statutes, chapter 116P, and must
93.25 submit a work plan and annual or semiannual
93.26 progress reports in the form determined by the
93.27 Legislative-Citizen Commission on Minnesota
93.28 Resources for any project funded in whole or
93.29 in part with funds from the appropriation.
93.30 Modifications to the approved work plan and
93.31 budget expenditures must be made through
93.32 the amendment process established by the
93.33 Legislative-Citizen Commission on Minnesota
93.34 Resources.

94.1 (b) A recipient of money appropriated in this
94.2 section that conducts a restoration using funds
94.3 appropriated in this section must use native
94.4 plant species according to the Board of Water
94.5 and Soil Resources' native vegetation
94.6 establishment and enhancement guidelines
94.7 and include an appropriate diversity of native
94.8 species selected to provide habitat for
94.9 pollinators throughout the growing season as
94.10 required under Minnesota Statutes, section
94.11 84.973.

94.12 (c) For all restorations conducted with money
94.13 appropriated under this section, a recipient
94.14 must prepare an ecological restoration and
94.15 management plan that, to the degree
94.16 practicable, is consistent with the
94.17 highest-quality conservation and ecological
94.18 goals for the restoration site. Consideration
94.19 should be given to soil, geology, topography,
94.20 and other relevant factors that would provide
94.21 the best chance for long-term success and
94.22 durability of the restoration project. The plan
94.23 must include the proposed timetable for
94.24 implementing the restoration, including site
94.25 preparation, establishment of diverse plant
94.26 species, maintenance, and additional
94.27 enhancement to establish the restoration;
94.28 identify long-term maintenance and
94.29 management needs of the restoration and how
94.30 the maintenance, management, and
94.31 enhancement will be financed; and take
94.32 advantage of the best-available science and
94.33 include innovative techniques to achieve the
94.34 best restoration.

- 95.1 (d) An entity receiving an appropriation in this
95.2 section for restoration activities must provide
95.3 an initial restoration evaluation at the
95.4 completion of the appropriation and an
95.5 evaluation three years after the completion of
95.6 the expenditure. Restorations must be
95.7 evaluated relative to the stated goals and
95.8 standards in the restoration plan, current
95.9 science, and, when applicable, the Board of
95.10 Water and Soil Resources' native vegetation
95.11 establishment and enhancement guidelines.
95.12 The evaluation must determine whether the
95.13 restorations are meeting planned goals,
95.14 identify any problems with implementing the
95.15 restorations, and, if necessary, give
95.16 recommendations on improving restorations.
95.17 The evaluation must be focused on improving
95.18 future restorations.
- 95.19 (e) All restoration and enhancement projects
95.20 funded with money appropriated in this section
95.21 must be on land permanently protected by a
95.22 conservation easement or public ownership.
- 95.23 (f) A recipient of money from an appropriation
95.24 under this section must give consideration to
95.25 contracting with Conservation Corps
95.26 Minnesota for contract restoration and
95.27 enhancement services.
- 95.28 (g) All conservation easements acquired with
95.29 money appropriated under this section must:
- 95.30 (1) be permanent;
- 95.31 (2) specify the parties to an easement in the
95.32 easement;
- 95.33 (3) specify all provisions of an agreement that
95.34 are permanent;

- 96.1 (4) be sent to the Legislative-Citizen
96.2 Commission on Minnesota Resources in an
96.3 electronic format at least ten business days
96.4 before closing;
- 96.5 (5) include a long-term monitoring and
96.6 enforcement plan and funding for monitoring
96.7 and enforcing the easement agreement; and
- 96.8 (6) include requirements in the easement
96.9 document to protect the quantity and quality
96.10 of groundwater and surface water through
96.11 specific activities such as keeping water on
96.12 the landscape, reducing nutrient and
96.13 contaminant loading, and not permitting
96.14 artificial hydrological modifications.
- 96.15 (h) For any acquisition of lands or interest in
96.16 lands, a recipient of money appropriated under
96.17 this section must not agree to pay more than
96.18 100 percent of the appraised value for a parcel
96.19 of land using this money to complete the
96.20 purchase, in part or in whole, except that up
96.21 to ten percent above the appraised value may
96.22 be allowed to complete the purchase, in part
96.23 or in whole, using this money if permission is
96.24 received in advance of the purchase from the
96.25 Legislative-Citizen Commission on Minnesota
96.26 Resources.
- 96.27 (i) For any acquisition of land or interest in
96.28 land, a recipient of money appropriated under
96.29 this section must give priority to high-quality
96.30 natural resources or conservation lands that
96.31 provide natural buffers to water resources.
- 96.32 (j) For new lands acquired with money
96.33 appropriated under this section, a recipient
96.34 must prepare an ecological restoration and

97.1 management plan in compliance with
97.2 paragraph (c), including sufficient funding for
97.3 implementation unless the work plan addresses
97.4 why a portion of the money is not necessary
97.5 to achieve a high-quality restoration.

97.6 (k) To ensure public accountability for using
97.7 public funds, a recipient of money
97.8 appropriated under this section must, within
97.9 60 days of the transaction, provide to the
97.10 Legislative-Citizen Commission on Minnesota
97.11 Resources documentation of the selection
97.12 process used to identify parcels acquired and
97.13 provide documentation of all related
97.14 transaction costs, including but not limited to
97.15 appraisals, legal fees, recording fees,
97.16 commissions, other similar costs, and
97.17 donations. This information must be provided
97.18 for all parties involved in the transaction. The
97.19 recipient must also report to the
97.20 Legislative-Citizen Commission on Minnesota
97.21 Resources any difference between the
97.22 acquisition amount paid to the seller and the
97.23 state-certified or state-reviewed appraisal, if
97.24 a state-certified or state-reviewed appraisal
97.25 was conducted.

97.26 (l) A recipient of an appropriation from the
97.27 trust fund under this section must acknowledge
97.28 financial support from the environment and
97.29 natural resources trust fund in project
97.30 publications, signage, and other public
97.31 communications and outreach related to work
97.32 completed using the appropriation.
97.33 Acknowledgment may occur, as appropriate,
97.34 through use of the trust fund logo or inclusion
97.35 of language attributing support from the trust

98.1 fund. Each direct recipient of money
98.2 appropriated in this section, as well as each
98.3 recipient of a grant awarded pursuant to this
98.4 section, must satisfy all reporting and other
98.5 requirements incumbent upon constitutionally
98.6 dedicated funding recipients as provided in
98.7 Minnesota Statutes, section 3.303, subdivision
98.8 10, and Minnesota Statutes, chapter 116P.

98.9 (m) A recipient of an appropriation from the
98.10 trust fund under this section that is receiving
98.11 funding to conduct children's services, as
98.12 defined in Minnesota Statutes, section
98.13 299C.61, subdivision 7, must certify to the
98.14 Legislative-Citizen Commission on Minnesota
98.15 Resources, as part of the required work plan,
98.16 that criminal background checks for
98.17 background check crimes, as defined in
98.18 Minnesota Statutes, section 299C.61,
98.19 subdivision 2, are performed on all employees,
98.20 contractors, and volunteers that have or may
98.21 have access to a child to whom the recipient
98.22 provides children's services using the
98.23 appropriation.

98.24 **Subd. 14. Payment Conditions and Capital**
98.25 **Equipment Expenditures**

98.26 (a) All agreements, grants, or contracts
98.27 referred to in this section must be administered
98.28 on a reimbursement basis unless otherwise
98.29 provided in this section. Notwithstanding
98.30 Minnesota Statutes, section 16A.41,
98.31 expenditures made on or after July 1, 2023,
98.32 or the date the work plan is approved,
98.33 whichever is later, are eligible for
98.34 reimbursement unless otherwise provided in
98.35 this section. Periodic payments must be made

99.1 upon receiving documentation that the
99.2 deliverable items articulated in the approved
99.3 work plan have been achieved, including
99.4 partial achievements as evidenced by approved
99.5 progress reports. Reasonable amounts may be
99.6 advanced to projects to accommodate
99.7 cash-flow needs or match federal money. The
99.8 advances must be approved as part of the work
99.9 plan. No expenditures for capital equipment
99.10 are allowed unless expressly authorized in the
99.11 project work plan.

99.12 (b) Single-source contracts as specified in the
99.13 approved work plan are allowed.

99.14 **Subd. 15. Purchasing Recycled and Recyclable**
99.15 **Materials**

99.16 A political subdivision, public or private
99.17 corporation, or other entity that receives an
99.18 appropriation under this section must use the
99.19 appropriation in compliance with Minnesota
99.20 Statutes, section 16C.0725, regarding
99.21 purchasing recycled, repairable, and durable
99.22 materials, and Minnesota Statutes, section
99.23 16C.073, regarding purchasing and using
99.24 paper stock and printing.

99.25 **Subd. 16. Energy Conservation and Sustainable**
99.26 **Building Guidelines**

99.27 A recipient to whom an appropriation is made
99.28 under this section for a capital improvement
99.29 project must ensure that the project complies
99.30 with the applicable energy conservation and
99.31 sustainable building guidelines and standards
99.32 contained in law, including Minnesota
99.33 Statutes, sections 16B.325, 216C.19, and
99.34 216C.20, and rules adopted under those
99.35 sections. The recipient may use the energy

- 100.1 planning, advocacy, and State Energy Office
- 100.2 units of the Department of Commerce to
- 100.3 obtain information and technical assistance
- 100.4 on energy conservation and alternative-energy
- 100.5 development relating to planning and
- 100.6 constructing the capital improvement project.
- 100.7 **Subd. 17. Accessibility**
- 100.8 Structural and nonstructural facilities must
- 100.9 meet the design standards in the Americans
- 100.10 with Disabilities Act (ADA) accessibility
- 100.11 guidelines.
- 100.12 **Subd. 18. Carryforward; Extensions**
- 100.13 The availability of the appropriations for the
- 100.14 following projects is extended to June 30,
- 100.15 2024:
- 100.16 (1) Laws 2018, chapter 214, article 4, section
- 100.17 2, subdivision 6, paragraph (a), Minnesota
- 100.18 Invasive Terrestrial Plants and Pests Center -
- 100.19 Phase 4;
- 100.20 (2) Laws 2018, chapter 214, article 4, section
- 100.21 2, subdivision 8, paragraph (e), Restoring
- 100.22 Forests in Minnesota State Parks;
- 100.23 (3) Laws 2019, First Special Session chapter
- 100.24 4, article 2, section 2, subdivision 3, paragraph
- 100.25 (d), Minnesota Trumpeter Swan Migration
- 100.26 Ecology and Conservation;
- 100.27 (4) Laws 2019, First Special Session chapter
- 100.28 4, article 2, section 2, subdivision 8, paragraph
- 100.29 (g), Agricultural Weed Control Using
- 100.30 Autonomous Mowers;
- 100.31 (5) Laws 2019, First Special Session chapter
- 100.32 4, article 2, section 2, subdivision 10,

101.1 paragraph (d), Grants Management System;
101.2 and
101.3 (6) Laws 2021, First Special Session chapter
101.4 6, article 5, section 2, subdivision 10,
101.5 Emerging Issues Account; Wastewater
101.6 Renewable Energy Demonstration Grants.
101.7 **Subd. 19. Repurpose**
101.8 The unencumbered amount, estimated to be
101.9 \$176,000, in Laws 2021, First Special Session
101.10 chapter 6, article 6, section 2, subdivision 8,
101.11 paragraph (f), Restoring Upland Forests for
101.12 Birds, is for examining the impacts of
101.13 neonicotinoid exposure on the reproduction
101.14 and survival of Minnesota's game species,
101.15 including deer and prairie chicken. This
101.16 amount is in addition to the appropriation
101.17 under article 1, section 3, subdivision 6, for
101.18 these purposes and is available until June 30,
101.19 2027.

101.20 Sec. 3. Minnesota Statutes 2022, section 116P.05, subdivision 1, is amended to read:

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

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

101.30 (c) Seven citizens are members of the commission, five appointed by the governor, one
101.31 appointed by the Senate Subcommittee on Committees of the Committee on Rules and
101.32 Administration, and one appointed by the speaker of the house. The citizen members are

102.1 selected and recommended to the appointing authorities according to subdivision 1a and
102.2 must:

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

102.6 (2) have strong knowledge in the state's environment and natural resource issues around
102.7 the state; ~~and~~

102.8 (3) have demonstrated ability to work in a collaborative environment; and

102.9 (4) not be a registered lobbyist.

102.10 (d) Members shall develop procedures to elect a chair that rotates between legislative
102.11 and citizen members each meeting. A citizen member, a senate member, and a house of
102.12 representatives member shall serve as chairs. The citizen members, senate members, and
102.13 house of representatives members must select their respective chairs. The chair shall preside
102.14 and convene meetings as often as necessary to conduct duties prescribed by this chapter.

102.15 (e) Appointed legislative members shall serve on the commission for two-year terms,
102.16 beginning in January of each odd-numbered year and continuing through the end of December
102.17 of the next even-numbered year. Appointed citizen members shall serve four-year terms,
102.18 beginning in January of the first year and continuing through the end of December of the
102.19 final year. Citizen and legislative members continue to serve until their successors are
102.20 appointed.

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

102.25 (g) Legislative members are entitled to reimbursement for per diem expenses plus travel
102.26 expenses incurred in the services of the commission. Citizen members are entitled to per
102.27 diem and reimbursement for expenses incurred in the services of the commission, as provided
102.28 in section 15.059, subdivision 3, except that a citizen member may be compensated at the
102.29 rate of up to \$125 a day.

102.30 (h) The governor's appointments are subject to the advice and consent of the senate. One
102.31 of the governor's appointments must be a member recommended by the Tribal government
102.32 representatives of the Indian Affairs Council.

103.1 (i) A citizen member may serve no more than eight years, except as necessary to fill a
103.2 vacancy. A citizen member may not serve more than ten years if serving additional time to
103.3 fill a vacancy.

103.4 **EFFECTIVE DATE.** This section is effective July 1, 2023, and applies to appointments
103.5 made on or after that date.

103.6 Sec. 4. Minnesota Statutes 2022, section 116P.05, subdivision 1a, is amended to read:

103.7 Subd. 1a. **Citizen selection committee.** (a) The governor ~~shall~~ must appoint a Trust
103.8 Fund Citizen Selection Committee of five members who come from different regions of
103.9 the state and who have knowledge and experience of state environment and natural resource
103.10 issues to provide recommendations for appointments under subdivision 1, paragraph (c).

103.11 (b) The duties of the Trust Fund Citizen Selection Committee ~~shall be~~ are to:

103.12 (1) identify citizen candidates to be members of the commission as part of the open
103.13 appointments process under section 15.0597;

103.14 (2) request and review citizen candidate applications to be members of the commission;
103.15 and

103.16 (3) interview the citizen candidates and recommend an adequate pool of candidates to
103.17 be selected for commission membership by the governor, ~~the senate, and the house of~~
103.18 ~~representatives.~~

103.19 (c) Members serve three-year terms and are entitled to travel expenses incurred to fulfill
103.20 their duties under this subdivision as provided in section 15.059, subdivision 6 per diem
103.21 and reimbursement for expenses incurred in the services of the committee, as provided in
103.22 section 15.059, subdivision 3, except that a citizen selection committee member may be
103.23 compensated at the rate of up to \$125 a day.

103.24 (d) A member appointed under this subdivision may not be a registered lobbyist.

103.25 **EFFECTIVE DATE.** This section is effective January 1, 2025.

103.26 Sec. 5. Minnesota Statutes 2022, section 116P.05, subdivision 2, is amended to read:

103.27 Subd. 2. **Duties.** (a) The commission ~~shall~~ must recommend an annual or biennial
103.28 legislative bill for appropriations from the environment and natural resources trust fund and
103.29 ~~shall~~ must adopt a strategic plan as provided in section 116P.08. Except as provided under
103.30 section 116P.09, subdivision 6, paragraph (b), approval of the recommended legislative bill
103.31 requires an affirmative vote of at least ~~12~~ 11 members of the commission.

104.1 (b) It is a condition of acceptance of the appropriations made from the Minnesota
104.2 environment and natural resources trust fund, and oil overcharge money under section 4.071,
104.3 subdivision 2, that the agency or entity receiving the appropriation must submit a work plan
104.4 and annual or semiannual progress reports in the form determined by the Legislative-Citizen
104.5 Commission on Minnesota Resources, and comply with applicable reporting requirements
104.6 under section 116P.16. None of the money provided may be spent unless the commission
104.7 has approved the pertinent work plan. Modifications to the approved work plan and budget
104.8 expenditures ~~shall~~ must be made through the amendment process established by the
104.9 commission. The commission ~~shall~~ must ensure that the expenditures and outcomes described
104.10 in the work plan for appropriations funded by the environment and natural resources trust
104.11 fund are met.

104.12 (c) The peer review procedures created under section 116P.08 must also be used to
104.13 review, comment, and report to the commission on research proposals applying for an
104.14 appropriation from the oil overcharge money under section 4.071, subdivision 2.

104.15 (d) The commission may adopt operating procedures to fulfill its duties under this chapter.

104.16 (e) As part of the operating procedures, the commission ~~shall~~ must:

104.17 (1) ensure that members' expectations are to participate in all meetings related to funding
104.18 decision recommendations;

104.19 (2) recommend adequate funding for increased citizen outreach and communications
104.20 for trust fund expenditure planning;

104.21 (3) allow administrative expenses as part of individual project expenditures based on
104.22 need;

104.23 (4) provide for project outcome evaluation;

104.24 (5) keep the grant application, administration, and review process as simple as possible;
104.25 and

104.26 (6) define and emphasize the leveraging of additional sources of money that project
104.27 proposers should consider when making trust fund proposals.

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

104.29 Sec. 6. Minnesota Statutes 2022, section 116P.09, subdivision 6, is amended to read:

104.30 Subd. 6. **Conflict of interest.** (a) A commission member, a technical advisory committee
104.31 member, a peer reviewer, or an employee of the commission may not participate in or vote
104.32 on a decision of the commission, advisory committee, or peer review relating to an

105.1 organization in which the member, peer reviewer, or employee has either a direct or indirect
105.2 personal financial interest. While serving on the commission or technical advisory committee
105.3 or as a peer reviewer or while an employee of the commission, a person ~~shall~~ must avoid
105.4 any potential conflict of interest.

105.5 (b) A commission member may not vote on a motion regarding the final recommendations
105.6 of the commission required under section 116P.05, subdivision 2, paragraph (a), if the
105.7 motion relates to an organization in which the member has a direct personal financial interest.
105.8 If a commission member is prohibited from voting under this paragraph, the number of
105.9 affirmative votes required under section 116P.05, subdivision 2, paragraph (a), is reduced
105.10 by the number of members ineligible to vote under this paragraph.

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

105.12 Sec. 7. Minnesota Statutes 2022, section 116P.11, is amended to read:

105.13 **116P.11 AVAILABILITY OF FUNDS FOR DISBURSEMENT.**

105.14 (a) The amount annually available from the trust fund for the legislative bill developed
105.15 by the commission is as defined in the Minnesota Constitution, article XI, section 14.

105.16 (b) Any appropriated funds not encumbered ~~in the biennium in which they are~~
105.17 ~~appropriated~~ by the date the appropriation expires cancel and must be credited to the principal
105.18 of the trust fund.

105.19 Sec. 8. Minnesota Statutes 2022, section 116P.15, is amended to read:

105.20 **116P.15 CAPITAL CONSTRUCTION AND LAND ACQUISITION;**
105.21 **RESTRICTIONS.**

105.22 Subdivision 1. **Scope.** A recipient of an appropriation from the trust fund or the Minnesota
105.23 future resources fund who acquires an interest in real property with the appropriation must
105.24 comply with ~~this section~~ subdivision 2. ~~For the purposes of this section, "interest in real~~
105.25 ~~property" includes, but is not limited to, an easement or fee title to property.~~ A recipient of
105.26 an appropriation from the trust fund who uses any portion of the appropriation for a capital
105.27 construction project with a total cost of \$10,000 or more must comply with subdivision 3.

105.28 Subd. 2. **Land acquisition restrictions; modification procedure.** (a) An easement, fee
105.29 title, or other interest in real property acquired with an appropriation from the trust fund or
105.30 the Minnesota future resources fund must be used in perpetuity or for the specific term of
105.31 an easement interest for the purpose for which the appropriation was made. The ownership
105.32 of the interest in real property transfers to the state if: (1) the holder of the interest in real

106.1 property fails to comply with the terms and conditions of the grant agreement or work plan;
106.2 or (2) restrictions are placed on the land that preclude its use for the intended purpose as
106.3 specified in the appropriation.

106.4 (b) A recipient of funding who acquires an interest in real property subject to this section
106.5 may not alter the intended use of the interest in real property or convey any interest in the
106.6 real property acquired with the appropriation without the prior review and approval of the
106.7 commission or its successor. The commission shall notify the chairs and ranking minority
106.8 members of the legislative committees and divisions with jurisdiction over the trust fund
106.9 or Minnesota future resources fund at least 15 business days before approval under this
106.10 paragraph. The commission shall establish procedures to review requests from recipients
106.11 to alter the use of or convey an interest in real property. These procedures shall allow for
106.12 the replacement of the interest in real property with another interest in real property meeting
106.13 the following criteria:

106.14 (1) the interest must be at least equal in fair market value, as certified by the commissioner
106.15 of natural resources, to the interest being replaced; and

106.16 (2) the interest must be in a reasonably equivalent location, and have a reasonably
106.17 equivalent useful conservation purpose compared to the interest being replaced, taking into
106.18 consideration all effects from fragmentation of the whole habitat.

106.19 (c) A recipient of funding who acquires an interest in real property under paragraph (a)
106.20 must separately record a notice of funding restrictions in the appropriate local government
106.21 office where the conveyance of the interest in real property is filed. The notice of funding
106.22 agreement must contain:

106.23 (1) a legal description of the interest in real property covered by the funding agreement;

106.24 (2) a reference to the underlying funding agreement;

106.25 (3) a reference to this section; and

106.26 (4) the following statement:

106.27 "This interest in real property shall be administered in accordance with the terms,
106.28 conditions, and purposes of the grant agreement controlling the acquisition of the property.
106.29 The interest in real property, or any portion of the interest in real property, shall not be sold,
106.30 transferred, pledged, or otherwise disposed of or further encumbered without obtaining the
106.31 prior written approval of the Legislative-Citizen Commission on Minnesota Resources or
106.32 its successor. The ownership of the interest in real property transfers to the state if: (1) the
106.33 holder of the interest in real property fails to comply with the terms and conditions of the

107.1 grant agreement or work plan; or (2) restrictions are placed on the land that preclude its use
107.2 for the intended purpose as specified in the appropriation."

107.3 Subd. 3. Capital construction restrictions; modification procedure. (a) A recipient
107.4 of an appropriation from the trust fund who uses the appropriation to wholly or partially
107.5 construct a building, trail, campground, or other capital asset may not alter the intended use
107.6 of the capital asset or convey any interest in the capital asset for 25 years from the date the
107.7 project is completed without the prior review and approval of the commission or its successor.
107.8 The commission must notify the chairs and ranking minority members of the legislative
107.9 committees and divisions with jurisdiction over the trust fund at least 15 business days
107.10 before approval under this paragraph. The commission must establish procedures to review
107.11 requests from recipients to alter the use of or convey an interest in a capital asset under this
107.12 paragraph. These procedures must require that:

107.13 (1) the sale price must be at least fair market value; and

107.14 (2) the trust fund must be repaid a portion of the sale price equal to the percentage of
107.15 the total funding provided by the fund for constructing the capital asset.

107.16 (b) The commission or its successor may waive the requirements under paragraph (a),
107.17 clauses (1) and (2), by recommendation to the legislature if the transfer allows for a continued
107.18 use of the asset in a manner consistent with the original appropriation purpose or with the
107.19 purposes of the trust fund.

107.20 (c) If both a capital asset and the real property on which the asset is located were wholly
107.21 or partially purchased with an appropriation from the trust fund and the commission approves
107.22 a request to alter the use of or convey an interest in the real property under subdivision 2,
107.23 a separate approval under this subdivision to alter the use of the capital asset is not required.

107.24 (d) A recipient of an appropriation from the trust fund who uses the appropriation to
107.25 wholly or partially construct a building, trail, campground, or other capital asset must
107.26 separately record a notice of funding restrictions in the appropriate local government office.
107.27 The notice of funding restrictions must contain:

107.28 (1) a legal description of the interest in real property covered by the funding agreement;

107.29 (2) a reference to the underlying funding agreement;

107.30 (3) a reference to this subdivision; and

107.31 (4) the following statement:

108.1 "This interest in real property must be administered in accordance with the terms,
108.2 conditions, and purposes of the grant agreement controlling the improvement of the property.
108.3 The interest in real property, or any portion of the interest in real property, must not be
108.4 altered from its intended use or be sold, transferred, pledged, or otherwise disposed of or
108.5 further encumbered without obtaining the prior written approval of the Legislative-Citizen
108.6 Commission on Minnesota Resources or its successor."

108.7 **EFFECTIVE DATE.** This section is effective July 1, 2025, and applies to money
108.8 appropriated on or after that date.

108.9 Sec. 9. Minnesota Statutes 2022, section 116P.16, is amended to read:

108.10 **116P.16 REAL PROPERTY INTERESTS; REPORT.**

108.11 (a) By December 1 each year, a recipient of an appropriation from the trust fund, that
108.12 is used for the acquisition of an interest in real property, including, but not limited to, an
108.13 easement or fee title, or for the construction of a building, trail, campground, or other capital
108.14 asset with a total cost of \$10,000 or more must submit annual reports on the status of the
108.15 real property to the Legislative-Citizen Commission on Minnesota Resources or its successor
108.16 in a form determined by the commission. The responsibility for reporting under this section
108.17 may be transferred by the recipient of the appropriation to another person who holds the
108.18 interest in the real property. To complete the transfer of reporting responsibility, the recipient
108.19 of the appropriation must:

108.20 (1) inform the person to whom the responsibility is transferred of that person's reporting
108.21 responsibility;

108.22 (2) inform the person to whom the responsibility is transferred of the property restrictions
108.23 under section 116P.15; and

108.24 (3) provide written notice to the commission of the transfer of reporting responsibility,
108.25 including contact information for the person to whom the responsibility is transferred.

108.26 (b) After the transfer, the person who holds the interest in the real property is responsible
108.27 for reporting requirements under this section.

108.28 (c) The annual reporting requirements on the status of a building, trail, campground, or
108.29 other capital asset with a total cost of \$10,000 or more and that was constructed with an
108.30 appropriation from the trust fund expire 25 years after the date the final progress report
108.31 under section 116P.05, subdivision 2, paragraph (b), is approved.

109.1 **EFFECTIVE DATE.** This section is effective July 1, 2025, and applies to money
109.2 appropriated on or after that date.

109.3 Sec. 10. Minnesota Statutes 2022, section 116P.18, is amended to read:

109.4 **116P.18 LANDS IN PUBLIC DOMAIN.**

109.5 Money appropriated from the trust fund must not be used to purchase any land in fee
109.6 title or a permanent conservation easement if the land in question is fully or partially owned
109.7 by the state or a political subdivision of the state or was acquired fully or partially with state
109.8 money, unless:

109.9 (1) the purchase creates additional direct benefit to the protection, conservation,
109.10 preservation, and enhancement of the state's air, water, land, fish, wildlife, and other natural
109.11 resources; and

109.12 (2) the purchase is approved, prior to the acquisition, by an affirmative vote of at least
109.13 ~~12~~ 11 members of the commission.

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

109.15 Sec. 11. **[116P.21] ADDITIONAL CAPITAL CONSTRUCTION PROJECT**
109.16 **REQUIREMENTS.**

109.17 Subdivision 1. **Full funding.** If an appropriation from the trust fund for a capital
109.18 construction project or project phase is not alone sufficient to complete the project or project
109.19 phase and a commitment from sources other than the trust fund is required:

109.20 (1) the commitment must be in an amount that, when added to the appropriation from
109.21 the trust fund, is sufficient to complete the project or project phase; and

109.22 (2) the agency administering the appropriation from the trust fund must not distribute
109.23 the money until the commitment is determined to be sufficient. In determining the sufficiency
109.24 of a commitment under this clause, the agency must apply the standards and principles
109.25 applied by the commissioner of management and budget under section 16A.502.

109.26 Subd. 2. **Match.** A recipient of money appropriated from the trust fund for a capital
109.27 construction project must provide a cash or in-kind match from nontrust fund sources of at
109.28 least 25 percent of the total costs to complete the project or project phase.

109.29 Subd. 3. **Sustainable building guidelines.** The sustainable building guidelines established
109.30 under sections 16B.325 and 216B.241, subdivision 9, apply to new buildings and major
109.31 renovations funded from the trust fund. A recipient of money appropriated from the trust

110.1 fund for a new building or major renovation must ensure that the project complies with the
110.2 guidelines.

110.3 Subd. 4. **Applicability.** (a) Subdivisions 1, 2, and 3 do not apply to:

110.4 (1) a capital construction project with a total cost of less than \$10,000; or

110.5 (2) a land acquisition project.

110.6 (b) If land is acquired with trust fund money for the purpose of capital construction, the
110.7 land acquisition is not exempted under paragraph (a), clause (2).

110.8 Subd. 5. **Other capital construction statutes.** The following statutes also apply to
110.9 recipients of appropriations from the trust fund: sections 16B.32; 16B.326; 16B.335,
110.10 subdivisions 3 and 4; 16C.054; 16C.16; 16C.28; 16C.285; 138.40; 138.665; 138.666; 177.41
110.11 to 177.44; and 471.345.

110.12 **EFFECTIVE DATE.** This section is effective July 1, 2025, and applies to money
110.13 appropriated on or after that date.

110.14 Sec. 12. Laws 2021, First Special Session chapter 6, article 5, section 2, subdivision 9, is
110.15 amended to read:

110.16 **Subd. 9. Land Acquisition,**
110.17 **Habitat, and Recreation** -0- 29,901,000

110.18 **(a) DNR Scientific and Natural Areas**
110.19 \$3,000,000 the second year is from the trust
110.20 fund to the commissioner of natural resources
110.21 for the scientific and natural area (SNA)
110.22 program to restore, improve, and enhance
110.23 wildlife habitat on SNAs; increase public
110.24 involvement and outreach; and strategically
110.25 acquire high-quality lands that meet criteria
110.26 for SNAs under Minnesota Statutes, section
110.27 86A.05, from willing sellers.

110.28 **(b) Private Native Prairie Conservation through**
110.29 **Native Prairie Bank**
110.30 \$2,000,000 the second year is from the trust
110.31 fund to the commissioner of natural resources
110.32 to provide technical stewardship assistance to

111.1 private landowners, restore and enhance native
111.2 prairie protected by easements in the native
111.3 prairie bank, and acquire easements for the
111.4 native prairie bank in accordance with
111.5 Minnesota Statutes, section 84.96, including
111.6 preparing initial baseline property assessments.
111.7 Up to \$60,000 of this appropriation may be
111.8 deposited in the natural resources conservation
111.9 easement stewardship account, created in
111.10 Minnesota Statutes, section 84.69, proportional
111.11 to the number of easement acres acquired.

111.12 **(c) Minnesota State Parks and State Trails**
111.13 **Inholdings**

111.14 \$3,500,000 the second year is from the trust
111.15 fund to the commissioner of natural resources
111.16 to acquire high-priority inholdings from
111.17 willing sellers within the legislatively
111.18 authorized boundaries of state parks,
111.19 recreation areas, and trails to protect
111.20 Minnesota's natural heritage, enhance outdoor
111.21 recreation, and promote tourism.

111.22 **(d) Grants for Local Parks, Trails, and Natural**
111.23 **Areas**

111.24 \$2,400,000 the second year is from the trust
111.25 fund to the commissioner of natural resources
111.26 to solicit, rank, and fund competitive matching
111.27 grants for local parks, trail connections, and
111.28 natural and scenic areas under Minnesota
111.29 Statutes, section 85.019. This appropriation is
111.30 for local nature-based recreation, connections
111.31 to regional and state natural areas, and
111.32 recreation facilities and may not be used for
111.33 athletic facilities such as sport fields, courts,
111.34 and playgrounds.

111.35 **(e) Mississippi River Aquatic Habitat**
111.36 **Restoration and Mussel Reintroduction**

112.1 \$1,800,000 the second year is from the trust
112.2 fund. Of this amount, \$1,549,000 is to the
112.3 commissioner of natural resources for an
112.4 agreement with the Minneapolis Park and
112.5 Recreation Board and \$251,000 is to the
112.6 commissioner of natural resources to restore
112.7 lost habitat and reintroduce mussels in the
112.8 Mississippi River above St. Anthony Falls.
112.9 This work includes creating habitat and
112.10 species restoration plans, implementing the
112.11 restoration plans, and monitoring effectiveness
112.12 of the restoration for multiple years after
112.13 implementation. This appropriation is
112.14 available until June 30, 2027, by which time
112.15 the project must be completed and final
112.16 products delivered.

112.17 **(f) Minnesota Hunter Walking Trails: Public**
112.18 **Land Recreational Access**

112.19 \$300,000 the second year is from the trust
112.20 fund to the commissioner of natural resources
112.21 for an agreement with the Ruffed Grouse
112.22 Society to improve Minnesota's hunter
112.23 walking trail system by restoring or upgrading
112.24 trailheads and trails, developing new walking
112.25 trails, and compiling enhanced maps for use
112.26 by managers and the public.

112.27 **(g) Turning Back to Rivers: Environmental and**
112.28 **Recreational Protection**

112.29 \$1,000,000 the second year is from the trust
112.30 fund to the commissioner of natural resources
112.31 for an agreement with The Trust for Public
112.32 Land to help local communities acquire
112.33 priority land along the Mississippi, St. Croix,
112.34 and Minnesota Rivers and their tributaries to
112.35 protect natural resources, provide buffers for
112.36 flooding, and improve access for recreation.

113.1 **(h) Metropolitan Regional Parks System Land**
113.2 **Acquisition - Phase VI**

113.3 \$1,000,000 the second year is from the trust
113.4 fund to the Metropolitan Council for grants to
113.5 acquire land within the approved park
113.6 boundaries of the metropolitan regional park
113.7 system. This appropriation must be matched
113.8 by at least 40 percent of nonstate money.

113.9 **(i) Minnesota State Trails Development**

113.10 \$994,000 the second year is from the trust
113.11 fund to the commissioner of natural resources
113.12 to expand high-priority recreational
113.13 opportunities on Minnesota's state trails by
113.14 rehabilitating, improving, and enhancing
113.15 existing state trails. The high-priority trail
113.16 bridges to be rehabilitated or replaced under
113.17 this appropriation include, but are not limited
113.18 to, those on the Taconite, Great River Ridge,
113.19 and C. J. Ramstad/Northshore State Trails.

113.20 **(j) Elm Creek Restoration - Phase IV**

113.21 \$500,000 the second year is from the trust
113.22 fund to the commissioner of natural resources
113.23 for an agreement with the city of Champlin to
113.24 conduct habitat and stream restoration of
113.25 approximately 0.7 miles of Elm Creek
113.26 shoreline above Mill Pond Lake and through
113.27 the Elm Creek Protection Area.

113.28 **(k) Superior Hiking Trail as Environmental**
113.29 **Showcase**

113.30 \$450,000 the second year is from the trust
113.31 fund to the commissioner of natural resources
113.32 for an agreement with the Superior Hiking
113.33 Trail Association to rebuild damaged and
113.34 dangerous segments and create a new trail
113.35 segment of the Superior Hiking Trail to

114.1 minimize environmental impacts, make the
114.2 trail safer for users, and make the trail more
114.3 resilient for future use and conditions.

114.4 **(l) Upper St. Anthony Falls Enhancements**

114.5 \$2,800,000 the second year is from the trust
114.6 fund to the commissioner of natural resources
114.7 for an agreement with the Friends of the Lock
114.8 and Dam in partnership with the city of
114.9 Minneapolis to design and install green
114.10 infrastructure, public access, and habitat
114.11 restorations on riverfront land at Upper St.
114.12 Anthony Falls for water protection, recreation,
114.13 and environmental education purposes. Of this
114.14 amount, up to \$600,000 is for planning,
114.15 design, and engagement. No funds from this
114.16 appropriation may be spent until Congress
114.17 directs the U.S. Army Corps of Engineers to
114.18 convey an interest in the Upper St. Anthony
114.19 Falls property to the city of Minneapolis for
114.20 use as a visitor center. After this congressional
114.21 act is signed into law, up to \$100,000 of the
114.22 planning, design, and engagement funds may
114.23 be spent. The remaining planning, design, and
114.24 engagement funds may be spent after a binding
114.25 agreement has been secured to acquire the land
114.26 or access and use rights to the land for at least
114.27 25 years. Any remaining balance of the
114.28 appropriation may be spent on installing
114.29 enhancements after the Upper St. Anthony
114.30 Falls land has been acquired by the city of
114.31 Minneapolis.

114.32 **(m) Whiskey Creek and Mississippi River Water**
114.33 **Quality, Habitat, and Recreation**

114.34 \$500,000 the second year is from the trust
114.35 fund to the commissioner of natural resources

- 115.1 for an agreement with the Mississippi
115.2 Headwaters Board for the city of Baxter to
115.3 ~~acquire and transfer approximately 13 acres~~
115.4 ~~of land to the city of Baxter~~ for future
115.5 construction of water quality, habitat, and
115.6 recreational improvements to protect the
115.7 Mississippi River.
- 115.8 **(n) Perham to Pelican Rapids Regional Trail**
115.9 **(West Segment)**
- 115.10 \$2,600,000 the second year is from the trust
115.11 fund to the commissioner of natural resources
115.12 for an agreement with Otter Tail County to
115.13 construct the west segment of the 32-mile
115.14 Perham to Pelican Rapids Regional Trail that
115.15 will connect the city of Pelican Rapids to
115.16 Maplewood State Park.
- 115.17 **(o) Crow Wing County Community Natural**
115.18 **Area Acquisition**
- 115.19 \$400,000 the second year is from the trust
115.20 fund to the commissioner of natural resources
115.21 for an agreement with Crow Wing County to
115.22 acquire approximately 65 acres of land
115.23 adjacent to the historic fire tower property to
115.24 allow for diverse recreational opportunities
115.25 while protecting wildlife habitat and
115.26 preventing forest fragmentation. Any revenue
115.27 generated from selling products or assets
115.28 developed or acquired with this appropriation
115.29 must be repaid to the trust fund unless a plan
115.30 is approved for reinvestment of income in the
115.31 project as provided under Minnesota Statutes,
115.32 section 116P.10.
- 115.33 **(p) Rocori Trail - Phase III**
- 115.34 \$1,200,000 the second year is from the trust
115.35 fund to the commissioner of natural resources

116.1 for an agreement with the Rocori Trail
116.2 Construction Board to design and construct
116.3 Phase III of the Rocori Trail along the old
116.4 Burlington Northern Santa Fe rail corridor
116.5 between the cities of Cold Spring and
116.6 Rockville.

116.7 **(q) Mesabi Trail: New Trail and Additional**
116.8 **Funding**

116.9 \$1,000,000 the second year is from the trust
116.10 fund to the commissioner of natural resources
116.11 for an agreement with the St. Louis and Lake
116.12 Counties Regional Railroad Authority for
116.13 constructing the Mesabi Trail beginning at the
116.14 intersection of County Road 20 and Minnesota
116.15 State Highway 135 and terminating at 1st
116.16 Avenue North and 1st Street North in the city
116.17 of Biwabik in St. Louis County. This
116.18 appropriation may not be spent until all
116.19 Mesabi Trail projects funded with trust fund
116.20 appropriations before fiscal year 2020, with
116.21 the exception of the project funded under Laws
116.22 2017, chapter 96, section 2, subdivision 9,
116.23 paragraph (g), are completed.

116.24 **(r) Ranier Safe Harbor and Transient Dock on**
116.25 **Rainy Lake**

116.26 \$762,000 the second year is from the trust
116.27 fund to the commissioner of natural resources
116.28 for an agreement with the city of Ranier to
116.29 construct a dock that accommodates boats 26
116.30 feet or longer with the goal of increasing
116.31 public access for boat recreation on Rainy
116.32 Lake. Any revenue generated from selling
116.33 products or assets developed or acquired with
116.34 this appropriation must be repaid to the trust
116.35 fund unless a plan is approved for
116.36 reinvestment of income in the project as

117.1 provided under Minnesota Statutes, section
117.2 116P.10.

117.3 **(s) Crane Lake Voyageurs National Park**
117.4 **Campground and Visitor Center**

117.5 \$3,100,000 the second year is from the trust
117.6 fund to the commissioner of natural resources
117.7 for an agreement with the town of Crane Lake
117.8 to design and construct a new campground
117.9 and to plan and preliminarily prepare a site
117.10 for constructing a new Voyageurs National
117.11 Park visitor center on land acquired for these
117.12 purposes in Crane Lake. Any revenue
117.13 generated from selling products or assets
117.14 developed or acquired with this appropriation
117.15 must be repaid to the trust fund unless a plan
117.16 is approved for reinvestment of income in the
117.17 project as provided under Minnesota Statutes,
117.18 section 116P.10.

117.19 **(t) Chippewa County Acquisition, Recreation,**
117.20 **and Education**

117.21 \$160,000 the second year is from the trust
117.22 fund to the commissioner of natural resources
117.23 for an agreement with Chippewa County to
117.24 acquire wetland and floodplain forest and
117.25 abandoned gravel pits along the Minnesota
117.26 River to provide water filtration, education,
117.27 and recreational opportunities.

117.28 **(u) Sportsmen's Training and Developmental**
117.29 **Learning Center**

117.30 \$85,000 the second year is from the trust fund
117.31 to the commissioner of natural resources for
117.32 an agreement with the Minnesota Forest Zone
117.33 Trappers Association to complete a site
117.34 evaluation and master plan for the Sportsmen's
117.35 Training and Developmental Learning Center

118.1 near Hibbing. Any revenue generated from
 118.2 selling products or assets developed or
 118.3 acquired with this appropriation must be
 118.4 repaid to the trust fund unless a plan is
 118.5 approved for reinvestment of income in the
 118.6 project as provided under Minnesota Statutes,
 118.7 section 116P.10.

118.8 **(v) Birch Lake Recreation Area**

118.9 \$350,000 the second year is from the trust
 118.10 fund to the commissioner of natural resources
 118.11 for a grant to the city of Babbitt to expand the
 118.12 Birch Lake Recreation Area by adding a new
 118.13 campground to include new campsites,
 118.14 restrooms, and other facilities. This
 118.15 appropriation is available until June 30, 2025.

118.16 Sec. 13. Laws 2022, chapter 94, section 2, subdivision 5, is amended to read:

118.17 **Subd. 5. Environmental Education** -0- 4,269,000

118.18 **(a) Teacher Field School: Stewardship through**
 118.19 **Nature-Based Education**

118.20 \$500,000 the second year is from the trust
 118.21 fund to the commissioner of natural resources
 118.22 for an agreement with Hamline University to
 118.23 create an immersive, research-backed field
 118.24 school for teachers to use nature-based
 118.25 education to benefit student well-being and
 118.26 academic outcomes while increasing
 118.27 stewardship habits.

118.28 **(b) Increasing K-12 Student Learning to Develop**
 118.29 **Environmental Awareness, Appreciation, and**
 118.30 **Interest**

118.31 \$1,602,000 the second year is from the trust
 118.32 fund to the commissioner of natural resources
 118.33 for an agreement with Osprey Wilds
 118.34 Environmental Learning Center to partner with

119.1 Minnesota's five other accredited residential
119.2 environmental learning centers to provide
119.3 needs-based scholarships to ~~at least 25,000~~
119.4 K-12 students statewide for immersive
119.5 multiday environmental learning experiences.

119.6 **(c) Expanding Access to Wildlife Learning Bird**
119.7 **by Bird**

119.8 \$276,000 the second year is from the trust
119.9 fund to the commissioner of natural resources
119.10 to engage young people from diverse
119.11 communities in wildlife conservation through
119.12 bird-watching in schools, outdoor leadership
119.13 training, and participating in neighborhood
119.14 bird walks.

119.15 **(d) Engaging a Diverse Public in Environmental**
119.16 **Stewardship**

119.17 \$300,000 the second year is from the trust
119.18 fund to the commissioner of natural resources
119.19 for an agreement with Great River Greening
119.20 to increase participation in natural resources
119.21 restoration efforts through volunteer,
119.22 internship, and youth engagement activities
119.23 that target diverse audiences more accurately
119.24 reflecting local demographic and
119.25 socioeconomic conditions in Minnesota.

119.26 **(e) Bugs Below Zero: Engaging Citizens in**
119.27 **Winter Research**

119.28 \$198,000 the second year is from the trust
119.29 fund to the Board of Regents of the University
119.30 of Minnesota to raise awareness about the
119.31 winter life of bugs, inspire learning about
119.32 stream food webs, and engage citizen scientists
119.33 in research and environmental stewardship.

119.34 **(f) ESTEP: Earth Science Teacher Education**
119.35 **Project**

120.1 \$495,000 the second year is from the trust
120.2 fund to the commissioner of natural resources
120.3 for an agreement with the Minnesota Science
120.4 Teachers Association to provide professional
120.5 development for Minnesota science teachers
120.6 in environmental and earth science to
120.7 strengthen environmental education in schools.

120.8 **(g) YES! Students Take Action to Complete Eco**
120.9 **Projects**

120.10 \$199,000 the second year is from the trust
120.11 fund to the commissioner of natural resources
120.12 for an agreement with Prairie Woods
120.13 Environmental Learning Center, in partnership
120.14 with Ney Nature Center and Laurentian
120.15 Environmental Center, to empower Minnesota
120.16 youth to connect with natural resource experts,
120.17 identify ecological challenges, and take action
120.18 to complete innovative projects in their
120.19 communities.

120.20 **(h) Increasing Diversity in Environmental**
120.21 **Careers**

120.22 \$500,000 the second year is from the trust
120.23 fund to the commissioner of natural resources,
120.24 in cooperation with Conservation Corps
120.25 Minnesota and Iowa, to encourage a diversity
120.26 of students to pursue careers in the
120.27 environment and natural resources through
120.28 internships, mentorships, and fellowships with
120.29 the Department of Natural Resources, the
120.30 Board of Water and Soil Resources, and the
120.31 Pollution Control Agency.

120.32 **(i) Diversity and Access to Wildlife-Related**
120.33 **Opportunities**

120.34 \$199,000 the second year is from the trust
120.35 fund to the Board of Regents of the University

121.1 of Minnesota to broaden the state's
 121.2 conservation constituency by researching
 121.3 diverse communities' values about nature and
 121.4 wildlife experiences and identifying barriers
 121.5 to engagement.

121.6 Sec. 14. Laws 2022, chapter 94, section 2, subdivision 8, is amended to read:

121.7 **Subd. 8. Methods to Protect, Restore, and**
 121.8 **Enhance Land, Water, and Habitat** -0- 11,294,000

121.9 **(a) Minnesota's Volunteer Rare Plant**
 121.10 **Conservation Corps**

121.11 \$859,000 the second year is from the trust
 121.12 fund to the Board of Regents of the University
 121.13 of Minnesota for the Minnesota Landscape
 121.14 Arboretum to partner with the Department of
 121.15 Natural Resources and the Minnesota Native
 121.16 Plant Society to establish and train a volunteer
 121.17 corps to survey, monitor, and bank seed from
 121.18 Minnesota's rare plant populations and
 121.19 enhance the effectiveness and efficiencies of
 121.20 conservation efforts.

121.21 **(b) Conservation Corps Veterans Service Corps**
 121.22 **Program**

121.23 \$1,339,000 the second year is from the trust
 121.24 fund to the commissioner of natural resources
 121.25 for an agreement with Conservation Corps
 121.26 Minnesota to create a Veterans Service Corps
 121.27 program to accelerate natural resource
 121.28 restorations in Minnesota while providing
 121.29 workforce development opportunities for the
 121.30 state's veterans.

121.31 **(c) Creating Seed Sources of Early-Blooming**
 121.32 **Plants for Pollinators**

121.33 \$200,000 the second year is from the trust
 121.34 fund to the commissioner of natural resources
 121.35 to establish new populations of early-season

122.1 flowers by hand-harvesting and propagating
122.2 species that are currently lacking in prairie
122.3 restorations and that are essential to pollinator
122.4 health. This appropriation is available until
122.5 June 30, 2026, by which time the project must
122.6 be completed and final products delivered.

122.7 **(d) Hastings Lake Rebecca Park Area**

122.8 \$1,000,000 the second year is from the trust
122.9 fund to the commissioner of natural resources
122.10 for an agreement with the city of Hastings to
122.11 develop an ecological-based master plan for
122.12 Lake Rebecca Park and to enhance habitat
122.13 quality and construct passive recreational
122.14 facilities consistent with the master plan. No
122.15 funds for implementation may be spent until
122.16 the master plan is complete.

122.17 **(e) Pollinator Plantings and the Redistribution**
122.18 **of Soil Toxins**

122.19 \$610,000 the second year is from the trust
122.20 fund to the Board of Regents of the University
122.21 of Minnesota to map urban and suburban soil
122.22 toxins of concern, such as heavy metals and
122.23 microplastics, and to test whether pollinator
122.24 plantings can redistribute these toxins in the
122.25 soil of yards, parks, and community gardens
122.26 and reduce exposure to humans and wildlife.

122.27 **(f) PFAS Fungal-Wood Chip Filtering System**

122.28 \$189,000 the second year is from the trust
122.29 fund to the Board of Regents of the University
122.30 of Minnesota to identify, develop, and
122.31 field-test various types of waste wood chips
122.32 and fungi to sequester and degrade PFAS
122.33 leachate from contaminated waste sites. This
122.34 appropriation is subject to Minnesota Statutes,
122.35 section 116P.10.

123.1 **(g) Phytoremediation for Extracting Deicing**
123.2 **Salt**

123.3 \$451,000 the second year is from the trust
123.4 fund to the Board of Regents of the University
123.5 of Minnesota to protect lands and waters from
123.6 contamination by collaborating with the
123.7 Department of Transportation to develop
123.8 methods for using native plants to remediate
123.9 roadside deicing salt.

123.10 **(h) Mustinka River Fish and Wildlife Habitat**
123.11 **Corridor Rehabilitation**

123.12 \$2,692,000 the second year is from the trust
123.13 fund to the commissioner of natural resources
123.14 for an agreement with the Bois de Sioux
123.15 Watershed District to permanently rehabilitate
123.16 a straightened reach of the Mustinka River to
123.17 a naturally functioning stream channel and
123.18 floodplain corridor for water, fish, and wildlife
123.19 benefits.

123.20 **(i) Bohemian Flats Savanna Restoration**

123.21 \$286,000 the second year is from the trust
123.22 fund to the commissioner of natural resources
123.23 for an agreement with Minneapolis Park and
123.24 Recreation Board to restore an area of
123.25 compacted urban turf within Bohemian Flats
123.26 Park and adjacent to the Mississippi River to
123.27 an oak savanna ecosystem.

123.28 **(j) Watershed and Forest Restoration: What a**
123.29 **Match!**

123.30 \$3,318,000 the second year is from the trust
123.31 fund to the Board of Water and Soil
123.32 Resources, in cooperation with soil and water
123.33 conservation districts, the Mille Lacs Band of
123.34 Ojibwe, and the Department of Natural
123.35 Resources, to acquire interests in land and to

124.1 accelerate tree planting on ~~privately owned~~,
 124.2 protected lands for water-quality protection
 124.3 and carbon sequestration. Notwithstanding
 124.4 subdivision 14, paragraph (e), this
 124.5 appropriation may be spent to reforest lands
 124.6 protected through long-term contracts as
 124.7 provided in the approved work plan.

124.8 **(k) River Habitat Restoration and Recreation**
 124.9 **in Melrose**

124.10 \$350,000 the second year is from the trust
 124.11 fund to the commissioner of natural resources
 124.12 for an agreement with the city of Melrose to
 124.13 conduct habitat restoration and create fishing,
 124.14 canoeing, and camping opportunities along a
 124.15 segment of the Sauk River within the city of
 124.16 Melrose and to provide public education about
 124.17 stream restoration, fish habitat, and the
 124.18 importance of natural areas.

124.19 Sec. 15. Laws 2022, chapter 94, section 2, subdivision 9, is amended to read:

124.20 Subd. 9. **Habitat and Recreation** -0- 26,179,000

124.21 **(a) Mesabi Trail: Wahlsten Road (CR 26) to**
 124.22 **toward Tower**

124.23 \$1,307,000 the second year is from the trust
 124.24 fund to the commissioner of natural resources
 124.25 for an agreement with the St. Louis and Lake
 124.26 Counties Regional Railroad Authority to
 124.27 acquire easements, engineer, and construct a
 124.28 segment of the Mesabi Trail beginning at the
 124.29 intersection of Wahlsten Road (CR 26) and
 124.30 Benson Road in Embarrass and extending to
 124.31 toward Tower.

124.32 **(b) Environmental Learning Classroom with**
 124.33 **Trails**

125.1 \$82,000 the second year is from the trust fund
125.2 to the commissioner of natural resources for
125.3 an agreement with Mountain Iron-Buhl Public
125.4 Schools to build an outdoor classroom
125.5 pavilion, accessible trails, and a footbridge
125.6 within the Mountain Iron-Buhl School Forest
125.7 to conduct environmental education that
125.8 cultivates a lasting conservation ethic.

125.9 **(c) Local Parks, Trails, and Natural Areas Grant**
125.10 **Programs**

125.11 \$3,560,000 the second year is from the trust
125.12 fund to the commissioner of natural resources
125.13 to solicit, rank, and fund competitive matching
125.14 grants for local parks, trail connections, and
125.15 natural and scenic areas under Minnesota
125.16 Statutes, section 85.019. This appropriation is
125.17 for local nature-based recreation, connections
125.18 to regional and state natural areas, and
125.19 recreation facilities and may not be used for
125.20 athletic facilities such as sport fields, courts,
125.21 and playgrounds.

125.22 **(d) St. Louis River Re-Connect**

125.23 \$500,000 the second year is from the trust
125.24 fund to the commissioner of natural resources
125.25 for an agreement with the city of Duluth to
125.26 expand recreational access along the St. Louis
125.27 River and estuary by implementing the St.
125.28 Louis River National Water Trail outreach
125.29 plan, designing and constructing upgrades and
125.30 extensions to the Waabizheshikana Trail, and
125.31 installing interpretive features that describe
125.32 the cultural and ecological significance of the
125.33 area.

125.34 **(e) Native Prairie Stewardship and Prairie Bank**
125.35 **Easement Acquisition**

126.1 \$1,353,000 the second year is from the trust
126.2 fund to the commissioner of natural resources
126.3 to provide technical stewardship assistance to
126.4 private landowners, restore and enhance native
126.5 prairie protected by easements in the native
126.6 prairie bank, and acquire easements for the
126.7 native prairie bank in accordance with
126.8 Minnesota Statutes, section 84.96, including
126.9 preparing initial baseline property assessments.
126.10 Up to \$60,000 of this appropriation may be
126.11 deposited in the natural resources conservation
126.12 easement stewardship account created under
126.13 Minnesota Statutes, section 84.69, proportional
126.14 to the number of easements acquired.

126.15 **(f) Minnesota State Parks and State Trails**
126.16 **Maintenance and Development**

126.17 \$1,600,000 the second year is from the trust
126.18 fund to the commissioner of natural resources
126.19 for maintenance and development at state
126.20 parks, recreation areas, and trails to protect
126.21 Minnesota's natural heritage, enhance outdoor
126.22 recreation, and improve the efficiency of
126.23 public land management.

126.24 **(g) Minnesota State Trails Development**

126.25 \$7,387,000 the second year is from the trust
126.26 fund to the commissioner of natural resources
126.27 to expand recreational opportunities on
126.28 Minnesota state trails by rehabilitating and
126.29 enhancing existing state trails and replacing
126.30 or repairing existing state trail bridges.

126.31 **(h) SNA Habitat Restoration and Public**
126.32 **Engagement**

126.33 \$5,000,000 the second year is from the trust
126.34 fund to the commissioner of natural resources
126.35 for the scientific and natural areas (SNA)

- 127.1 program to restore and enhance exceptional
127.2 habitat on SNAs and increase public
127.3 involvement and outreach.
- 127.4 **(i) The Missing Link: Gull Lake Trail, Fairview**
127.5 **Township**
- 127.6 \$1,394,000 the second year is from the trust
127.7 fund to the commissioner of natural resources
127.8 for an agreement with Fairview Township to
127.9 complete the Gull Lake Trail by engineering
127.10 and constructing the trail's final segment
127.11 through Fairview Township in the Brainerd
127.12 Lakes area.
- 127.13 **(j) Silver Bay Multimodal Trailhead Project**
- 127.14 \$1,000,000 the second year is from the trust
127.15 fund to the commissioner of natural resources
127.16 for an agreement with the city of Silver Bay
127.17 to develop a multimodal trailhead center to
127.18 provide safe access to the Superior,
127.19 Gitchi-Gami, and C.J. Ramstad/North Shore
127.20 trails; Black Beach Park; and other
127.21 recreational destinations.
- 127.22 **(k) Brookston Campground, Boat Launch, and**
127.23 **Outdoor Recreational Facility**
- 127.24 \$453,000 the second year is from the trust
127.25 fund to the commissioner of natural resources
127.26 for an agreement with the city of Brookston
127.27 to build a campground, boat launch, and
127.28 outdoor recreation area on the banks of the St.
127.29 Louis River in northeastern Minnesota. Before
127.30 any trust fund dollars are spent, the city must
127.31 demonstrate that all funds to complete the
127.32 project are secured and a fiscal agent must be
127.33 approved in the work plan.
- 127.34 **(l) Silver Lake Trail Connection**

128.1 \$727,000 the second year is from the trust
128.2 fund to the commissioner of natural resources
128.3 for an agreement with the city of Virginia to
128.4 design, engineer, and construct a multiuse trail
128.5 that will connect Silver Lake Trail to a new
128.6 Miners Entertainment and Convention Center
128.7 and provide lighting on Bailey Lake Trail.

128.8 **(m) Floodwood Campground Improvement**
128.9 **Project**

128.10 \$816,000 the second year is from the trust
128.11 fund to the commissioner of natural resources
128.12 for an agreement with the city of Floodwood
128.13 to upgrade the Floodwood Campground and
128.14 connecting trails to provide high-quality nature
128.15 and recreation experience for people of all
128.16 ages.

128.17 **(n) Ranier Safe Harbor/Transient Dock - Phase**
128.18 **2**

128.19 \$1,000,000 the second year is from the trust
128.20 fund to the commissioner of natural resources
128.21 for an agreement with the city of Ranier to
128.22 construct a safe harbor and transient dock to
128.23 accommodate watercraft of many sizes to
128.24 improve public access for boat recreation on
128.25 Rainy Lake. Before trust fund dollars are
128.26 spent, a fiscal agent must be approved in the
128.27 work plan. Before any trust fund dollars are
128.28 spent, the city must demonstrate that all funds
128.29 to complete the project are secured. Any
128.30 revenue generated from selling products or
128.31 assets developed or acquired with this
128.32 appropriation must be repaid to the trust fund
128.33 unless a plan is approved for reinvestment of
128.34 income in the project as provided under
128.35 Minnesota Statutes, section 116P.10.

129.1 Sec. 16. **EFFECTIVE DATE.**

129.2 Unless otherwise provided, this article is effective the day following final enactment.

129.3

ARTICLE 3

129.4

POLLUTION CONTROL

129.5 Section 1. Minnesota Statutes 2022, section 115.01, is amended by adding a subdivision
129.6 to read:

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

129.9 Sec. 2. Minnesota Statutes 2022, section 115.01, is amended by adding a subdivision to
129.10 read:

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

129.13 Sec. 3. Minnesota Statutes 2022, section 115.01, is amended by adding a subdivision to
129.14 read:

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

129.20 Sec. 4. Minnesota Statutes 2022, section 115.03, subdivision 1, is amended to read:

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

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

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

129.29 ~~(c)~~ (3) to establish and alter such reasonable pollution standards for any waters of the
129.30 state in relation to the public use to which they are or may be put as it shall deem necessary

130.1 for the purposes of this chapter and, with respect to the pollution of waters of the state,
130.2 chapter 116;

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

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

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

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

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

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

130.28 ~~(5)~~ (v) establishing, and from time to time revising, standards of performance for new
130.29 sources taking into consideration, among other things, classes, types, sizes, and categories
130.30 of sources, processes, pollution control technology, cost of achieving such effluent reduction,
130.31 and any nonwater quality environmental impact and energy requirements. Said standards
130.32 of performance for new sources shall encompass those standards for the control of the
130.33 discharge of pollutants which reflect the greatest degree of effluent reduction which the
130.34 agency determines to be achievable through application of the best available demonstrated

131.1 control technology, processes, operating methods, or other alternatives, including, where
131.2 practicable, a standard permitting no discharge of pollutants. New sources shall encompass
131.3 buildings, structures, facilities, or installations from which there is or may be the discharge
131.4 of pollutants, the construction of which is commenced after the publication by the agency
131.5 of proposed rules prescribing a standard of performance which will be applicable to such
131.6 source. Notwithstanding any other provision of the law of this state, any point source the
131.7 construction of which is commenced after May 20, 1973, and which is so constructed as to
131.8 meet all applicable standards of performance for new sources shall, consistent with and
131.9 subject to the provisions of section 306(d) of the Amendments of 1972 to the Federal Water
131.10 Pollution Control Act, not be subject to any more stringent standard of performance for new
131.11 sources during a ten-year period beginning on the date of completion of such construction
131.12 or during the period of depreciation or amortization of such facility for the purposes of
131.13 section 167 or 169, or both, of the Federal Internal Revenue Code of 1954, whichever period
131.14 ends first. Construction shall encompass any placement, assembly, or installation of facilities
131.15 or equipment, including contractual obligations to purchase such facilities or equipment, at
131.16 the premises where such equipment will be used, including preparation work at such
131.17 premises;

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

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

131.27 ~~(8)~~ (viii) notwithstanding any other provision of this chapter, and with respect to the
131.28 pollution of waters of the state, chapter 116, requiring the achievement of more stringent
131.29 limitations than otherwise imposed by effluent limitations in order to meet any applicable
131.30 water quality standard by establishing new effluent limitations, based upon section 115.01,
131.31 subdivision 13, clause (b), including alternative effluent control strategies for any point
131.32 source or group of point sources to insure the integrity of water quality classifications,
131.33 whenever the agency determines that discharges of pollutants from such point source or
131.34 sources, with the application of effluent limitations required to comply with any standard
131.35 of best available technology, would interfere with the attainment or maintenance of the

132.1 water quality classification in a specific portion of the waters of the state. Prior to
132.2 establishment of any such effluent limitation, the agency shall hold a public hearing to
132.3 determine the relationship of the economic and social costs of achieving such limitation or
132.4 limitations, including any economic or social dislocation in the affected community or
132.5 communities, to the social and economic benefits to be obtained and to determine whether
132.6 or not such effluent limitation can be implemented with available technology or other
132.7 alternative control strategies. If a person affected by such limitation demonstrates at such
132.8 hearing that, whether or not such technology or other alternative control strategies are
132.9 available, there is no reasonable relationship between the economic and social costs and
132.10 the benefits to be obtained, such limitation shall not become effective and shall be adjusted
132.11 as it applies to such person;

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

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

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

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

132.28 ~~(h)~~ (8) to conduct such investigations, issue such notices, public and otherwise, and hold
132.29 such hearings as are necessary or which it may deem advisable for the discharge of its duties
132.30 under this chapter and, with respect to the pollution of waters of the state, under chapter
132.31 116, including, but not limited to, the issuance of permits, and to authorize any member,
132.32 employee, or agent appointed by it to conduct such investigations or, issue such notices and
132.33 hold such hearings;

133.1 ~~(9)~~ (9) for the purpose of water pollution control planning by the state and pursuant to
133.2 the Federal Water Pollution Control Act, as amended, to establish and revise planning areas,
133.3 adopt plans and programs and continuing planning processes, including, but not limited to,
133.4 basin plans and areawide waste treatment management plans, and to provide for the
133.5 implementation of any such plans by means of, including, but not limited to, standards, plan
133.6 elements, procedures for revision, intergovernmental cooperation, residual treatment process
133.7 waste controls, and needs inventory and ranking for construction of disposal systems;

133.8 ~~(10)~~ (10) to train water pollution control personnel; and charge ~~such training fees therefor~~
133.9 as are necessary to cover the agency's costs. All such fees received ~~shall~~ must be paid into
133.10 the state treasury and credited to the Pollution Control Agency training account;

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

133.14 ~~(12)~~ (12) to impose as additional conditions in permits to publicly owned disposal systems
133.15 appropriate measures to insure compliance by industrial and other users with any pretreatment
133.16 standard, including, but not limited to, those related to toxic pollutants, and any system of
133.17 user charges ratably as is hereby required under state law or said Federal Water Pollution
133.18 Control Act, as amended, or any regulations or guidelines promulgated thereunder;

133.19 ~~(13)~~ (13) to set a period not to exceed five years for the duration of any national pollutant
133.20 discharge elimination system permit or not to exceed ten years for any permit issued as a
133.21 state disposal system permit only;

133.22 ~~(14)~~ (14) to require each governmental subdivision identified as a permittee for a
133.23 wastewater treatment works to evaluate in every odd-numbered year the condition of its
133.24 existing system and identify future capital improvements that will be needed to attain or
133.25 maintain compliance with a national pollutant discharge elimination system or state disposal
133.26 system permit; and

133.27 ~~(15)~~ (15) to train subsurface sewage treatment system personnel, including persons who
133.28 design, construct, install, inspect, service, and operate subsurface sewage treatment systems,
133.29 and charge fees as necessary to pay the agency's costs. All fees received must be paid into
133.30 the state treasury and credited to the agency's training account. Money in the account is
133.31 appropriated to the agency to pay expenses related to training.

133.32 (b) The information required in paragraph (a), clause ~~(m)~~ (14), must be submitted in
133.33 every odd-numbered year to the commissioner on a form provided by the commissioner.

134.1 The commissioner shall provide technical assistance if requested by the governmental
134.2 subdivision.

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

134.5 Sec. 5. Minnesota Statutes 2022, section 115.061, is amended to read:

134.6 **115.061 DUTY TO NOTIFY; AVOIDING WATER POLLUTION.**

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

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

134.16 (c) Promptly after notifying the agency of a discharge under paragraph (a), a publicly
134.17 owned treatment works or a publicly or privately owned domestic sewer system owner must
134.18 provide notice to the potentially impacted public and to any downstream drinking water
134.19 facility that may be impacted by the discharge. Notice to the public and to any drinking
134.20 water facility must be made using the most efficient communications system available to
134.21 the facility owner such as in person, telephone call, radio, social media, web page, or another
134.22 expedited form. In addition, signage must be posted at all impacted public use areas within
134.23 the same jurisdiction or notification must be provided to the entity that has jurisdiction over
134.24 any impacted public use areas. A notice under this paragraph must include the date and time
134.25 of the discharge, a description of the material released, a warning of the potential public
134.26 health risk, and the permittee's contact information.

134.27 (d) The agency must provide guidance that includes but is not limited to methods and
134.28 protocols for providing timely notice under this section.

134.29 Sec. 6. Minnesota Statutes 2022, section 115A.03, is amended by adding a subdivision to
134.30 read:

134.31 Subd. 10b. Environmental justice area. "Environmental justice area" means one or
134.32 more census tracts in Minnesota:

135.1 (1) in which, based on the most recent decennial census data published by the United
135.2 States Census Bureau:

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

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

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

135.8 (2) located within Indian Country, as defined under United States Code, title 18, section
135.9 1151.

135.10 Sec. 7. Minnesota Statutes 2022, section 115A.03, is amended by adding a subdivision to
135.11 read:

135.12 Subd. 37a. **Waste treated seed.** "Waste treated seed" means seed that is treated, as
135.13 defined in section 21.81, subdivision 28, and that is withdrawn from sale or that the end
135.14 user considers unusable or otherwise a waste.

135.15 Sec. 8. Minnesota Statutes 2022, section 115A.1415, is amended to read:

135.16 **115A.1415 ARCHITECTURAL PAINT; PRODUCT STEWARDSHIP PROGRAM;**
135.17 **STEWARDSHIP PLAN.**

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

135.20 (1) "annual operating expenses" means the total amount of a producer's or stewardship
135.21 organization's expenses in a calendar year for developing a stewardship plan, operating and
135.22 administering the program in accordance with the stewardship plan, and meeting the
135.23 requirements of this section, determined at the time the annual report required under
135.24 subdivision 12 is submitted;

135.25 ~~(1)~~ (2) "architectural paint" means interior and exterior architectural coatings sold in
135.26 containers of five gallons or less. Architectural paint does not include industrial coatings,
135.27 original equipment coatings, or specialty coatings;

135.28 ~~(2)~~ (3) "brand" means a name, symbol, word, or mark that identifies architectural paint,
135.29 rather than its components, and attributes the paint to the owner or licensee of the brand as
135.30 the producer;

136.1 ~~(3)~~(4) "discarded paint" means architectural paint that is no longer used for its
136.2 manufactured purpose;

136.3 ~~(4)~~(5) "producer" means a person that:

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

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

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

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

136.13 ~~(5)~~(6) "recycling" means the process of collecting and preparing recyclable materials
136.14 and reusing the materials in their original form or using them in manufacturing processes
136.15 that do not cause the destruction of recyclable materials in a manner that precludes further
136.16 use;

136.17 ~~(6)~~(7) "retailer" means any person who offers architectural paint for sale at retail in the
136.18 state;

136.19 ~~(7)~~(8) "reuse" means donating or selling collected architectural paint back into the
136.20 market for its original intended use, when the architectural paint retains its original purpose
136.21 and performance characteristics;

136.22 ~~(8)~~(9) "sale" or "sell" means transfer of title of architectural paint for consideration,
136.23 including a remote sale conducted through a sales outlet, catalog, website, or similar
136.24 electronic means. Sale or sell includes a lease through which architectural paint is provided
136.25 to a consumer by a producer, wholesaler, or retailer;

136.26 ~~(9)~~(10) "stewardship assessment" means the amount added to the purchase price of
136.27 architectural paint sold in the state ~~that is necessary to cover the cost of collecting,~~
136.28 ~~transporting, and processing postconsumer architectural paint by the producer or stewardship~~
136.29 ~~organization pursuant to a product stewardship program~~ to implement a product stewardship
136.30 program according to an approved stewardship plan;

137.1 ~~(10)~~ (11) "stewardship organization" means an organization appointed by one or more
 137.2 producers to act as an agent on behalf of the producer to design, submit, and administer a
 137.3 product stewardship program under this section; and

137.4 ~~(11)~~ (12) "stewardship plan" means a detailed plan describing the manner in which a
 137.5 product stewardship program under subdivision 2 will be implemented.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

139.14 Subd. 5a. Stewardship assessment. (a) The producer or stewardship organization must
139.15 propose a uniform stewardship assessment for any architectural paint sold in the state that
139.16 covers but does not exceed the costs of developing the stewardship plan, operating and
139.17 administering the program in accordance with the stewardship plan and the requirements
139.18 of this section, and maintaining a financial reserve.

139.19 (b) The producer or stewardship organization must retain an independent auditor to
139.20 review the proposed stewardship assessment to ensure that the assessment meets the
139.21 requirements of this section. The independent auditor must recommend an amount for the
139.22 stewardship assessment.

139.23 (c) A stewardship organization's or producer's product stewardship program must not
139.24 maintain a financial reserve in excess of 75 percent of its annual operating expenses.

139.25 (d) If the financial reserve exceeds 75 percent of the producer's or stewardship
139.26 organization's annual operating expenses, the producer or stewardship organization must
139.27 submit a proposed plan amendment according to subdivision 4, paragraph (c), to comply
139.28 with this subdivision.

139.29 (e) A producer or stewardship organization may submit a written request to the
139.30 commissioner for an extension of the time to comply with paragraphs (c) and (d). The
139.31 commissioner must review and approve or reject the request. If the commissioner approves
139.32 a request, the commissioner must determine the length of the extension, which must not

140.1 exceed two consecutive years. The request must demonstrate that the financial reserve is
140.2 projected to fall below 75 percent of the producer's or stewardship organization's annual
140.3 operating expenses without a plan amendment within two years of the request.

140.4 (f) If the financial reserve falls below 60 percent of the producer's or stewardship
140.5 organization's annual operating expenses, the producer or stewardship organization may
140.6 submit a proposed plan amendment according to subdivision 4, paragraph (c), to comply
140.7 with this subdivision.

140.8 (g) The commissioner must review and approve or reject the stewardship assessment
140.9 according to subdivision 7.

140.10 (h) A producer or stewardship organization may not use any money collected through
140.11 a stewardship assessment to pay for litigation against the state related to this section or to
140.12 pay penalties imposed according to section 115.071 or 116.072.

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

140.17 Subd. 7. **Agency Commissioner review and approval.** (a) Within 90 days after receipt
140.18 ~~of~~ receiving a proposed stewardship plan, the ~~agency shall~~ commissioner must determine
140.19 whether the plan complies with ~~subdivision 4~~ this section. If the ~~agency~~ commissioner
140.20 approves a plan, the ~~agency shall~~ commissioner must notify the applicant of the plan approval
140.21 in writing. If the ~~agency~~ commissioner rejects a plan, the ~~agency shall~~ commissioner must
140.22 notify the applicant in writing of the reasons for rejecting the plan.

140.23 (b) An applicant whose plan is rejected by the agency commissioner must submit a
140.24 revised stewardship plan to the agency commissioner within 60 days after receiving notice
140.25 of rejection.

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

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

140.32 Subd. 9. **Conduct authorized.** A producer or stewardship organization that organizes
140.33 collection, transport, and processing of architectural paint under this section is immune from

141.1 liability for the conduct under state laws relating to antitrust, restraint of trade, unfair trade
141.2 practices, and other regulation of trade or commerce only to the extent that the conduct is
141.3 necessary to plan and implement the producer's or organization's chosen organized collection
141.4 or recycling system.

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

141.9 (b) Producers of architectural paint or the stewardship organization ~~shall~~ must provide
141.10 consumers with educational materials regarding the stewardship assessment and product
141.11 stewardship program. The materials must include, but are not limited to, information
141.12 regarding available end-of-life management options for architectural paint offered through
141.13 the product stewardship program and information that notifies consumers that a charge for
141.14 the operation of the product stewardship program is included in the purchase price of
141.15 architectural paint sold in the state.

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

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

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

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

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

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

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

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

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

142.10 (5) an independent financial audit.

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

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

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

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

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

142.27 Subd. 16. **Administrative fee.** (a) The stewardship organization or individual producer
142.28 submitting a stewardship plan ~~shall~~ must pay an annual administrative fee to the
142.29 commissioner. The agency commissioner may establish a variable fee based on relevant
142.30 factors, including, but not limited to, the portion of architectural paint sold in the state by
142.31 members of the organization compared to the total amount of architectural paint sold in the
142.32 state by all organizations submitting a stewardship plan.

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

143.8 (c) A stewardship organization or individual producer subject to this subdivision must
143.9 pay the ~~agency's~~ commissioner's administrative fee under paragraph (a) on or before July
143.10 ~~1, 2014, and annually thereafter~~ each year. Each year after the initial payment, the annual
143.11 administrative fee may not exceed five percent of the aggregate stewardship assessment
143.12 added to the cost of all architectural paint sold by producers in the state for the preceding
143.13 calendar year.

143.14 (d) All fees received under this section ~~shall~~ must be deposited in the state treasury and
143.15 credited to a product stewardship account in the special revenue fund. ~~For fiscal years 2014,~~
143.16 ~~2015, 2016, and 2017,~~ The amount collected under this section is annually appropriated to
143.17 the ~~agency~~ commissioner to implement and enforce this section.

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

143.21 Sec. 9. Minnesota Statutes 2022, section 115A.49, is amended to read:

143.22 **115A.49 SOLID WASTE MANAGEMENT PROJECTS CAPITAL ASSISTANCE**
143.23 **PROGRAM.**

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

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

143.30 (1) waste reduction;

143.31 (2) reuse;

143.32 (3) recycling;

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

144.2 (5) resource recovery;

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

144.4 (7) waste processing.

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

144.13 Sec. 10. Minnesota Statutes 2022, section 115A.51, is amended to read:

144.14 **115A.51 APPLICATION REQUIREMENTS.**

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

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

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

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

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

144.29 (5) that the applicant has identified:

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

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

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

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

145.12 (ii) consistency with the state's solid waste hierarchy and section 115A.46, subdivision
145.13 2, paragraphs (e) and (f), or 473.149, subdivision 1; and

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

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

145.17 (8) that the applicant has reviewed the project's impact on environmental justice areas,
145.18 conducted stakeholder engagement, and assessed community input.

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

145.25 Sec. 11. Minnesota Statutes 2022, section 115A.54, subdivision 1, is amended to read:

145.26 Subdivision 1. **Purposes; public interest; declaration of policy.** The legislature finds
145.27 that ~~the establishment of waste processing~~ acquiring, establishing, and improving facilities
145.28 that conduct waste reduction, reuse, recycling, composting source-separated compostable
145.29 materials or yard waste, resource recovery, and waste processing and transfer stations serving
145.30 such facilities is needed to reduce and manage properly the solid waste generated in the
145.31 state and to conserve and protect the natural resources in the state and the health, safety,
145.32 and welfare of its citizens; that opportunities to acquire, establish, and improve the facilities

146.1 and transfer stations are not being fully realized by individual political subdivisions or by
146.2 agreements among subdivisions; and that therefore it is necessary to provide capital assistance
146.3 to stimulate and encourage the acquisition, establishment, and ~~betterment~~ improvement of
146.4 the facilities and transfer stations.

146.5 Sec. 12. Minnesota Statutes 2022, section 115A.54, subdivision 2, is amended to read:

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

146.20 Sec. 13. Minnesota Statutes 2022, section 115A.54, subdivision 2a, as amended by Laws
146.21 2023, chapter 25, section 34, is amended to read:

146.22 Subd. 2a. **Solid waste management projects.** (a) The commissioner shall provide
146.23 technical and financial assistance ~~for the acquisition and betterment of~~ to acquire, establish,
146.24 and improve solid waste management projects as provided in this subdivision and section
146.25 115A.52. Money appropriated for the purposes of this subdivision must be distributed as
146.26 grants.

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

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

146.32 (2) ~~\$2,000,000~~ \$5,000,000 times the number of participating counties, ~~whichever is less.~~

147.1 (c) A recycling project ~~or~~, a project to compost ~~or eecompost~~ source-separated
147.2 compostable material or yard waste, or a project to manage household hazardous waste may
147.3 receive grant assistance up to 50 percent of the capital cost of the project or ~~\$2,000,000~~
147.4 \$5,000,000, whichever is less, except that projects completed as a result of intercounty
147.5 cooperative agreements may receive the lesser of:

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

147.7 (2) ~~\$2,000,000~~ \$5,000,000 times the number of participating counties, ~~whichever is less.~~

147.8 (d) The following projects may also receive grant assistance in the amounts specified
147.9 in paragraph (c):

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

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

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

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

147.22 (2) \$5,000,000 times the number of participating counties.

147.23 ~~(e)~~ (f) Notwithstanding paragraph ~~(f)~~ (g), the commissioner may award grants for transfer
147.24 stations that will initially transfer waste to landfills if the transfer stations are part of a
147.25 planned resource recovery project, the county where the planned resource recovery facility
147.26 will be located has a comprehensive solid waste management plan approved by the
147.27 commissioner, and the solid waste management plan proposes the development of the
147.28 resource recovery facility. If the proposed resource recovery facility is not in place and
147.29 operating within 16 years of the date of the grant award, the recipient shall repay the grant
147.30 amount to the state.

147.31 ~~(f)~~ (g) Projects without waste reduction, reuse, recycling, composting source-separated
147.32 compostable material or yard waste, or resource recovery are not eligible for assistance.

147.33 Solid waste disposal facilities and equipment are not eligible for assistance.

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

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

148.12 ~~(i)~~ (j) For the purposes of this subdivision, a "project" means acquisition, establishment,
 148.13 or improvement of a processing facility; that conducts waste reduction, reuse, recycling,
 148.14 composting source-separated compostable materials or yard waste, resource recovery, or
 148.15 waste processing, together with any transfer stations, transmission facilities, and other related
 148.16 and appurtenant facilities primarily serving the ~~processing~~ facility.

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

148.18 ~~(j)~~ (l) Notwithstanding anything in this subdivision to the contrary, a project to construct
 148.19 a new ~~mixed-municipal~~ solid waste transfer station that has an enforceable commitment of
 148.20 at least ten years, or of sufficient length to retire bonds sold for the facility, to serve an
 148.21 existing resource recovery facility may receive grant assistance up to 75 percent of the
 148.22 capital cost of the project if addition of the transfer station will increase substantially the
 148.23 geographical area served by the resource recovery facility and the ability of the resource
 148.24 recovery facility to operate more efficiently on a regional basis and the facility meets the
 148.25 criteria in paragraph (d), clause (2). A transfer station eligible for assistance under this
 148.26 paragraph is not eligible for assistance under any other paragraph of this subdivision.

148.27 Sec. 14. Minnesota Statutes 2022, section 115A.565, subdivision 1, is amended to read:

148.28 Subdivision 1. **Grant program established.** The commissioner must make competitive
 148.29 grants to political subdivisions or federally recognized Tribes ~~to establish curbside recycling~~
 148.30 ~~or composting, increase~~ for waste reduction, reuse, recycling or, and composting, reduce
 148.31 ~~the amount of recyclable materials entering disposal facilities, or reduce the costs associated~~
 148.32 ~~with hauling waste by locating collection sites as close as possible to the site where the~~
 148.33 ~~waste is generated~~ of source-separated compostable materials or yard waste. To be eligible
 148.34 for grants under this section, a political subdivision or federally recognized Tribe must be

149.1 located outside the seven-county metropolitan area and a city must have a population of
149.2 less than 45,000.

149.3 Sec. 15. Minnesota Statutes 2022, section 115A.565, subdivision 3, is amended to read:

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

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

149.8 (1) be locally administered;

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

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

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

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

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

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

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

149.19 (i) waste reduction;

149.20 (ii) reuse;

149.21 (iii) recycling; or

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

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

149.26 Sec. 16. **[115A.993] PROHIBITED DISPOSAL METHODS.**

149.27 A person must not dispose of waste treated seed in a manner inconsistent with the product
149.28 label, where applicable, or by:

- 150.1 (1) burial near a drinking water source or any creek, stream, river, lake, or other surface
150.2 water;
- 150.3 (2) composting; or
- 150.4 (3) incinerating within a home or other dwelling.

150.5 Sec. 17. Minnesota Statutes 2022, section 115B.17, subdivision 14, is amended to read:

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

150.13 (b) Except as otherwise provided in this paragraph, the person requesting assistance
150.14 under this subdivision shall pay the agency for the agency's cost, as determined by the
150.15 commissioner, of providing assistance. A state agency, political subdivision, or other public
150.16 entity is not required to pay for the agency's cost to review agency records and files. ~~Money~~
150.17 ~~received by the agency for assistance under this section~~ The first \$350,000 received annually
150.18 by the agency for assistance under this subdivision from persons who are not otherwise
150.19 responsible under sections 115B.01 to 115B.18 must be deposited in the remediation fund
150.20 and is exempt from section 16A.1285. Money received after the first \$350,000 must be
150.21 deposited in the state treasury and credited to an account in the special revenue fund. Money
150.22 in the account is annually appropriated to the commissioner for the purposes of administering
150.23 this subdivision.

150.24 (c) When a person investigates a release or threatened release in accordance with an
150.25 investigation plan approved by the commissioner under this subdivision, the investigation
150.26 does not associate that person with the release or threatened release for the purpose of section
150.27 115B.03, subdivision 3, paragraph (a), clause (4).

150.28 Sec. 18. Minnesota Statutes 2022, section 115B.171, subdivision 3, is amended to read:

150.29 **Subd. 3. Test reporting.** (a) By ~~January~~ March 15 each year, the commissioner of the
150.30 Pollution Control Agency must report to each community in the east metropolitan area a
150.31 summary of the results of the testing for private wells in the community. The report must
150.32 include information on the number of wells tested and trends of PFC contamination in

151.1 private wells in the community. Reports to communities under this section must also be
151.2 published on the Pollution Control Agency's website.

151.3 (b) By ~~January~~ March 15 each year, the commissioner of the Pollution Control Agency
151.4 must report to the legislature, as provided in section 3.195, on the testing for private wells
151.5 conducted in the east metropolitan area, including copies of the community reports required
151.6 in paragraph (a), the number of requests for well testing in each community, and the total
151.7 amount spent for testing private wells in each community.

151.8 Sec. 19. Minnesota Statutes 2022, section 115B.52, subdivision 4, is amended to read:

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

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

151.12 (i) determine how the priorities in the settlement will be met and how the spending will
151.13 move from the first priority to the second priority and the second priority to the third priority
151.14 outlined in the settlement; and

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

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

151.20 (3) by ~~August~~ October 1, 2019 2023, and each year thereafter, a report to the legislature
151.21 on expenditures from the water quality and sustainability account during the previous fiscal
151.22 year and a spending plan for anticipated expenditures from the account during the current
151.23 fiscal year.

151.24 Sec. 20. **[116.064] ODOR MANAGEMENT.**

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

151.27 (b) "Objectionable odor" means pollution of the ambient air beyond the property line of
151.28 a facility consisting of an odor that, considering its characteristics, intensity, frequency, and
151.29 duration:

151.30 (1) is, or can reasonably be expected to be, injurious to public health or welfare; or

152.1 (2) unreasonably interferes with the enjoyment of life or the use of property of persons
152.2 exposed to the odor.

152.3 (c) "Odor complaint" means a notification received and recorded by the agency or by a
152.4 political subdivision from an identifiable person that describes the nature, duration, and
152.5 location of the odor.

152.6 Subd. 2. **Application.** This section applies to facilities that are located in the counties
152.7 of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, or Washington.

152.8 Subd. 3. **Prohibition.** No person may cause or allow emission into the ambient air of
152.9 any substance or combination of substances in quantities that produce an objectionable odor
152.10 beyond the property line of the facility that is the source of the odor.

152.11 Subd. 4. **Odor complaints; investigation.** (a) The agency must conduct a site
152.12 investigation of any facility against which ten or more verifiable odor complaints have been
152.13 submitted to the agency or to local government officials within 48 hours. The investigation
152.14 must include:

152.15 (1) an interview with the owner or operator of the facility against which the complaint
152.16 was made;

152.17 (2) a physical examination of the facilities, equipment, operations, conditions, methods,
152.18 storage areas for material inputs, chemicals and waste, and any other factors that may
152.19 contribute to or are designed to mitigate the emission of odors; and

152.20 (3) testing at locations identified in the odor complaints and at other locations beyond
152.21 the property line of the facility that is the source of the odor using a precision instrument
152.22 capable of measuring odors in ambient air.

152.23 (b) The commissioner, based upon the agency's site investigation and the results of odor
152.24 testing and considering the nature, intensity, frequency, and duration of the odor and other
152.25 relevant factors, shall determine whether the odor emitted from the facility constitutes an
152.26 objectionable odor. In making the determination, the commissioner may consider the opinions
152.27 of a random sample of persons exposed to samples of the odor taken from ambient air
152.28 beyond the property line of the facility that is the source of the odor.

152.29 (c) The agency must notify officials in local jurisdictions:

152.30 (1) of odor complaints filed with the agency regarding properties within the local
152.31 jurisdiction;

153.1 (2) of any investigation of an odor complaint conducted by the agency at a facility within
153.2 the local jurisdiction and the results of the investigation;

153.3 (3) that odor complaints filed with respect to properties located within those jurisdictions
153.4 must be forwarded to the agency within three business days of being filed; and

153.5 (4) of any additional actions taken by the agency with respect to the complaints.

153.6 Subd. 5. **Objectionable odor; management plan.** (a) If the commissioner determines
153.7 under subdivision 4 that the odor emitted from a facility is an objectionable odor, the
153.8 commissioner shall require the owner of the facility to develop and submit to the agency
153.9 for review within 90 days an odor management plan designed to mitigate odor emissions.
153.10 The agency must provide technical assistance to the property owner in developing a
153.11 management plan, including:

153.12 (1) identifying odor control technology and equipment that may reduce odor emissions;
153.13 and

153.14 (2) identifying alternative methods of operation or alternative materials that may reduce
153.15 odor emissions.

153.16 The commissioner may grant an extension for submission of the odor management plan for
153.17 up to an additional 90 days for good cause.

153.18 (b) An odor management plan must contain, at a minimum, for each odor source
153.19 contributing to odor emissions:

153.20 (1) a description of plant operations and materials that generate odors;

153.21 (2) proposed changes in equipment, operations, or materials that are designed to mitigate
153.22 odor emissions;

153.23 (3) the estimated effectiveness of the plan in reducing odor emissions;

153.24 (4) the estimated cost of implementing the plan; and

153.25 (5) a schedule of plan implementation activities.

153.26 (c) The commissioner may accept, reject, or modify an odor management plan submitted
153.27 under this subdivision.

153.28 (d) If the commissioner, based upon the same factors considered under subdivision 4,
153.29 paragraph (b), determines that implementation of the odor management plan has failed to
153.30 reduce the facility's odor emissions to a level where they are no longer objectionable odors,
153.31 the commissioner shall order the facility owner to revise the odor management plan within

154.1 90 days of receipt of the commissioner's order. If the revised odor management plan is not
154.2 acceptable to the commissioner or is implemented but fails to reduce the property's odor
154.3 emissions to a level where they are no longer objectionable odors, the commissioner may
154.4 impose penalties under section 115.071 or may modify or revoke the facility's permit under
154.5 section 116.07, subdivision 4a, paragraph (d).

154.6 Subd. 6. **Exemptions.** This section does not apply to:

154.7 (1) on-farm animal and agricultural operations;

154.8 (2) motor vehicles and transportation facilities;

154.9 (3) municipal wastewater treatment plants;

154.10 (4) single-family dwellings not used for commercial purposes;

154.11 (5) materials odorized for safety purposes;

154.12 (6) painting and coating operations that are not required to be licensed;

154.13 (7) restaurants;

154.14 (8) temporary activities and operations;

154.15 (9) refineries; and

154.16 (10) Metropolitan Council wastewater systems.

154.17 Subd. 7. **Rulemaking required.** (a) The commissioner must adopt rules to implement
154.18 this section, and section 14.125 does not apply.

154.19 (b) The commissioner must comply with chapter 14 and must complete the statement
154.20 of need and reasonableness according to chapter 14 and section 116.07, subdivision 2,
154.21 paragraph (f).

154.22 (c) The rules must include:

154.23 (1) an odor standard or standards for air pollution that may qualify as an objectionable
154.24 odor under subdivision 1, paragraph (b), clause (2);

154.25 (2) a process for determining if an odor is objectionable;

154.26 (3) a process for investigating and addressing odor complaints;

154.27 (4) guidance for developing odor-management plans; and

154.28 (5) procedures and criteria for determining the success or failure of an odor-management
154.29 plan.

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

155.2 Sec. 21. **[116.943] PRODUCTS CONTAINING PFAS.**

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

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

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

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

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

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

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

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

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

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

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

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

156.1 (k) "Fabric treatment" means a substance applied to fabric to give the fabric one or more
156.2 characteristics, including but not limited to stain resistance or water resistance.

156.3 (l) "Intentionally added" means PFAS deliberately added during the manufacture of a
156.4 product where the continued presence of PFAS is desired in the final product or one of the
156.5 product's components to perform a specific function.

156.6 (m) "Juvenile product" means a product designed or marketed for use by infants and
156.7 children under 12 years of age:

156.8 (1) including but not limited to a baby or toddler foam pillow; bassinet; bedside sleeper;
156.9 booster seat; changing pad; child restraint system for use in motor vehicles and aircraft;
156.10 co-sleeper; crib mattress; highchair; highchair pad; infant bouncer; infant carrier; infant
156.11 seat; infant sleep positioner; infant swing; infant travel bed; infant walker; nap cot; nursing
156.12 pad; nursing pillow; play mat; playpen; play yard; polyurethane foam mat, pad, or pillow;
156.13 portable foam nap mat; portable infant sleeper; portable hook-on chair; soft-sided portable
156.14 crib; stroller; and toddler mattress; and

156.15 (2) not including a children's electronic product such as a personal computer, audio and
156.16 video equipment, calculator, wireless phone, game console, handheld device incorporating
156.17 a video screen, or any associated peripheral such as a mouse, keyboard, power supply unit,
156.18 or power cord; or an adult mattress.

156.19 (n) "Manufacturer" means the person that creates or produces a product or whose brand
156.20 name is affixed to the product. In the case of a product imported into the United States,
156.21 manufacturer includes the importer or first domestic distributor of the product if the person
156.22 that manufactured or assembled the product or whose brand name is affixed to the product
156.23 does not have a presence in the United States.

156.24 (o) "Medical device" has the meaning given "device" under United States Code, title
156.25 21, section 321, subsection (h).

156.26 (p) "Perfluoroalkyl and polyfluoroalkyl substances" or "PFAS" means a class of
156.27 fluorinated organic chemicals containing at least one fully fluorinated carbon atom.

156.28 (q) "Product" means an item manufactured, assembled, packaged, or otherwise prepared
156.29 for sale to consumers, including but not limited to its product components, sold or distributed
156.30 for personal, residential, commercial, or industrial use, including for use in making other
156.31 products.

156.32 (r) "Product component" means an identifiable component of a product, regardless of
156.33 whether the manufacturer of the product is the manufacturer of the component.

157.1 (s) "Ski wax" means a lubricant applied to the bottom of snow runners, including but
157.2 not limited to skis and snowboards, to improve their grip or glide properties. Ski wax includes
157.3 related tuning products.

157.4 (t) "Textile" means an item made in whole or part from a natural or synthetic fiber, yarn,
157.5 or fabric. Textile includes but is not limited to leather, cotton, silk, jute, hemp, wool, viscose,
157.6 nylon, and polyester.

157.7 (u) "Textile furnishings" means textile goods of a type customarily used in households
157.8 and businesses, including but not limited to draperies, floor coverings, furnishings, bedding,
157.9 towels, and tablecloths.

157.10 (v) "Upholstered furniture" means an article of furniture that is designed to be used for
157.11 sitting, resting, or reclining and that is wholly or partly stuffed or filled with any filling
157.12 material.

157.13 Subd. 2. **Information required.** (a) On or before January 1, 2026, a manufacturer of a
157.14 product sold, offered for sale, or distributed in the state that contains intentionally added
157.15 PFAS must submit to the commissioner information that includes:

157.16 (1) a brief description of the product, including a universal product code (UPC), stock
157.17 keeping unit (SKU), or other numeric code assigned to the product;

157.18 (2) the purpose for which PFAS are used in the product, including in any product
157.19 components;

157.20 (3) the amount of each PFAS, identified by its chemical abstracts service registry number,
157.21 in the product, reported as an exact quantity determined using commercially available
157.22 analytical methods or as falling within a range approved for reporting purposes by the
157.23 commissioner;

157.24 (4) the name and address of the manufacturer and the name, address, and phone number
157.25 of a contact person for the manufacturer; and

157.26 (5) any additional information requested by the commissioner as necessary to implement
157.27 the requirements of this section.

157.28 (b) With the approval of the commissioner, a manufacturer may supply the information
157.29 required in paragraph (a) for a category or type of product rather than for each individual
157.30 product.

157.31 (c) A manufacturer must submit the information required under this subdivision whenever
157.32 a new product that contains intentionally added PFAS is sold, offered for sale, or distributed

158.1 in the state and update and revise the information whenever there is significant change in
158.2 the information or when requested to do so by the commissioner.

158.3 (d) A person may not sell, offer for sale, or distribute for sale in the state a product
158.4 containing intentionally added PFAS if the manufacturer has failed to provide the information
158.5 required under this subdivision and the person has received notification under subdivision
158.6 4.

158.7 Subd. 3. **Information requirement waivers; extensions.** (a) The commissioner may
158.8 waive all or part of the information requirement under subdivision 2 if the commissioner
158.9 determines that substantially equivalent information is already publicly available. The
158.10 commissioner may grant a waiver under this paragraph to a manufacturer or a group of
158.11 manufacturers for multiple products or a product category.

158.12 (b) For a pesticide regulated under chapter 18B, a fertilizer, an agricultural liming
158.13 material, a plant amendment, or a soil amendment regulated under chapter 18C, a
158.14 manufacturer may satisfy the requirements of subdivision 2 by submitting the information
158.15 required by that subdivision as part of its annual registration or approval process under
158.16 chapter 18B or 18C. For information that is regulated under chapters 18B and 18C, the
158.17 commissioner and the commissioner of agriculture must jointly determine whether to make
158.18 the information publicly available based on applicable statutes.

158.19 (c) The commissioner may enter into an agreement with one or more other states or
158.20 political subdivisions of a state to collect information and may accept information to a shared
158.21 system as meeting the information requirement under subdivision 2.

158.22 (d) The commissioner may extend the deadline for submission by a manufacturer of the
158.23 information required under subdivision 2 if the commissioner determines that more time is
158.24 needed by the manufacturer to comply with the submission requirement.

158.25 Subd. 4. **Testing required and certificate of compliance.** (a) If the commissioner has
158.26 reason to believe that a product contains intentionally added PFAS and the product is being
158.27 offered for sale in the state, the commissioner may direct the manufacturer of the product
158.28 to, within 30 days, provide the commissioner with testing results that demonstrate the amount
158.29 of each of the PFAS, identified by its chemical abstracts service registry number, in the
158.30 product, reported as an exact quantity determined using commercially available analytical
158.31 methods or as falling within a range approved for reporting purposes by the commissioner.

158.32 (b) If testing demonstrates that the product does not contain intentionally added PFAS,
158.33 the manufacturer must provide the commissioner a certificate attesting that the product does

159.1 not contain intentionally added PFAS, including testing results and any other relevant
159.2 information.

159.3 (c) If testing demonstrates that the product contains intentionally added PFAS, the
159.4 manufacturer must provide the commissioner with the testing results and the information
159.5 required under subdivision 2.

159.6 (d) A manufacturer must notify persons who sell or offer for sale a product prohibited
159.7 under subdivision 2 or 5 that the sale of that product is prohibited in this state and provide
159.8 the commissioner with a list of the names and addresses of those notified.

159.9 (e) The commissioner may notify persons who sell or offer for sale a product prohibited
159.10 under subdivision 2 or 5 that the sale of that product is prohibited in this state.

159.11 Subd. 5. **Prohibitions.** (a) Beginning January 1, 2025, a person may not sell, offer for
159.12 sale, or distribute for sale in this state the following products if the product contains
159.13 intentionally added PFAS:

159.14 (1) carpets or rugs;

159.15 (2) cleaning products;

159.16 (3) cookware;

159.17 (4) cosmetics;

159.18 (5) dental floss;

159.19 (6) fabric treatments;

159.20 (7) juvenile products;

159.21 (8) menstruation products;

159.22 (9) textile furnishings;

159.23 (10) ski wax; or

159.24 (11) upholstered furniture.

159.25 (b) The commissioner may by rule identify additional products by category or use that
159.26 may not be sold, offered for sale, or distributed for sale in this state if they contain
159.27 intentionally added PFAS and designate effective dates. A prohibition adopted under this
159.28 paragraph must be effective no earlier than January 1, 2025, and no later than January 1,
159.29 2032. The commissioner must prioritize the prohibition of the sale of product categories
159.30 that, in the commissioner's judgment, are most likely to contaminate or harm the state's
159.31 environment and natural resources if they contain intentionally added PFAS.

160.1 (c) Beginning January 1, 2032, a person may not sell, offer for sale, or distribute for sale
160.2 in this state any product that contains intentionally added PFAS, unless the commissioner
160.3 has determined by rule that the use of PFAS in the product is a currently unavoidable use.
160.4 The commissioner may specify specific products or product categories for which the
160.5 commissioner has determined the use of PFAS is a currently unavoidable use. The
160.6 commissioner may not determine that the use of PFAS in a product is a currently unavoidable
160.7 use if the product is listed in paragraph (a).

160.8 (d) The commissioner may not take action under paragraph (b) or (c) with respect to a
160.9 pesticide, as defined under chapter 18B, a fertilizer, an agricultural liming material, a plant
160.10 amendment, or a soil amendment as defined under chapter 18C, unless the commissioner
160.11 of agriculture approves the action.

160.12 Subd. 6. **Fees.** The commissioner may establish by rule a fee payable by a manufacturer
160.13 to the commissioner upon submission of the information required under subdivision 2 to
160.14 cover the agency's reasonable costs to implement this section. Fees collected under this
160.15 subdivision must be deposited in an account in the environmental fund.

160.16 Subd. 7. **Enforcement.** (a) The commissioner may enforce this section under sections
160.17 115.071 and 116.072. The commissioner may coordinate with the commissioners of
160.18 agriculture, commerce, and health in enforcing this section.

160.19 (b) When requested by the commissioner, a person must furnish to the commissioner
160.20 any information that the person may have or may reasonably obtain that is relevant to show
160.21 compliance with this section.

160.22 Subd. 8. **Exemptions.** (a) This section does not apply to:

160.23 (1) a product for which federal law governs the presence of PFAS in the product in a
160.24 manner that preempts state authority;

160.25 (2) a product regulated under section 325F.072 or 325F.075; or

160.26 (3) the sale or resale of a used product.

160.27 (b) Subdivisions 4 and 5 do not apply to a prosthetic or orthotic device or to any product
160.28 that is a medical device or drug or that is otherwise used in a medical setting or in medical
160.29 applications regulated by the United States Food and Drug Administration.

160.30 Subd. 9. **Rules.** The commissioner may adopt rules necessary to implement this section.
160.31 Section 14.125 does not apply to the commissioner's rulemaking authority under this section.

160.32 Subd. 10. **Short title.** This section is "Amara's Law."

161.1 Sec. 22. Minnesota Statutes 2022, section 116C.03, subdivision 2a, is amended to read:

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

161.5 Sec. 23. Minnesota Statutes 2022, section 325E.046, is amended to read:

161.6 **325E.046 STANDARDS FOR LABELING PLASTIC BAGS, FOOD OR**
161.7 **BEVERAGE PRODUCTS, AND PACKAGING.**

161.8 Subdivision 1. **"Biodegradable" label.** A manufacturer, distributor, or wholesaler may
161.9 not sell or offer for sale and any other person may not knowingly sell or offer for sale in
161.10 this state a ~~plastic bag~~ covered product labeled "biodegradable," "degradable,"
161.11 "decomposable," or any form of those terms, or in any way imply that the ~~bag covered~~
161.12 product will ~~chemically decompose into innocuous elements in a reasonably short period~~
161.13 of time in a landfill, composting, or other terrestrial environment unless a scientifically
161.14 based standard for biodegradability is developed and the bags are certified as meeting the
161.15 standard: ~~break down, fragment, degrade, biodegrade, or decompose in a landfill or other~~
161.16 environment, unless an ASTM standard specification is adopted for the term claimed and
161.17 the product is certified as meeting the specification in compliance with the provisions of
161.18 subdivision 2a.

161.19 Subd. 2. **"Compostable" label.** (a) A manufacturer, distributor, or wholesaler may not
161.20 sell or offer for sale and any other person may not knowingly sell or offer for sale in this
161.21 state a ~~plastic bag~~ covered product labeled "compostable" unless, at the time of sale or offer
161.22 for sale, the ~~bag~~ covered product:

161.23 (1) meets the ASTM Standard Specification for ~~Compostable~~ Labeling of Plastics
161.24 Designed to be Aerobically Composted in Municipal or Industrial Facilities (D6400). ~~Each~~
161.25 ~~bag must be labeled to reflect that it meets the standard. For purposes of this subdivision,~~
161.26 "ASTM" has the meaning given in section 296A.01, subdivision 6, or its successor or the
161.27 ASTM Standard Specification for Labeling of End Items that Incorporate Plastics and
161.28 Polymers as Coatings or Additives with Paper and Other Substrates Designed to be
161.29 Aerobically Composted in Municipal or Industrial Facilities (D6868) or its successor, and
161.30 the covered product is labeled to reflect that it meets the specification;

161.31 (2) is comprised of only wood without any coatings or additives; or

161.32 (3) is comprised of only paper without any coatings or additives.

162.1 (b) A covered product labeled "compostable" and meeting the criteria under paragraph
162.2 (a) must be clearly and prominently labeled on the product, or on the product's smallest unit
162.3 of sale, to reflect that it is intended for an industrial or commercial compost facility. The
162.4 label required under this paragraph must be in a legible text size and font.

162.5 Subd. 2a. **Certification of products.** Beginning January 1, 2026, a manufacturer,
162.6 distributor, or wholesaler may not sell or offer for sale and any other person may not
162.7 knowingly sell or offer for sale in this state a covered product labeled as "biodegradable"
162.8 or "compostable" unless the covered product is certified as meeting the requirements of
162.9 subdivision 1 or 2, as applicable, by an entity that:

162.10 (1) is a nonprofit corporation;

162.11 (2) as its primary focus of operation, promotes the production, use, and appropriate end
162.12 of life for materials and products that are designed to fully biodegrade in specific biologically
162.13 active environments such as industrial composting; and

162.14 (3) is technically capable of and willing to perform analysis necessary to determine a
162.15 product's compliance with subdivision 1 or 2, as applicable.

162.16 Subd. 3. **Enforcement; civil penalty; injunctive relief.** (a) A ~~manufacturer, distributor,~~
162.17 ~~or wholesaler~~ person who violates ~~subdivision 1 or 2~~ this section is subject to a civil or
162.18 administrative penalty of \$100 for each prepackaged saleable unit sold or offered for sale
162.19 up to a maximum of \$5,000 and may be enjoined from those violations.

162.20 (b) The attorney general may bring an action in the name of the state in a court of
162.21 competent jurisdiction for recovery of civil penalties or for injunctive relief as provided in
162.22 this subdivision. The attorney general may accept an assurance of discontinuance of acts
162.23 in violation of ~~subdivision 1 or 2~~ this section in the manner provided in section 8.31,
162.24 subdivision 2b.

162.25 (c) The commissioner of the Pollution Control Agency may enforce this section under
162.26 sections 115.071 and 116.072. The commissioner may coordinate with the commissioners
162.27 of commerce and health in enforcing this section.

162.28 (d) When requested by the commissioner of the Pollution Control Agency, a person
162.29 selling or offering for sale a covered product labeled as "compostable" must furnish to the
162.30 commissioner any information that the person may have or may reasonably obtain that is
162.31 relevant to show compliance with this section.

162.32 Subd. 4. **Definitions.** For purposes of this section, the following terms have the meanings
162.33 given:

163.1 (1) "ASTM" has the meaning given in section 296A.01, subdivision 6;

163.2 (2) "covered product" means a bag, food or beverage product, or packaging;

163.3 (3) "food or beverage product" means a product that is used to wrap, package, contain,

163.4 serve, store, prepare, or consume a food or beverage, such as plates, bowls, cups, lids, trays,

163.5 straws, utensils, and hinged or lidded containers; and

163.6 (4) "packaging" has the meaning given in section 115A.03, subdivision 22b.

163.7 **EFFECTIVE DATE.** This section is effective January 1, 2025.

163.8 Sec. 24. **[325E.3892] LEAD AND CADMIUM IN CONSUMER PRODUCTS;**

163.9 **PROHIBITION.**

163.10 Subdivision 1. **Definitions.** For purposes of this section, "covered product" means any

163.11 of the following products or product components:

163.12 (1) jewelry;

163.13 (2) toys;

163.14 (3) cosmetics and personal care products;

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

163.16 (5) play sets and play structures;

163.17 (6) outdoor games;

163.18 (7) school supplies;

163.19 (8) pots and pans;

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

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

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

163.23 (12) fidget spinners;

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

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

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

163.27 Subd. 2. **Prohibition.** (a) A person must not import, manufacture, sell, hold for sale, or

163.28 distribute or offer for use in this state any covered product containing:

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

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

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

164.5 Subd. 3. **Enforcement.** (a) The commissioners of the Pollution Control Agency,
164.6 commerce, and health may coordinate to enforce this section. The commissioner of the
164.7 Pollution Control Agency or commerce may, with the attorney general, enforce any federal
164.8 restrictions on the sale of products containing lead or cadmium, or both, as allowed under
164.9 federal law. The commissioner of the Pollution Control Agency may enforce this section
164.10 under sections 115.071 and 116.072. The commissioner of commerce may enforce this
164.11 section under sections 45.027, subdivisions 1 to 6; 325F.10 to 325F.12; and 325F.14 to
164.12 325F.16. The attorney general may enforce this section under section 8.31.

164.13 (b) When requested by the commissioner of the Pollution Control Agency, the
164.14 commissioner of commerce, or the attorney general, a person must furnish to the
164.15 commissioner or attorney general any information that the person may have or may
164.16 reasonably obtain that is relevant to show compliance with this section.

164.17 Sec. 25. Minnesota Statutes 2022, section 325F.072, subdivision 1, is amended to read:

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

164.20 (b) "Class B firefighting foam" means foam designed ~~for flammable liquid fires to~~
164.21 prevent or extinguish a fire in flammable liquids, combustible liquids, petroleum greases,
164.22 tars, oils, oil-based paints, solvents, lacquers, alcohols, and flammable gases.

164.23 (c) "PFAS chemicals" or "perfluoroalkyl and polyfluoroalkyl substances" means, ~~for~~
164.24 ~~the purposes of firefighting agents,~~ a class of fluorinated organic chemicals containing at
164.25 least one fully fluorinated carbon atom ~~and designed to be fully functional in class B~~
164.26 ~~firefighting foam formulations.~~

164.27 (d) "Political subdivision" means a county, city, town, or a metropolitan airports
164.28 commission organized and existing under sections 473.601 to 473.679.

164.29 (e) "State agency" means an agency as defined in section 16B.01, subdivision 2.

164.30 (f) "Testing" means calibration testing, conformance testing, and fixed system testing.

165.1 Sec. 26. Minnesota Statutes 2022, section 325F.072, subdivision 3, is amended to read:

165.2 Subd. 3. **Prohibition of testing and training.** (a) ~~Beginning July 1, 2020,~~ No person,
165.3 political subdivision, or state agency shall ~~discharge class B firefighting foam that contains~~
165.4 ~~intentionally added~~ manufacture or knowingly sell, offer for sale, distribute for sale, or
165.5 distribute for use in this state, and no person shall use in this state, class B firefighting foam
165.6 containing PFAS chemicals:

165.7 (1) ~~for testing purposes, unless the testing facility has implemented appropriate~~
165.8 ~~containment, treatment, and disposal measures to prevent releases of foam to the environment;~~
165.9 ~~or~~

165.10 (2) ~~for training purposes, unless otherwise required by law, and with the condition that~~
165.11 ~~the training event has implemented appropriate containment, treatment, and disposal measures~~
165.12 ~~to prevent releases of foam to the environment. For training purposes, class B foam that~~
165.13 ~~contains intentionally added PFAS chemicals shall not be used.~~

165.14 (b) ~~This section does not restrict:~~

165.15 (1) ~~the manufacture, sale, or distribution of class B firefighting foam that contains~~
165.16 ~~intentionally added PFAS chemicals; or~~

165.17 (2) ~~the discharge or other use of class B firefighting foams that contain intentionally~~
165.18 ~~added PFAS chemicals in emergency firefighting or fire prevention operations.~~

165.19 (b) This subdivision does not apply to the manufacture, sale, distribution, or use of class
165.20 B firefighting foam for which the inclusion of PFAS chemicals is required by federal law,
165.21 including but not limited to Code of Federal Regulations, title 14, section 139.317. If a
165.22 federal requirement to include PFAS chemicals in class B firefighting foam is revoked after
165.23 January 1, 2024, class B firefighting foam subject to the revoked requirements is no longer
165.24 exempt under this paragraph effective one year after the day of revocation.

165.25 (c) This subdivision does not apply to the manufacture, sale, distribution, or use of class
165.26 B firefighting foam for purposes of use at an airport, as defined under section 360.013,
165.27 subdivision 39, until the state fire marshal makes a determination that:

165.28 (1) the Federal Aviation Administration has provided policy guidance on the transition
165.29 to fluorine-free firefighting foam;

165.30 (2) a fluorine-free firefighting foam product is included in the Federal Aviation
165.31 Administration's Qualified Product Database; and

166.1 (3) a firefighting foam product included in the database under clause (2) is commercially
166.2 available in quantities sufficient to reliably meet the requirements under Code of Federal
166.3 Regulations, title 14, part 139.

166.4 (d) Until the state fire marshal makes a determination under paragraph (c), the operator
166.5 of an airport using class B firefighting foam containing PFAS chemicals must, on or before
166.6 December 31 each calendar year, submit a report to the state fire marshal regarding the
166.7 status of the airport's conversion to class B firefighting foam products without intentionally
166.8 added PFAS, the disposal of class B firefighting foam products with intentionally added
166.9 PFAS, and an assessment of the factors listed in paragraph (c) as applied to the airport.

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

166.11 Sec. 27. Minnesota Statutes 2022, section 325F.072, is amended by adding a subdivision
166.12 to read:

166.13 **Subd. 3a. Discharge for testing and training.** A person, political subdivision, or state
166.14 agency exempted from the prohibitions under subdivision 3 may not discharge class B
166.15 firefighting foam that contains intentionally added PFAS chemicals for:

166.16 (1) testing purposes, unless the testing facility has implemented appropriate containment,
166.17 treatment, and disposal measures to prevent releases of foam to the environment; or

166.18 (2) training purposes, unless otherwise required by law, and with the condition that the
166.19 training event has implemented appropriate containment, treatment, and disposal measures
166.20 to prevent releases of foam to the environment.

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

166.22 Sec. 28. **TREATED SEED WASTE DISPOSAL RULEMAKING.**

166.23 The commissioner of the Pollution Control Agency, in consultation with the commissioner
166.24 of agriculture and the University of Minnesota, must adopt rules under Minnesota Statutes,
166.25 chapter 14, providing for the safe and lawful disposal of waste treated seed. The rules must
166.26 clearly identify the regulatory jurisdiction of state agencies and local governments with
166.27 regard to such seed. Additional Department of Agriculture staff will not be hired until
166.28 rulemaking is completed.

166.29 Sec. 29. **PETROLEUM TANK RELEASE CLEANUP; REPORT.**

166.30 The commissioner of the Pollution Control Agency must perform the duties under clauses
166.31 (1) to (5) with respect to the petroleum tank release cleanup program governed by Minnesota

167.1 Statutes, chapter 115C, and must, no later than January 15, 2025, report the results to the
167.2 chairs and ranking minority members of the senate and house of representatives committees
167.3 with primary jurisdiction over environment policy and finance. The report must include any
167.4 recommendations for legislation. The commissioner must:

167.5 (1) explicitly define the conditions that must be present in order for the commissioner
167.6 to classify a site as posing a low potential risk to public health and the environment and
167.7 ensure that all agency staff use the definition in assessing potential risks. In determining
167.8 the conditions that indicate that a site poses a low risk, the commissioner must consider
167.9 relevant site conditions, including but not limited to the nature of groundwater flow, soil
167.10 type, and proximity of features at or near the site that could potentially become contaminated;

167.11 (2) develop guidelines to incorporate consideration of potential future uses of a
167.12 contaminated property into all agency staff decisions regarding site remediation;

167.13 (3) develop scientifically based and measurable technical standards that allow the quality
167.14 of the agency's performance in remediating petroleum-contaminated properties to be
167.15 evaluated and conduct such evaluations periodically;

167.16 (4) in collaboration with the Petroleum Tank Release Compensation Board and the
167.17 commissioner of commerce, examine whether and how to establish technical qualifications
167.18 for consultants hired to remediate petroleum-contaminated properties as a strategy to improve
167.19 the quality of remediation work and how agencies can share information on consultant
167.20 performance; and

167.21 (5) in collaboration with the commissioner of commerce, make consultants who remediate
167.22 petroleum-contaminated sites more accountable for the quality of their work by:

167.23 (i) requiring a thorough evaluation of the past performance of a contractor being
167.24 considered for hire;

167.25 (ii) developing a formal system of measures and procedures by which to evaluate the
167.26 work; and

167.27 (iii) sharing evaluations with the commissioner of commerce and with responsible parties.

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

167.29 **Sec. 30. PFAS MANUFACTURERS FEE WORK GROUP.**

167.30 The commissioner of the Pollution Control Agency, in cooperation with the
167.31 commissioners of revenue and management and budget, must establish a work group to
167.32 review options for collecting a fee from manufacturers of PFAS in the state. By February

168.1 15, 2024, the commissioner must submit a report to the chairs and ranking minority members
168.2 of the legislative committees and divisions with jurisdiction over environment and natural
168.3 resources with recommendations.

168.4 Sec. 31. **TEMPORARY EXEMPTION FOR TERMINALS AND OIL REFINERIES.**

168.5 Subdivision 1. **Temporary exemption.** Minnesota Statutes, section 325F.072, subdivision
168.6 3, does not apply to the manufacture, sale, distribution, or use of class B firefighting foam
168.7 for the purposes of use at a terminal or oil refinery until January 1, 2026.

168.8 Subd. 2. **Extension; waiver.** (a) A person who operates a terminal or oil refinery may
168.9 apply to the state fire marshal for a waiver to extend the exemption under subdivision 1
168.10 beyond January 1, 2026, as provided in this subdivision.

168.11 (b) The state fire marshal may grant a waiver to extend the exemption under subdivision
168.12 1 for a specific use if the applicant provides all of the following:

168.13 (1) clear and convincing evidence that there is no commercially available replacement
168.14 that does not contain intentionally added PFAS chemicals and that is capable of suppressing
168.15 fire for that specific use;

168.16 (2) information on the amount of firefighting foam containing intentionally added PFAS
168.17 chemicals stored, used, or released on-site on an annual basis;

168.18 (3) a detailed plan, with timelines, for the operator of the terminal or oil refinery to
168.19 transition to firefighting foam that does not contain intentionally added PFAS chemicals
168.20 for that specific use; and

168.21 (4) a plan for meeting the requirements under subdivision 3.

168.22 (c) The state fire marshal must ensure there is an opportunity for public comment during
168.23 the waiver process. The state fire marshal must consider both information provided by the
168.24 applicant and information provided through public comment when making a decision on
168.25 whether to grant a waiver. The term of a waiver must not exceed two years. The state fire
168.26 marshal must not grant a waiver for a specific use if any other terminal or oil refinery is
168.27 known to have transitioned to commercially available class B firefighting foam that does
168.28 not contain intentionally added PFAS chemicals for that specific use. All waivers must
168.29 expire by January 1, 2028. A person that anticipates applying for a waiver for a terminal or
168.30 oil refinery must submit a notice of intent to the state fire marshal by January 1, 2025, in
168.31 order to be considered for a waiver beyond January 1, 2026. The state fire marshal must
168.32 notify the waiver applicant of a decision within six months of the waiver submission date.

169.1 (d) The state fire marshal must provide an applicant for a waiver under this subdivision
169.2 an opportunity to:

169.3 (1) correct deficiencies when applying for a waiver; and

169.4 (2) provide evidence to dispute a determination that another terminal or oil refinery is
169.5 known to have transitioned to commercially available class B firefighting foam that does
169.6 not contain intentionally added PFAS chemicals for that specific use, including evidence
169.7 that the specific use is different.

169.8 Subd. 3. Use requirements. (a) A person that uses class B firefighting foam containing
169.9 intentionally added PFAS chemicals under this section must:

169.10 (1) implement tactics that have been demonstrated to prevent release directly to the
169.11 environment, such as to unsealed ground, soakage pits, waterways, or uncontrolled drains;

169.12 (2) attempt to fully contain all firefighting foams with PFAS on-site using demonstrated
169.13 practices designed to contain all PFAS releases;

169.14 (3) implement containment measures such as bunds and ponds that are controlled, are
169.15 impervious to PFAS chemicals, and do not allow fire water, wastewater, runoff, and other
169.16 wastes to be released to the environment, such as to soils, groundwater, waterways, or
169.17 stormwater; and

169.18 (4) dispose of all fire water, wastewater, runoff, impacted soils, and other wastes in a
169.19 way that prevents releases to the environment.

169.20 (b) A terminal or oil refinery that has received a waiver under this section may provide
169.21 and use class B firefighting foam containing intentionally added PFAS chemicals in the
169.22 form of mutual aid to another terminal or oil refinery at the request of authorities only if
169.23 the other terminal or oil refinery also has a waiver.

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

169.25 **Sec. 32. FIREFIGHTER TURNOUT GEAR; REPORT.**

169.26 (a) The commissioner of the Pollution Control Agency, in cooperation with the
169.27 commissioner of health, must submit a report to the chairs and ranking minority members
169.28 of the legislative committees and divisions with jurisdiction over environment and natural
169.29 resources regarding perfluoroalkyl and polyfluoroalkyl substances (PFAS) in turnout gear
169.30 by January 15, 2024. The report must include:

169.31 (1) current turnout gear requirements and options for eliminating or reducing PFAS in
169.32 turnout gear;

170.1 (2) current turnout gear disposal methods and recommendations for future disposal to
170.2 prevent PFAS contamination; and

170.3 (3) recommendations and protocols for PFAS biomonitoring in firefighters, including
170.4 a process for allowing firefighters to voluntarily register for biomonitoring.

170.5 (b) For the purposes of this section, "turnout gear" is the personal protective equipment
170.6 (PPE) used by firefighters.

170.7 **Sec. 33. PFAS WATER QUALITY STANDARDS.**

170.8 (a) The commissioner of the Pollution Control Agency must adopt rules establishing
170.9 water quality standards for:

170.10 (1) perfluorooctanoic acid (PFOA);

170.11 (2) perfluorooctane sulfonic acid (PFOS);

170.12 (3) perfluorononanoic acid (PFNA);

170.13 (4) hexafluoropropylene oxide dimer acid (HFPO-DA, commonly known as GenX
170.14 chemicals);

170.15 (5) perfluorohexane sulfonic acid (PFHxS); and

170.16 (6) perfluorobutane sulfonic acid (PFBS).

170.17 (b) The commissioner must adopt the rules establishing the water quality standards
170.18 required under this section by July 1, 2026, and Minnesota Statutes, section 14.125, does
170.19 not apply.

170.20 **Sec. 34. HEALTH RISK LIMIT; PERFLUOROOCTANE SULFONATE.**

170.21 By July 1, 2026, the commissioner of health must amend the health risk limit for
170.22 perfluorooctane sulfonate (PFOS) in Minnesota Rules, part 4717.7860, subpart 15, so that
170.23 the health risk limit does not exceed 0.015 parts per billion. In amending the health risk
170.24 limit for PFOS, the commissioner must comply with Minnesota Statutes, section 144.0751,
170.25 requiring a reasonable margin of safety to adequately protect the health of infants, children,
170.26 and adults.

170.27 **Sec. 35. RESOURCE MANAGEMENT; REPORT.**

170.28 (a) By July 15, 2025, the commissioner of the Pollution Control Agency must conduct
170.29 a study and prepare a report that includes a pathway to implement resource management
170.30 policies, programs, and infrastructure. The commissioner must submit the report to the

171.1 chairs and ranking minority members of the senate and house of representatives committees
171.2 with jurisdiction over environmental policy and finance and energy policy. The report must
171.3 include:

171.4 (1) an overview of how municipal solid waste is currently managed, including how much
171.5 material is generated in the state and is reused, recycled, composted, digested, or disposed
171.6 of;

171.7 (2) a summary of infrastructure, programs, policies, and resources needed to reduce the
171.8 amount of materials disposed of in landfills or incinerators statewide by more than 90 percent
171.9 over a 2021 baseline by 2045 or sooner. The summary must include analysis and
171.10 recommendations of scenarios above Waste-to-Energy on the state's Waste Hierarchy that
171.11 maximizes the environmental benefits when meeting the 90 percent reduction target;

171.12 (3) an analysis of:

171.13 (i) waste prevention program impacts and opportunities;

171.14 (ii) how much additional capacity is needed after prevention for reuse, recycling,
171.15 composting, and anaerobic digestion systems to achieve that goal; and

171.16 (iii) what steps can be taken to implement that additional capacity, including working
171.17 collaboratively with local governments, industry, and community-based organizations to
171.18 invest in such facilities and to work together to seek additional state and federal funding
171.19 assistance;

171.20 (4) strategic programmatic, regulatory, and policy initiatives that will be required to
171.21 produce source reduction, rethink and redesign products and packaging to more efficiently
171.22 use resources, and maximize diversion from disposal of materials in a way that prevents
171.23 pollution and does not discharge to land, water, or air or threaten the environment or human
171.24 health;

171.25 (5) recommendations for reducing the environmental and human health impacts of waste
171.26 management, especially across environmental justice areas as defined under Minnesota
171.27 Statutes, section 115A.03, and ensuring that the benefits of these resource management
171.28 investments, including the creation of well-paying green jobs, flow to disadvantaged
171.29 communities that are marginalized, underserved, and overburdened by pollution and that
171.30 land, water, air, and climate impacts are considered; and

171.31 (6) a review of feasibility, assumptions, costs, and milestones necessary to meet study
171.32 goals.

172.1 (b) The commissioner must obtain input from counties and cities inside and outside the
172.2 seven-county metropolitan area; reuse, recycling, and composting facilities; anaerobic
172.3 digestion facilities; waste haulers; environmental organizations; community-based
172.4 organizations; Tribal representatives; and diverse communities located in environmental
172.5 justice areas that contain a waste facility. The commissioner must provide for an open public
172.6 comment period of at least 60 days on the draft report. Written public comments and
172.7 commissioner responses to all those comments must be included in the final report.

172.8 **Sec. 36. REPORT REQUIRED; RECYCLING AND REUSING SOLAR**
172.9 **PHOTOVOLTAIC MODULES AND INSTALLATION COMPONENTS.**

172.10 (a) The commissioner of the Pollution Control Agency, in consultation with the
172.11 commissioners of commerce and employment and economic development, must coordinate
172.12 preparation of a report on developing a statewide system to reuse and recycle solar
172.13 photovoltaic modules and installation components in the state.

172.14 (b) The report must include options for a system to collect, reuse, and recycle solar
172.15 photovoltaic modules and installation components at end of life. Any system option included
172.16 in the report must be convenient and accessible throughout the state, recover 100 percent
172.17 of discarded components, and maximize value and materials recovery. Any system option
172.18 developed must include analysis of:

172.19 (1) the reuse and recycling values of solar photovoltaic modules, installation components,
172.20 and recovered materials;

172.21 (2) system infrastructure and technology needs;

172.22 (3) how to maximize in-state employment and economic development;

172.23 (4) net costs for the program; and

172.24 (5) potential benefits and negative impacts of the plan on environmental justice and
172.25 Tribal communities.

172.26 (c) The report must include a survey of solar photovoltaic modules and installation
172.27 components that are currently coming out of service and those projected to come out of
172.28 service in the future in Minnesota. The report must include a description of how solar
172.29 photovoltaic modules and installation components are currently being managed at end of
172.30 life and how they would likely be managed in the future without the proposed reuse and
172.31 recycling system.

173.1 (d) After completing the report, the commissioner must convene a working group to
173.2 advise on developing policy recommendations for a statewide system to manage solar
173.3 photovoltaic modules and installation components. The working group must include, but
173.4 is not limited to:

173.5 (1) the commissioners of commerce and employment and economic development or
173.6 their designees;

173.7 (2) representatives of the solar industry and electric utilities;

173.8 (3) representatives of state, local, and Tribal governments; and

173.9 (4) other relevant stakeholders.

173.10 (e) By January 15, 2025, the commissioner must submit the report and the policy
173.11 recommendations developed under this section to the chairs and ranking minority members
173.12 of the legislative committees and divisions with jurisdiction over environment and natural
173.13 resources policy and finance and energy policy and finance.

173.14 Sec. 37. **REVISOR INSTRUCTION.**

173.15 The revisor of statutes must change the term "master plan" or similar term to "plan"
173.16 wherever the term appears in Minnesota Statutes, sections 473.803 to 473.8441. The revisor
173.17 may make grammatical changes related to the term change.

173.18 Sec. 38. **REPEALER.**

173.19 Minnesota Statutes 2022, sections 115.44, subdivision 9; 116.011; 325E.389; and
173.20 325E.3891, are repealed.

173.21 **ARTICLE 4**

173.22 **NATURAL RESOURCES**

173.23 Section 1. Minnesota Statutes 2022, section 84.02, is amended by adding a subdivision
173.24 to read:

173.25 Subd. 6c. **Restored prairie.** "Restored prairie" means a restoration that uses at least 25
173.26 representative and biologically diverse native prairie plant species and that occurs on land
173.27 that was previously cropped or used as pasture.

174.1 Sec. 2. Minnesota Statutes 2022, section 84.415, subdivision 3, is amended to read:

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

174.10 Sec. 3. Minnesota Statutes 2022, section 84.415, subdivision 6, is amended to read:

174.11 Subd. 6. **Supplemental application fee and monitoring fee.** (a) In addition to the
174.12 application fee and utility crossing fees specified in Minnesota Rules, the commissioner of
174.13 natural resources shall assess the applicant for a utility license the following fees:

174.14 (1) a to cover reasonable costs for reviewing an application and preparing a license,
174.15 supplemental application fee of fees as follows:

174.16 (i) \$1,750 for a public water crossing license and a supplemental application fee of
174.17 \$3,000 for a public lands crossing license, to cover reasonable costs for reviewing the
174.18 application and preparing the license for electric power lines, cables, or conduits of 100
174.19 kilovolts or more and for main pipelines for gas, liquids, or solids in suspension;

174.20 (ii) \$1,000 for a public water crossing license and \$1,000 for a public lands crossing
174.21 license for applications to which item (i) does not apply; and

174.22 (iii) for all applications, an additional \$500 for each water crossing or land crossing in
174.23 excess of two crossings; and

174.24 (2) a monitoring fee to cover the projected reasonable costs for monitoring the
174.25 construction of the utility line and preparing special terms and conditions of the license to
174.26 ensure proper construction. The commissioner must give the applicant an estimate of the
174.27 monitoring fee before the applicant submits the fee.

174.28 (b) The applicant shall pay fees under this subdivision to the commissioner of natural
174.29 resources. The commissioner shall not issue the license until the applicant has paid all fees
174.30 in full.

174.31 (c) Upon completion of construction of the improvement for which the license or permit
174.32 was issued, the commissioner shall refund the unobligated balance from the monitoring fee

175.1 revenue. The commissioner shall not return the application fees, even if the application is
175.2 withdrawn or denied.

175.3 ~~(d) If the fees collected under paragraph (a), clause (1), are not sufficient to cover the~~
175.4 ~~costs of reviewing the applications and preparing the licenses, the commissioner shall~~
175.5 ~~improve efficiencies and otherwise reduce department costs and activities to ensure the~~
175.6 ~~revenues raised under paragraph (a), clause (1), are sufficient, and that no other funds are~~
175.7 ~~necessary to carry out the requirements.~~

175.8 (d) For purposes of this subdivision:

175.9 (1) "water crossing" means each location where the proposed utility will cross a public
175.10 water between banks or shores; and

175.11 (2) "land crossing" means each quarter-quarter section or government lot where the
175.12 proposed utility will cross public land.

175.13 Sec. 4. Minnesota Statutes 2022, section 84.415, subdivision 7, is amended to read:

175.14 Subd. 7. **Application fee exemption.** (a) A utility license for crossing public lands or
175.15 public waters is exempt from all application fees specified in this section and in rules adopted
175.16 under this section.

175.17 (b) This subdivision does not apply to electric power lines, cables, or conduits 100
175.18 kilovolts or greater or to main pipelines for gas, liquids, or solids in suspension.

175.19 Sec. 5. Minnesota Statutes 2022, section 84.415, is amended by adding a subdivision to
175.20 read:

175.21 Subd. 9. **Fees for renewing license.** At the end of the license period, if both parties wish
175.22 to renew a license, the commissioner must assess the applicant for all fees in this section
175.23 as if the renewal is an application for a new license.

175.24 Sec. 6. Minnesota Statutes 2022, section 84.788, subdivision 5, is amended to read:

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

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

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

176.3 Sec. 7. Minnesota Statutes 2022, section 84.82, subdivision 2, is amended to read:

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

176.8 (b) A person who purchases a snowmobile from a retail dealer shall make application
176.9 for registration to the dealer at the point of sale. The dealer shall issue a dealer temporary
176.10 21-day registration permit to each purchaser who applies to the dealer for registration. The
176.11 temporary permit must contain the dealer's identification number and phone number. Each
176.12 retail dealer shall submit completed registration and fees to the deputy registrar at least once
176.13 a week. No fee may be charged by a dealer to a purchaser for providing the temporary
176.14 permit.

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

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

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

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

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

177.5 Sec. 8. Minnesota Statutes 2022, section 84.82, is amended by adding a subdivision to
177.6 read:

177.7 Subd. 3b. Display of registration decal. (a) A person must not operate a snowmobile
177.8 in the state or allow another to operate the person's snowmobile in the state unless the
177.9 snowmobile has its unexpired registration decal affixed to each side of the snowmobile and
177.10 the decals are legible.

177.11 (b) The registration decal must be affixed:

177.12 (1) for snowmobiles made after June 30, 1972, in the areas provided by the manufacturer
177.13 under section 84.821, subdivision 2; and

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

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

177.18 Sec. 9. Minnesota Statutes 2022, section 84.821, subdivision 2, is amended to read:

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

177.25 Sec. 10. Minnesota Statutes 2022, section 84.84, is amended to read:

177.26 **84.84 TRANSFER OR TERMINATION OF SNOWMOBILE OWNERSHIP.**

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

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

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

178.7 Sec. 11. Minnesota Statutes 2022, section 84.86, subdivision 1, is amended to read:

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

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

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

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

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

178.17 (5) specifications relating to snowmobile mufflers; and

178.18 (6) a comprehensive snowmobile information and safety education and training program;
178.19 ~~including that includes~~ but is not limited to ~~the preparation and dissemination of preparing~~
178.20 and disseminating snowmobile information and safety advice to the public, ~~the training of~~
178.21 snowmobile operators, and ~~the issuance of~~ issuing snowmobile safety certificates to
178.22 snowmobile operators who successfully complete the snowmobile safety education and
178.23 training course.

178.24 (b) For the purpose of administering ~~such~~ the program under paragraph (a), clause (6),
178.25 and to defray expenses of training and certifying snowmobile operators, the commissioner
178.26 shall collect a fee from each person who receives the youth or adult training. The
178.27 commissioner shall collect a fee, to include a \$1 issuing fee for licensing agents, for issuing
178.28 a duplicate snowmobile safety certificate. The commissioner shall establish both fees in a
178.29 manner that neither significantly overrecovers nor underrecovers costs, including overhead
178.30 costs, involved in providing the services. The fees are not subject to the rulemaking provisions
178.31 of chapter 14, and section 14.386 does not apply. The fees may be established by the
178.32 commissioner notwithstanding section 16A.1283. The fees, except for the issuing fee for

179.1 licensing agents under this subdivision, shall be deposited in the snowmobile trails and
179.2 enforcement account in the natural resources fund and the amount thereof, except for the
179.3 electronic licensing system commission established by the commissioner under section
179.4 84.027, subdivision 15, and issuing fees collected by the commissioner, is appropriated
179.5 annually to the Enforcement Division of the Department of Natural Resources for ~~the~~
179.6 ~~administration of such~~ administering the programs. In addition to the fee established by the
179.7 commissioner, instructors may charge each person any fee paid by the instructor for the
179.8 person's online training course and up to the established fee amount for class materials and
179.9 expenses. The commissioner shall cooperate with private organizations and associations,
179.10 private and public corporations, and local governmental units in furtherance of the program
179.11 established under ~~this~~ paragraph (a), clause (6). School districts may cooperate with the
179.12 commissioner and volunteer instructors to provide space for the classroom portion of the
179.13 training. The commissioner shall consult with the commissioner of public safety in regard
179.14 to training program subject matter and performance testing that leads to the certification of
179.15 snowmobile operators.

179.16 ~~(7)~~ (c) The operator of any snowmobile involved in an accident resulting in injury
179.17 requiring medical attention or hospitalization to or death of any person or total damage to
179.18 an extent of \$500 or more, shall forward a written report of the accident to the commissioner
179.19 on ~~such~~ a form as prescribed by the commissioner ~~shall prescribe~~. If the operator is killed
179.20 or is unable to file a report due to incapacitation, any peace officer investigating the accident
179.21 shall file the accident report within ten business days.

179.22 Sec. 12. Minnesota Statutes 2022, section 84.87, subdivision 1, is amended to read:

179.23 Subdivision 1. **Operation on streets and highways.** (a) No person shall operate a
179.24 snowmobile upon the roadway, shoulder, or inside bank or slope of any trunk, county
179.25 state-aid, or county highway in this state and, in the case of a divided trunk or county
179.26 highway, on the right-of-way between the opposing lanes of traffic, except as provided in
179.27 sections 84.81 to 84.90. No person shall operate a snowmobile within the right-of-way of
179.28 any trunk, county state-aid, or county highway between the hours of one-half hour after
179.29 sunset to one-half hour before sunrise, except on the right-hand side of such right-of-way
179.30 and in the same direction as the highway traffic on the nearest lane of the roadway adjacent
179.31 thereto. No snowmobile shall be operated at any time within the right-of-way of any interstate
179.32 highway or freeway within this state.

179.33 (b) Notwithstanding any provision of paragraph (a) to the contrary:

180.1 (1) under conditions prescribed by the commissioner of transportation, the commissioner
180.2 of transportation may allow two-way operation of snowmobiles on either side of the trunk
180.3 highway right-of-way where the commissioner of transportation determines that two-way
180.4 operation will not endanger users of the trunk highway or riders of the snowmobiles using
180.5 the trail;

180.6 (2) under conditions prescribed by a local road authority as defined in section 160.02,
180.7 subdivision 25, the road authority may allow two-way operation of snowmobiles on either
180.8 side of the right-of-way of a street or highway under the road authority's jurisdiction, where
180.9 the road authority determines that two-way operation will not endanger users of the street
180.10 or highway or riders of the snowmobiles using the trail;

180.11 (3) the commissioner of transportation under clause (1) and the local road authority
180.12 under clause (2) shall notify the commissioner of natural resources and the local law
180.13 enforcement agencies responsible for the streets or highways of the locations of two-way
180.14 snowmobile trails authorized under this paragraph; and

180.15 (4) two-way snowmobile trails authorized under this paragraph shall be posted for
180.16 two-way operation at the authorized locations.

180.17 (c) A snowmobile may make a direct crossing of a street or highway at any hour of the
180.18 day provided:

180.19 (1) the crossing is made at an angle of approximately 90 degrees to the direction of the
180.20 highway and at a place where no obstruction prevents a quick and safe crossing;

180.21 (2) the snowmobile is brought to a complete stop before crossing the shoulder or main
180.22 traveled way of the highway;

180.23 (3) the driver yields the right-of-way to all oncoming traffic which constitutes an
180.24 immediate hazard;

180.25 (4) in crossing a divided highway, the crossing is made only at an intersection of such
180.26 highway with another public street or highway or at a safe location approved by the road
180.27 authority;

180.28 (5) if the crossing is made between the hours of one-half hour after sunset to one-half
180.29 hour before sunrise or in conditions of reduced visibility, only if both front and rear lights
180.30 are on; and

180.31 (6) a snowmobile may be operated upon a bridge, other than a bridge that is part of the
180.32 main traveled lanes of an interstate highway, when required for the purpose of avoiding
180.33 obstructions to travel when no other method of avoidance is possible; provided the

181.1 snowmobile is operated in the extreme right-hand lane, the entrance to the roadway is made
181.2 within 100 feet of the bridge and the crossing is made without undue delay.

181.3 (d) No snowmobile shall be operated upon a public street or highway unless it is equipped
181.4 with at least one headlamp, one tail lamp, each of minimum candlepower as prescribed by
181.5 rules of the commissioner, reflector material of a minimum area of 16 square inches mounted
181.6 on each side forward of the handle bars, and with brakes each of which shall conform to
181.7 standards prescribed by rule of the commissioner pursuant to the authority vested in the
181.8 commissioner by section 84.86, and each of which shall be subject to approval of the
181.9 commissioner of public safety.

181.10 (e) A snowmobile may be operated upon a public street or highway other than as provided
181.11 by paragraph (c) in an emergency during the period of time when and at locations where
181.12 snow upon the roadway renders travel by automobile impractical.

181.13 (f) All provisions of chapters 169 and 169A shall apply to the operation of snowmobiles
181.14 upon streets and highways, except for those relating to required equipment, and except those
181.15 which by their nature have no application. Section 169.09 applies to the operation of
181.16 snowmobiles anywhere in the state or on the ice of any boundary water of the state.

181.17 (g) Any sled, trailer, or other device being towed by a snowmobile must be equipped
181.18 with reflective materials as required by rule of the commissioner.

181.19 Sec. 13. Minnesota Statutes 2022, section 84.90, subdivision 7, is amended to read:

181.20 Subd. 7. **Penalty.** (a) A person violating the provisions of this section is guilty of a
181.21 misdemeanor.

181.22 (b) Notwithstanding section 609.101, subdivision 4, clause (2), the minimum fine for a
181.23 person who operates an off-highway motorcycle, off-road vehicle, all-terrain vehicle, or
181.24 snowmobile in violation of this section must not be less than the amount set forth in section
181.25 84.775.

181.26 Sec. 14. Minnesota Statutes 2022, section 84.922, subdivision 4, is amended to read:

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

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

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

182.3 Sec. 15. [84.9735] INSECTICIDES ON STATE LANDS.

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

182.7 Sec. 16. Minnesota Statutes 2022, section 84.992, subdivision 2, is amended to read:

182.8 Subd. 2. **Program.** The commissioner of natural resources shall develop and implement
182.9 a program for the Minnesota Naturalist Corps that supports state parks and trails in providing
182.10 interpretation of the natural and cultural features of state parks and trails in order to enhance
182.11 visitors' awareness, understanding, and appreciation of those features and encourages the
182.12 wise and sustainable use of the environment.

182.13 Sec. 17. Minnesota Statutes 2022, section 84.992, subdivision 5, is amended to read:

182.14 Subd. 5. **Eligibility.** A person is eligible to enroll in the Minnesota Naturalist Corps if
182.15 the person:

182.16 ~~(1) is a permanent resident of the state;~~

182.17 ~~(2) is a participant in an approved college internship program in a field related to natural~~
182.18 ~~resources, cultural history, interpretation, or conservation; and~~

182.19 ~~(3) has completed at least one year of postsecondary education.~~

182.20 Sec. 18. Minnesota Statutes 2022, section 84D.02, subdivision 3, is amended to read:

182.21 Subd. 3. **Management plan.** By December 31, 2023, and every five years thereafter,
182.22 the commissioner shall prepare ~~and maintain~~ a long-term plan, which may include specific
182.23 plans for individual species and actions, for the statewide management of invasive species
182.24 of aquatic plants and wild animals. The plan must address:

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

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

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

- 183.1 (4) coordinated control of selected invasive species of aquatic plants and wild animals
183.2 on lands and public waters;
- 183.3 (5) participation by lake associations, local citizen groups, and local units of government
183.4 in the development and implementation of local management efforts;
- 183.5 (6) a reasonable and workable inspection requirement for watercraft and equipment
183.6 including those participating in organized events on the waters of the state;
- 183.7 (7) the closing of points of access to infested waters, if the commissioner determines it
183.8 is necessary, for a total of not more than seven days during the open water season for control
183.9 or eradication purposes;
- 183.10 (8) maintaining public accesses on infested waters to be reasonably free of aquatic
183.11 macrophytes; ~~and~~
- 183.12 (9) notice to travelers of the penalties for violation of laws relating to invasive species
183.13 of aquatic plants and wild animals; and
- 183.14 (10) the impacts of climate change on invasive species management.

183.15 Sec. 19. Minnesota Statutes 2022, section 84D.10, subdivision 3, is amended to read:

183.16 Subd. 3. **Removal and confinement.** (a) A conservation officer or other licensed peace
183.17 officer may order:

183.18 (1) the removal of aquatic macrophytes or prohibited invasive species from water-related
183.19 equipment, including decontamination using hot water or high pressure equipment ~~when~~
183.20 ~~available on site~~, before the water-related equipment is transported or before it is placed
183.21 into waters of the state;

183.22 (2) confinement of the water-related equipment at a mooring, dock, or other location
183.23 until the water-related equipment is removed from the water;

183.24 (3) removal of water-related equipment from waters of the state to remove prohibited
183.25 invasive species if the water has not been listed by the commissioner as being infested with
183.26 that species;

183.27 (4) a prohibition on placing water-related equipment into waters of the state when the
183.28 water-related equipment has aquatic macrophytes or prohibited invasive species attached
183.29 in violation of subdivision 1 or when water has not been drained or the drain plug has not
183.30 been removed in violation of subdivision 4; and

183.31 (5) decontamination of water-related equipment ~~when available on site~~.

184.1 (b) An order for removal of prohibited invasive species under paragraph (a), clause (1),
184.2 or decontamination of water-related equipment under paragraph (a), clause (5), may include
184.3 tagging the water-related equipment and issuing a notice that specifies a time frame for
184.4 completing the removal or decontamination and reinspection of the water-related equipment.

184.5 (c) An inspector who is not a licensed peace officer may issue orders under paragraph
184.6 (a), clauses (1), (3), (4), and (5).

184.7 Sec. 20. Minnesota Statutes 2022, section 85.015, subdivision 10, is amended to read:

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

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

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

184.20 (1) fencing of portions of the trail where necessary to protect adjoining landowners; and

184.21 (2) ~~the maintenance of~~ maintaining the trail in a ~~litter-free~~ litter-free condition to the
184.22 extent practicable.

184.23 (d) The commissioner shall not acquire any of the right-of-way of the Chicago
184.24 Northwestern Railway Company until the abandonment of the line described in this
184.25 subdivision has been approved by the Surface Transportation Board or the former Interstate
184.26 Commerce Commission. Compensation, in addition to the value of the land, shall include
184.27 improvements made by the railroad, including but not limited to, bridges, trestles, public
184.28 road crossings, or any portion thereof, it being the desire of the railroad that such
184.29 improvements be included in the conveyance. The fair market value of the land and
184.30 improvements shall be recommended by two independent appraisers mutually agreed upon
184.31 by the parties. The fair market value thus recommended shall be reviewed by a review
184.32 appraiser agreed to by the parties, and the fair market value thus determined, and supported
184.33 by appraisals, may be the purchase price. The commissioner may exchange lands with

185.1 landowners abutting the right-of-way described in this section to eliminate diagonally shaped
185.2 separate fields.

185.3 Sec. 21. Minnesota Statutes 2022, section 85.052, subdivision 6, is amended to read:

185.4 Subd. 6. **State park reservation system.** (a) The commissioner may, by written order,
185.5 develop reasonable reservation policies for ~~campsites and other~~ using camping, lodging,
185.6 and day-use facilities and for tours, educational programs, seminars, events, and rentals.
185.7 The policies are exempt from the rulemaking provisions under chapter 14, and section
185.8 14.386 does not apply.

185.9 (b) The revenue collected from the state park reservation fee established under subdivision
185.10 5, including interest earned, ~~shall~~ must be deposited in the state park account in the natural
185.11 resources fund and is annually appropriated to the commissioner for the cost of operating
185.12 the state park reservation and point-of-sale system.

185.13 Sec. 22. Minnesota Statutes 2022, section 86B.005, is amended by adding a subdivision
185.14 to read:

185.15 Subd. 11a. **Other commercial operation.** "Other commercial operation" means use of
185.16 a watercraft for work, rather than recreation, to transport equipment, goods, and materials
185.17 on public waters.

185.18 Sec. 23. **[86B.30] DEFINITIONS.**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

186.13 Subd. 5. **Motorboat rental business.** "Motorboat rental business" means a person
186.14 engaged in the business of renting or leasing motorboats, including personal watercraft, for
186.15 a period not exceeding 30 days. Motorboat rental business includes a person's agents and
186.16 employees but does not include a resort business.

186.17 Subd. 6. **Resort business.** "Resort business" means a person that is engaged in the
186.18 business of providing lodging and recreational services to transient guests and that is
186.19 classified as a resort under section 273.13, subdivision 22 or 25. A resort business includes
186.20 a person's agents and employees.

186.21 Subd. 7. **Young operator.** "Young operator" means a motorboat operator, including a
186.22 personal watercraft operator, younger than 12 years of age.

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

186.24 Sec. 24. **[86B.302] WATERCRAFT OPERATOR'S PERMIT.**

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

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

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

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

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

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

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

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

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

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

187.20 EFFECTIVE DATE. This section is effective July 1, 2025.

187.21 **Sec. 25. [86B.303] OPERATING PERSONAL WATERCRAFT AND OTHER**
187.22 **MOTORBOATS.**

187.23 Subdivision 1. Adult operators. An adult operator may not operate a motorboat,
187.24 including a personal watercraft, unless:

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

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

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

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

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

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

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

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

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

188.14 Sec. 26. **[86B.304] WATERCRAFT SAFETY PROGRAM.**

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

188.26 (b) The commissioner must create or designate a short boater safety examination to be
188.27 administered by motorboat rental businesses, as required by section 86B.306, subdivision
188.28 3. The examination developed under this paragraph must be one that can be administered
188.29 electronically or on paper, at the option of the motorboat rental business administering the
188.30 examination.

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

189.1 Sec. 27. **[86B.306] MOTORBOAT RENTAL BUSINESSES.**

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

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

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

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

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

189.15 (b) Each authorized operator, other than those holding a valid watercraft operator's permit
189.16 or an exempt operator, must review the summary provided under this subdivision and must
189.17 take a short boater safety examination in a form approved by the commissioner before the
189.18 motorboat or personal watercraft leaves the motorboat rental business premises, unless the
189.19 authorized operator has taken the examination during the previous 180 days.

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

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

189.26 Sec. 28. Minnesota Statutes 2022, section 86B.313, subdivision 4, is amended to read:

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

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

189.31 (2) the safe operation of personal watercraft.

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

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

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

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

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

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

190.20 Sec. 29. Minnesota Statutes 2022, section 86B.415, subdivision 1, is amended to read:

190.21 Subdivision 1. **Watercraft 19 feet or less.** (a) Except as provided in paragraph (b) and
190.22 subdivision 1a, the fee for a watercraft license for watercraft 19 feet or less in length is ~~\$27~~
190.23 \$59.

190.24 (b) The watercraft license fee is:

190.25 (1) for watercraft, other than personal watercraft, 19 feet in length or less that is offered
190.26 for rent or lease, ~~the fee is \$9~~ \$14;

190.27 (2) for a sailboat, 19 feet in length or less, ~~the fee is \$10.50~~ \$23;

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

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

191.1 (5) for a personal watercraft, ~~the fee is \$37.50~~ including one offered for rent or lease,
191.2 \$85; and

191.3 (6) for a watercraft less than 17 feet in length, other than a watercraft listed in clauses
191.4 (1) to (5), ~~the fee is \$18~~ \$36.

191.5 Sec. 30. Minnesota Statutes 2022, section 86B.415, subdivision 1a, is amended to read:

191.6 Subd. 1a. **Canoes, kayaks, sailboards, paddleboards, paddleboats, or rowing**
191.7 **shells.** The fee for a watercraft license for a canoe, kayak, sailboard, paddleboard, paddleboat,
191.8 or rowing shell over ten feet in length is ~~\$10.50~~ \$23.

191.9 Sec. 31. Minnesota Statutes 2022, section 86B.415, subdivision 2, is amended to read:

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

191.12 (1) for a watercraft more than 19 feet but less than 26 feet in length is ~~\$45~~ \$113;

191.13 (2) for a watercraft 26 feet but less than 40 feet in length is ~~\$67.50~~ \$164; and

191.14 (3) for a watercraft 40 feet in length or longer is ~~\$90~~ \$209.

191.15 Sec. 32. Minnesota Statutes 2022, section 86B.415, subdivision 3, is amended to read:

191.16 Subd. 3. **Watercraft over 19 feet for hire commercial use.** The license fee for a
191.17 watercraft ~~more than 19 feet in length for hire with an operator~~ used primarily for charter
191.18 fishing, commercial fishing, commercial passenger carrying, or other commercial operation
191.19 is ~~\$75~~ \$164 each.

191.20 Sec. 33. Minnesota Statutes 2022, section 86B.415, subdivision 4, is amended to read:

191.21 Subd. 4. **Watercraft used by nonprofit corporation for teaching.** The watercraft
191.22 license fee for a watercraft used by a nonprofit organization for teaching boat and water
191.23 safety is ~~\$4.50~~ \$8 each.

191.24 Sec. 34. Minnesota Statutes 2022, section 86B.415, subdivision 5, is amended to read:

191.25 Subd. 5. **Dealer's license.** There is no separate fee for watercraft owned by a dealer
191.26 under a dealer's license. The fee for a dealer's license is ~~\$67.50~~ \$142.

192.1 Sec. 35. Minnesota Statutes 2022, section 89A.03, subdivision 5, is amended to read:

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

192.5 Sec. 36. Minnesota Statutes 2022, section 89A.11, is amended to read:

192.6 **89A.11 SUNSET.**

192.7 Sections 89A.01; 89A.02; 89A.03; 89A.04; 89A.05; 89A.06; 89A.07; 89A.08; 89A.09;
192.8 89A.10; 89A.105; and 89A.11 expire June 30, ~~2028~~ 2033.

192.9 Sec. 37. Minnesota Statutes 2022, section 90.181, subdivision 2, is amended to read:

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

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

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

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

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

193.1 Sec. 38. Minnesota Statutes 2022, section 97A.015, is amended by adding a subdivision
193.2 to read:

193.3 Subd. 32b. **Native swan.** "Native swan" means a trumpeter swan or a tundra swan but
193.4 does not include a mute swan.

193.5 Sec. 39. Minnesota Statutes 2022, section 97A.015, subdivision 51, is amended to read:

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

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

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

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

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

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

193.17 Sec. 40. Minnesota Statutes 2022, section 97A.031, is amended to read:

193.18 **97A.031 WANTON WASTE.**

193.19 (a) Unless expressly allowed, a person may not wantonly waste or destroy a usable part
193.20 of a protected wild animal.

193.21 (b) This section does not apply to common carp.

193.22 Sec. 41. Minnesota Statutes 2022, section 97A.045, subdivision 5, is amended to read:

193.23 Subd. 5. **Power to prescribe form of permits and licenses.** (a) Except as provided in
193.24 paragraph (b), the commissioner may prescribe the form of permits, licenses, and tags issued
193.25 under the game and fish laws.

193.26 (b) The commissioner must offer an applicant for an angling, trapping, or hunting license,
193.27 including a special permit issued under section 97A.401, the option of receiving the license
193.28 in either a paper or paperless format and must provide an applicant with a paperless license
193.29 unless the applicant requests a paper license. This paragraph applies to both annual and

194.1 lifetime licenses. The commissioner must ensure that a person authorized to issue an annual
194.2 license described in this paragraph has the ability to issue paperless licenses.

194.3 **EFFECTIVE DATE.** This section is effective March 1, 2026.

194.4 Sec. 42. Minnesota Statutes 2022, section 97A.126, is amended to read:

194.5 **97A.126 WALK-IN ACCESS PROGRAM.**

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

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

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

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

194.22 (d) The general provisions for use of wildlife management areas adopted under sections
194.23 86A.06 and 97A.137, relating to overnight use, alcoholic beverages, use of motorboats,
194.24 firearms and target shooting, hunting stands, abandonment of trash and property, destruction
194.25 or removal of property, introduction of plants or animals, and animal trespass, apply to
194.26 ~~hunters on~~ use of lands enrolled in the walk-in access program.

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

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

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

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

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

195.3 Sec. 43. Minnesota Statutes 2022, section 97A.137, subdivision 3, is amended to read:

195.4 Subd. 3. **Use of motorized vehicles by disabled hunters people with disabilities.** The
195.5 commissioner may ~~issue~~ provide an accommodation by issuing a special permit, without a
195.6 fee, authorizing a ~~hunter~~ person with a ~~permanent physical~~ disability to use a ~~snowmobile,~~
195.7 ~~highway-licensed vehicle, all-terrain vehicle,~~ an other power-driven mobility device, as
195.8 defined under Code of Federal Regulations, title 28, section 35.104, or a motor boat in
195.9 wildlife management areas. To qualify for a permit under this subdivision, the ~~disabled~~
195.10 ~~person must possess:~~ provide credible assurance to the commissioner that the device or
195.11 motor boat is used because of a disability.

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

195.13 ~~(2) a permit to shoot from a stationary vehicle under section 97B.055, subdivision 3.~~

195.14 Sec. 44. Minnesota Statutes 2022, section 97A.137, subdivision 5, is amended to read:

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

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

195.25 State Trunk Highway 1 from the west boundary of the state to State Trunk Highway 89;
195.26 then north along State Trunk Highway 89 to Fourtown; then north on County State-Aid
195.27 Highway 44, Beltrami County, to County Road 704, Beltrami County; then north on County
195.28 Road 704 to Dick's Parkway State Forest Road; then north on Dick's Parkway to County
195.29 State-Aid Highway 5, Roseau County; then north on County State-Aid Highway 5 to
195.30 Warroad; then north on State Trunk Highway 11 to State Trunk Highway 313; then north
195.31 on State Trunk Highway 313 to the north boundary of the state.

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

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

196.12 Sec. 45. Minnesota Statutes 2022, section 97A.315, subdivision 1, is amended to read:

196.13 Subdivision 1. **Criminal penalties.** (a) Except as provided in paragraph (b), a person
196.14 that violates a provision of section 97B.001, relating to trespass is guilty of a misdemeanor
196.15 ~~except as provided in paragraph (b).~~

196.16 (b) A person is guilty of a gross misdemeanor if the person:

196.17 (1) knowingly disregards signs prohibiting trespass;

196.18 (2) trespasses after personally being notified by the landowner or lessee not to trespass;

196.19 or

196.20 (3) is convicted of violating this section more than once in a three-year period.

196.21 (c) Notwithstanding section 609.101, subdivision 4, clause (2), for a misdemeanor
196.22 violation, the minimum fine for a person who operates an off-highway motorcycle, off-road
196.23 vehicle, all-terrain vehicle, or snowmobile in violation of this section must not be less than
196.24 the amount set forth in section 84.775.

196.25 Sec. 46. Minnesota Statutes 2022, section 97A.401, subdivision 1, is amended to read:

196.26 Subdivision 1. **Commissioner's authority.** The commissioner may issue special permits
196.27 for the activities in this section. A special permit may be issued in the form of a general
196.28 permit to a governmental subdivision or to the general public to conduct one or more
196.29 activities under subdivisions 2 to 8 9.

197.1 Sec. 47. Minnesota Statutes 2022, section 97A.401, is amended by adding a subdivision
197.2 to read:

197.3 Subd. 9. Taking wild animals with federal incidental take permit. The commissioner
197.4 must prescribe conditions for and may issue a permit to a person for taking wild animals
197.5 during activities covered under a federal incidental take permit issued under section
197.6 10(a)(1)(B) of the federal Endangered Species Act, including to a landowner for taking wild
197.7 animals during activities covered by a certificate of inclusion issued by the commissioner
197.8 under Code of Federal Regulations, title 50, section 13.25(e).

197.9 Sec. 48. Minnesota Statutes 2022, section 97A.405, subdivision 2, is amended to read:

197.10 Subd. 2. **Personal possession.** (a) A person acting under a license or traveling from an
197.11 area where a licensed activity was performed must have in personal possession ~~either~~:

197.12 (1) the proper paper license, if the license has been issued to and received by the person;

197.13 (2) a driver's license or Minnesota identification card that bears a valid designation of
197.14 the proper lifetime license, as provided under section 171.07, subdivision 19; ~~or~~

197.15 (3) the proper paper license identification number or stamp validation, if the license has
197.16 been sold to the person by electronic means but the actual license has not been issued and
197.17 received; or

197.18 (4) electronic or other evidence satisfactory to the commissioner that the person has the
197.19 proper paperless license.

197.20 (b) If possession of a license or a license identification number is required, a person
197.21 must exhibit, as requested by a conservation officer or peace officer, ~~either~~: (1) the proper
197.22 paper license if the license has been issued to and received by the person; (2) a driver's
197.23 license or Minnesota identification card that bears a valid designation of the proper lifetime
197.24 license, as provided under section 171.07, subdivision 19; ~~or~~ (3) the proper paper license
197.25 identification number or stamp validation and a valid state driver's license, state identification
197.26 card, or other form of identification provided by the commissioner, if the license has been
197.27 sold to the person by electronic means but the actual license has not been issued and received;
197.28 or (4) electronic or other evidence satisfactory to the commissioner that the person has the
197.29 proper paperless license. A person charged with violating the license possession requirement
197.30 shall not be convicted if the person produces in court or the office of the arresting officer,
197.31 the actual license previously issued to that person, which was valid at the time of arrest, or
197.32 satisfactory proof that at the time of the arrest the person was validly licensed. Upon request

198.1 of a conservation officer or peace officer, a licensee shall write the licensee's name in the
198.2 presence of the officer to determine the identity of the licensee.

198.3 (c) Except as provided in paragraph (a), ~~clause clauses~~ (2) and (4), if the actual license
198.4 has been issued and received, a receipt for license fees, a copy of a license, or evidence
198.5 showing the issuance of a license, including the license identification number or stamp
198.6 validation, does not entitle a licensee to exercise the rights or privileges conferred by a
198.7 license.

198.8 (d) A paper license issued electronically and not immediately provided to the licensee
198.9 shall be mailed to the licensee within 30 days of purchase of the license. A pictorial migratory
198.10 waterfowl, pheasant, trout and salmon, or walleye stamp shall be provided to the licensee
198.11 after purchase of a stamp validation only if the licensee pays an additional fee that covers
198.12 the costs of producing and mailing a pictorial stamp. A pictorial turkey stamp may be
198.13 purchased for a fee that covers the costs of producing and mailing the pictorial stamp.
198.14 Notwithstanding section 16A.1283, the commissioner may, by written order published in
198.15 the State Register, establish fees for providing the pictorial stamps. The fees must be set in
198.16 an amount that does not recover significantly more or less than the cost of producing and
198.17 mailing the stamps. The fees are not subject to the rulemaking provisions of chapter 14, and
198.18 section 14.386 does not apply.

198.19 **EFFECTIVE DATE.** This section is effective March 1, 2026.

198.20 Sec. 49. Minnesota Statutes 2022, section 97A.405, subdivision 5, is amended to read:

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

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

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

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

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

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

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

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

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

199.10 Sec. 50. Minnesota Statutes 2022, section 97A.420, subdivision 1, is amended to read:

199.11 Subdivision 1. **Seizure.** (a) An enforcement officer shall immediately seize the license
199.12 of a person who unlawfully takes, transports, or possesses wild animals when the restitution
199.13 value of the wild animals exceeds \$500. Except as provided in subdivisions 2, 4, and 5, the
199.14 person may not use or obtain any license to take the same type of wild animals involved,
199.15 including a duplicate license, until an action is taken under subdivision 6. If the license
199.16 seized under this paragraph was for a big game animal, the license seizure applies to all
199.17 licenses to take big game issued to the individual. If the license seized under this paragraph
199.18 was for small game animals, the license seizure applies to all licenses to take small game
199.19 issued to the individual.

199.20 (b) In addition to the license seizure under paragraph (a), if the restitution value of the
199.21 wild animals unlawfully taken, possessed, or transported is \$1,000 or more, all other game
199.22 and fish licenses held by the person shall be immediately seized. Except as provided in
199.23 subdivision 2, 4, or 5, the person may not obtain any game or fish license or permit, including
199.24 a duplicate license, until an action is taken under subdivision 6.

199.25 (c) A person may not take wild animals covered by a license seized under this subdivision
199.26 until an action is taken under subdivision 6.

199.27 (d) The commissioner must make a means of seizing and releasing a paperless license
199.28 under this section available to enforcement officers.

199.29 **EFFECTIVE DATE.** This section is effective March 1, 2026.

200.1 Sec. 51. Minnesota Statutes 2022, section 97A.421, subdivision 3, is amended to read:

200.2 Subd. 3. **Issuance after conviction; big game.** (a) A person may not use a big-game
200.3 license purchased before conviction, obtain ~~any~~ a big-game license, or take big game under
200.4 a lifetime license, issued under section 97A.473, for three years after the person is convicted
200.5 of:

200.6 (1) a gross misdemeanor violation under the game and fish laws relating to big game;

200.7 (2) doing an act without a required big-game license; or

200.8 (3) the second violation within three years under the game and fish laws relating to big
200.9 game.

200.10 (b) A person may not obtain any deer license or take deer under a lifetime license issued
200.11 under section 97A.473 for one year after the person is convicted of hunting deer with the
200.12 aid or use of bait under section 97B.328.

200.13 (c) The revocation period under paragraphs (a) and (b) doubles if the conviction is for
200.14 a deer that is a trophy deer scoring higher than 170 using the scoring method established
200.15 for wildlife restitution values adopted under section 97A.345.

200.16 Sec. 52. Minnesota Statutes 2022, section 97A.465, subdivision 3, is amended to read:

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

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

200.24 Sec. 53. Minnesota Statutes 2022, section 97A.465, subdivision 8, is amended to read:

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

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

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

201.4 Sec. 54. Minnesota Statutes 2022, section 97A.475, subdivision 41, is amended to read:

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

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

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

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

201.11 Sec. 55. Minnesota Statutes 2022, section 97B.031, subdivision 1, is amended to read:

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

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

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

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

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

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

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

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

201.24 Sec. 56. Minnesota Statutes 2022, section 97B.037, is amended to read:

201.25 **97B.037 CROSSBOW HUNTING; ~~AGE 60 OR OVER.~~**

201.26 (a) Notwithstanding section 97B.035, subdivisions 1 and 2, a person ~~age 60 or over~~ may
201.27 take deer, bear, turkey, or rough fish by crossbow during the respective regular archery
201.28 seasons. The transportation requirements of section 97B.051 apply to crossbows during the
201.29 regular archery deer, bear, turkey, or rough fish season. Crossbows must meet the

202.1 requirements of section 97B.106, subdivision 2. A person ~~age 60 or over~~ taking deer, bear,
202.2 turkey, or rough fish by crossbow under this section must have a valid license to take the
202.3 respective game.

202.4 (b) This section expires June 30, 2025.

202.5 Sec. 57. Minnesota Statutes 2022, section 97B.071, is amended to read:

202.6 **97B.071 CLOTHING AND GROUND BLIND REQUIREMENTS; BLAZE**
202.7 **ORANGE OR BLAZE PINK.**

202.8 (a) Except as provided in rules adopted under paragraph ~~(e)~~ (d), a person may not hunt
202.9 or trap during the open season where deer may be taken by firearms under applicable laws
202.10 and ordinances, unless the visible portion of the person's cap and outer clothing above the
202.11 waist, excluding sleeves and gloves, is blaze orange or blaze pink. Blaze orange or blaze
202.12 pink includes a camouflage pattern of at least 50 percent blaze orange or blaze pink within
202.13 each foot square. This section does not apply to migratory-waterfowl hunters on waters of
202.14 this state or in a stationary shooting location or to trappers on waters of this state.

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

202.21 (c) A person in a fabric or synthetic ground blind on public land must have:

202.22 (1) a blaze orange safety covering on the top of the blind that is visible for 360 degrees
202.23 around the blind; or

202.24 (2) at least 144 square inches of blaze orange material on each side of the blind.

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

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

203.1 Sec. 58. Minnesota Statutes 2022, section 97B.301, subdivision 2, is amended to read:

203.2 Subd. 2. **Limit of one deer.** A person may obtain one regular firearms season deer
203.3 license, one muzzleloader season deer license, and one archery season deer license in the
203.4 same license year, but may not ~~tag~~take more than one deer except as provided in subdivisions
203.5 3 and 4.

203.6 Sec. 59. Minnesota Statutes 2022, section 97B.301, subdivision 6, is amended to read:

203.7 Subd. 6. **Residents or nonresidents under age 18; taking either-sex deer.** A resident
203.8 or nonresident under the age of 18 may take a deer of either sex except in those antlerless
203.9 permit areas and seasons where no antlerless permits are offered. In antlerless permit areas
203.10 where no antlerless permits are offered, the commissioner may provide a limited number
203.11 of youth either sex permits to residents or nonresidents under age 18, under the procedures
203.12 provided in section 97B.305, and may give preference to residents or nonresidents under
203.13 the age of 18 that have not previously been selected. This subdivision does not authorize
203.14 the taking of ~~an antlerless~~a deer by another member of a party under subdivision 3.

203.15 Sec. 60. Minnesota Statutes 2022, section 97B.668, is amended to read:

203.16 **97B.668 ~~GAME BIRDS~~ ANIMALS CAUSING DAMAGE.**

203.17 Subdivision 1. Game birds causing damage. Notwithstanding sections 97B.091 and
203.18 97B.805, subdivisions 1 and 2, a person or agent of that person on lands and nonpublic
203.19 waters owned or operated by the person may nonlethally scare, haze, chase, or harass game
203.20 birds that are causing property damage or to protect a disease risk at any time or place that
203.21 a hunting season for the game birds is not open. This section does not apply to public waters
203.22 as defined under section 103G.005, subdivision 15. This section does not apply to migratory
203.23 waterfowl on nests and other federally protected game birds on nests, except ducks and
203.24 geese on nests when a permit is obtained under section 97A.401.

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

203.29 (b) Paragraph (a) applies only:

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

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

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

204.2 (1) using poisons;

204.3 (2) using dogs;

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

204.5 (4) activities that require a permit under section 97A.401; or

204.6 (5) conduct that causes the death of or that is likely to cause the death of a deer or elk.

204.7 (d) A property owner or the owner's agent must report the death of a deer or elk to staff

204.8 in the Division of Fish and Wildlife within 24 hours of the death if the death resulted from

204.9 actions taken under paragraph (a).

204.10 Sec. 61. [97B.735] SWANS.

204.11 A person who takes, harasses, destroys, buys, sells, possesses, transports, or ships a

204.12 native swan in violation of the game and fish laws is guilty of a gross misdemeanor.

204.13 Sec. 62. Minnesota Statutes 2022, section 97C.041, is amended to read:

204.14 **97C.041 COMMISSIONER MAY REMOVE ROUGH FISH AND ~~CATFISH.~~**

204.15 The commissioner may take rough fish, ~~lake whitefish,~~ and rainbow smelt with seines,

204.16 nets, and other devices. ~~The commissioner may also take catfish with seines, nets, and other~~

204.17 ~~devices on the Minnesota-Wisconsin boundary waters.~~ The commissioner may hire or

204.18 contract persons, or issue permits, to take the fish. The commissioner shall prescribe the

204.19 manner of taking and disposal. The commissioner may award a contract under this section

204.20 without competitive bidding. Before establishing the contractor's compensation, the

204.21 commissioner must consider the qualifications of the contractor, including the contractor's

204.22 equipment, knowledge of the waters, and ability to perform the work.

204.23 Sec. 63. Minnesota Statutes 2022, section 97C.315, subdivision 1, is amended to read:

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

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

204.26 (2) the commissioner may, by rule, authorize the use of two lines in areas designated by

204.27 the commissioner in Lake Superior; and

204.28 (3) two lines may be used in the Minnesota River downstream of the Granite Falls Dam

204.29 and in the Mississippi River downstream of St. Anthony Falls.

205.1 Sec. 64. Minnesota Statutes 2022, section 97C.345, subdivision 1, is amended to read:

205.2 Subdivision 1. **When use prohibited.** Except as specifically authorized, a person may
205.3 not take fish with a spear from the third Monday in February to the Friday before the last
205.4 Saturday in April and may not take fish with a fish trap, net, dip net, seine, or other device
205.5 capable of taking fish from the third Monday in February ~~to~~ through April 30.

205.6 Sec. 65. Minnesota Statutes 2022, section 97C.355, is amended by adding a subdivision
205.7 to read:

205.8 Subd. 9. **Placing waste on ice prohibited.** A person using a fish house, dark house, or
205.9 other shelter on the ice of state waters is subject to section 97C.363.

205.10 Sec. 66. **[97C.363] STORING GARBAGE AND OTHER WASTE ON ICE.**

205.11 Subdivision 1. **Prohibition.** A person using a shelter, a motor vehicle, or any other
205.12 conveyance on the ice of state waters may not deposit garbage, rubbish, cigarette filters,
205.13 debris from fireworks, offal, the body of a dead animal, litter, sewage, or any other waste
205.14 outside the shelter, motor vehicle, or conveyance unless the material is:

205.15 (1) placed in a container that is secured to the shelter, motor vehicle, or conveyance;
205.16 and

205.17 (2) not placed directly on the ice or in state waters.

205.18 Subd. 2. **Definition.** For purposes of this section, "sewage" means excrementitious or
205.19 other discharge from the bodies of human beings or animals, together with such other water
205.20 as may be present.

205.21 Subd. 3. **Penalty.** A violation of this section is a petty misdemeanor, and a person who
205.22 violates this section is subject to a civil penalty of \$100 for each violation.

205.23 Sec. 67. Minnesota Statutes 2022, section 97C.371, subdivision 1, is amended to read:

205.24 Subdivision 1. **Species allowed.** Only rough fish, catfish, lake whitefish, cisco (tulibee),
205.25 and northern pike may be taken by spearing.

205.26 Sec. 68. Minnesota Statutes 2022, section 97C.371, subdivision 2, is amended to read:

205.27 Subd. 2. **Dark houses required for certain species.** Catfish, lake whitefish, cisco
205.28 (tulibee), and northern pike may be speared only from dark houses.

206.1 Sec. 69. Minnesota Statutes 2022, section 97C.371, subdivision 4, is amended to read:

206.2 Subd. 4. **Open season.** The open season for spearing through the ice is November 15
206.3 ~~to~~ through the last Sunday in February.

206.4 Sec. 70. Minnesota Statutes 2022, section 97C.395, subdivision 1, is amended to read:

206.5 Subdivision 1. **Dates for certain species.** (a) The open seasons to take fish by angling
206.6 are as follows:

206.7 (1) for walleye, sauger, northern pike, muskellunge, largemouth bass, and smallmouth
206.8 bass, the Saturday two weeks prior to the Saturday of Memorial Day weekend ~~to~~ through
206.9 the last Sunday in February;

206.10 (2) for lake trout, from January 1 ~~to~~ through October 31;

206.11 (3) for the winter season for lake trout, brown trout, brook trout, rainbow trout, and
206.12 splake on all lakes located outside or partially within the Boundary Waters Canoe Area,
206.13 from January 15 ~~to~~ through March 31;

206.14 (4) for the winter season for lake trout, brown trout, brook trout, rainbow trout, and
206.15 splake on all lakes located entirely within the Boundary Waters Canoe Area, from January
206.16 1 ~~to~~ through March 31;

206.17 (5) for brown trout, brook trout, rainbow trout, and splake, between January 1 ~~to~~ through
206.18 October 31 as prescribed by the commissioner by rule except as provided in section 97C.415,
206.19 subdivision 2; and

206.20 (6) for salmon, as prescribed by the commissioner by rule.

206.21 (b) The commissioner shall close the season in areas of the state where fish are spawning
206.22 and closing the season will protect the resource.

206.23 Sec. 71. Minnesota Statutes 2022, section 97C.601, subdivision 1, is amended to read:

206.24 Subdivision 1. **Season.** The open season for frogs is May 16 ~~to~~ through March 31. The
206.25 commissioner may, by rule, establish closed seasons in specified areas.

206.26 Sec. 72. Minnesota Statutes 2022, section 97C.605, subdivision 1, is amended to read:

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

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

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

207.3 Sec. 73. Minnesota Statutes 2022, section 97C.605, subdivision 2c, is amended to read:

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

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

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

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

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

207.15 (4) (3) to take, possess, and rent or sell up to 25 turtles greater than four inches in length
207.16 for the purpose of providing the turtles to participants at a nonprofit turtle race, if the person
207.17 is a resident under age 18. The person is responsible for the well-being of the turtles; or

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

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

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

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

207.27 Sec. 74. Minnesota Statutes 2022, section 97C.605, subdivision 3, is amended to read:

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

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

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

- 208.1 (3) nets other than anglers' fish landing nets;
- 208.2 (4) commercial equipment, ~~except as provided in rules adopted under this section;~~
- 208.3 (5) firearms and ammunition;
- 208.4 (6) bow and arrow or crossbow; or
- 208.5 (7) spears, harpoons, or any other implements that impale turtles.
- 208.6 ~~(b) Until new rules are adopted under this section, a person with a turtle seller's license~~
- 208.7 ~~may take turtles with a floating turtle trap that:~~
- 208.8 ~~(1) has one or more openings above the water surface that measure at least ten inches~~
- 208.9 ~~by four inches; and~~
- 208.10 ~~(2) has a mesh size of not less than one half inch, bar measure.~~
- 208.11 **EFFECTIVE DATE.** This section is effective January 1, 2024.

208.12 Sec. 75. Minnesota Statutes 2022, section 97C.611, is amended to read:

208.13 **97C.611 TURTLE SPECIES; LIMITS.**

208.14 Subdivision 1. **Snapping turtles.** A person may not possess more than three snapping

208.15 turtles of the species *Chelydra serpentina* ~~without a turtle seller's license.~~ Until new rules

208.16 are adopted under section 97C.605, a person may not take snapping turtles of a size less

208.17 than ten inches wide including curvature, measured from side to side across the shell at

208.18 midpoint. After new rules are adopted under section 97C.605, a person may only take

208.19 snapping turtles of a size specified in the adopted rules.

208.20 Subd. 2. **Western painted turtles.** (a) A person may not possess more than three Western

208.21 painted turtles of the species *Chrysemys picta* ~~without a turtle seller's license.~~ Western

208.22 painted turtles must be between 4 and 5-1/2 inches in shell length.

208.23 (b) This subdivision does not apply to persons acting under section 97C.605, subdivision

208.24 2c, ~~clause (4)~~ paragraph (a).

208.25 Subd. 3. **Spiny softshell.** A person may not possess spiny softshell turtles of the species

208.26 *Apalone spinifera* ~~after December 1, 2021, without an aquatic farm or private fish hatchery~~

208.27 ~~license with a turtle endorsement.~~

208.28 Subd. 4. **Other species.** A person may not possess any other species of turtle ~~without~~

208.29 except with an aquatic farm or private fish hatchery license with a turtle endorsement or as

208.30 specified under section 97C.605, subdivision 2c.

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

209.2 Sec. 76. Minnesota Statutes 2022, section 97C.836, is amended to read:

209.3 **97C.836 LAKE SUPERIOR LAKE TROUT; EXPANDED ASSESSMENT**
209.4 **HARVEST.**

209.5 The commissioner shall provide for taking of lake trout by licensed commercial operators
209.6 in Lake Superior management zones MN-3 and MN-2 for expanded assessment and sale.
209.7 The commissioner shall authorize expanded assessment taking and sale of lake trout in Lake
209.8 Superior management zone MN-3 beginning annually in 2007 and zone MN-2 beginning
209.9 annually in 2010. Total assessment taking and sale may not exceed 3,000 lake trout in zone
209.10 MN-3 and 2,000 lake trout in zone MN-2 and may be reduced when necessary to protect
209.11 the lake trout population or to manage the effects of invasive species or fish disease. Taking
209.12 lake trout for expanded assessment and sale shall be allowed from June 1 ~~to~~ through
209.13 September 30, but may end earlier in the respective zones if the quotas are reached. The
209.14 quotas must be reassessed at the expiration of the current ten-year Fisheries Management
209.15 Plan for the Minnesota Waters of Lake Superior.

209.16 Sec. 77. Minnesota Statutes 2022, section 103G.005, is amended by adding a subdivision
209.17 to read:

209.18 **Subd. 9c. Ecosystem harm.** "Ecosystem harm" means to change the biological
209.19 community and ecology in a manner that results in loss of ecological structure or function.

209.20 Sec. 78. Minnesota Statutes 2022, section 103G.005, is amended by adding a subdivision
209.21 to read:

209.22 **Subd. 13b. Negative impact to surface waters.** "Negative impact to surface waters"
209.23 means a change in hydrology sufficient to cause aquatic ecosystem harm or alter riparian
209.24 uses long term.

209.25 Sec. 79. Minnesota Statutes 2022, section 103G.005, is amended by adding a subdivision
209.26 to read:

209.27 **Subd. 15i. Sustainable diversion limit.** "Sustainable diversion limit" means a maximum
209.28 amount of water that can be removed directly or indirectly from a surface water body in a
209.29 defined geographic area on a monthly or annual basis without causing a negative impact to
209.30 the surface water body.

210.1 Sec. 80. **[103G.134] ORDERS AND INVESTIGATIONS.**

210.2 The commissioner has the following powers and duties when acting pursuant to the
210.3 enforcement provisions of this chapter:

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

210.6 (2) to issue notices of violation;

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

210.9 (i) make reports;

210.10 (ii) install, use, and maintain monitoring equipment or methods;

210.11 (iii) perform tests according to methods, at locations, at intervals, and in a manner as
210.12 the commissioner prescribes; and

210.13 (iv) provide other information as the commissioner may reasonably require; and

210.14 (4) to conduct investigations; issue notices, public and otherwise; and order hearings as
210.15 the commissioner deems necessary or advisable to discharge duties under this chapter,
210.16 including but not limited to issuing permits and authorizing an employee or agent appointed
210.17 by the commissioner to conduct the investigations and other authorities cited in this section.

210.18 Sec. 81. **[103G.146] DUTY OF CANDOR.**

210.19 (a) A person must not knowingly:

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

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

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

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

211.1 **Sec. 82. [103G.216] REPORTING FISH KILLS IN PUBLIC WATERS.**

211.2 **Subdivision 1. Definition.** For the purposes of this section and section 103G.2165, "fish
211.3 kill" means an incident resulting in the death of 25 or more fish within one linear mile of a
211.4 flowing water or 25 or more fish within a square mile of a nonflowing water, excluding fish
211.5 lawfully taken under the game and fish laws.

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

211.13 **Sec. 83. [103G.2165] DEVELOPMENT OF FISH KILL RESPONSE PROTOCOL.**

211.14 **Subdivision 1. Development of protocol.** By June 30, 2024, the commissioners of
211.15 agriculture, health, and natural resources and the commissioner of the Pollution Control
211.16 Agency must update the fish kill response guidance by developing a protocol. The protocol
211.17 must consist of steps that state agencies responding to a report of a fish kill under section
211.18 103G.216 must take to ascertain cause of or contributing factors to the fish kill based on
211.19 scientific data and information gathered through investigation, as well as a communication
211.20 plan to inform the public of potential hazards. The protocol must address:

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

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

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

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

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

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

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

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

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

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

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

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

212.21 Subd. 2. **Review of protocol.** The Departments of Agriculture, Health, and Natural
212.22 Resources and the Pollution Control Agency must post the draft protocol to their websites
212.23 for a 60-day period for public review and comment. The Departments of Agriculture, Health,
212.24 and Natural Resources and the Pollution Control Agency must hold one or more public
212.25 informational meetings on the draft protocol. The Departments of Agriculture, Health, and
212.26 Natural Resources and the Pollution Control Agency must consider comments submitted
212.27 during the public comment period before posting the final protocol to their websites.

212.28 Subd. 3. **Implementation.** Once the protocol has been published, the relevant state
212.29 agencies must follow the protocol and must maintain data related to each fish kill response
212.30 documenting the extent to which the protocol was followed and any reasons why it was not.
212.31 Once the protocol is in effect, investigation reports for fish kills must be posted to the *EQB*
212.32 *Monitor*.

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

213.4 Sec. 84. Minnesota Statutes 2022, section 103G.271, subdivision 6, is amended to read:

213.5 **Subd. 6. Water-use permit; processing fee.** (a) Except as described in paragraphs (b)
213.6 to (g), a water-use permit processing fee must be prescribed by the commissioner in
213.7 accordance with the schedule of fees in this subdivision for each water-use permit in force
213.8 at any time during the year. Fees collected under this paragraph are credited to the water
213.9 management account in the natural resources fund. The schedule is as follows, with the
213.10 stated fee in each clause applied to the total amount appropriated:

213.11 (1) \$140 for amounts not exceeding 50,000,000 gallons per year;

213.12 (2) \$3.50 per 1,000,000 gallons for amounts greater than 50,000,000 gallons but less
213.13 than 100,000,000 gallons per year;

213.14 (3) \$4 per 1,000,000 gallons for amounts greater than 100,000,000 gallons but less than
213.15 150,000,000 gallons per year;

213.16 (4) \$4.50 per 1,000,000 gallons for amounts greater than 150,000,000 gallons but less
213.17 than 200,000,000 gallons per year;

213.18 (5) \$5 per 1,000,000 gallons for amounts greater than 200,000,000 gallons but less than
213.19 250,000,000 gallons per year;

213.20 (6) \$5.50 per 1,000,000 gallons for amounts greater than 250,000,000 gallons but less
213.21 than 300,000,000 gallons per year;

213.22 (7) \$6 per 1,000,000 gallons for amounts greater than 300,000,000 gallons but less than
213.23 350,000,000 gallons per year;

213.24 (8) \$6.50 per 1,000,000 gallons for amounts greater than 350,000,000 gallons but less
213.25 than 400,000,000 gallons per year;

213.26 (9) \$7 per 1,000,000 gallons for amounts greater than 400,000,000 gallons but less than
213.27 450,000,000 gallons per year;

213.28 (10) \$7.50 per 1,000,000 gallons for amounts greater than 450,000,000 gallons but less
213.29 than 500,000,000 gallons per year; and

213.30 (11) \$8 per 1,000,000 gallons for amounts greater than 500,000,000 gallons per year.

214.1 (b) For once-through cooling systems, a water-use processing fee must be prescribed
214.2 by the commissioner in accordance with the following schedule of fees for each water-use
214.3 permit in force at any time during the year:

214.4 (1) for nonprofit corporations and school districts, \$200 per 1,000,000 gallons; and

214.5 (2) for all other users, \$420 per 1,000,000 gallons.

214.6 (c) The fee is payable based on the amount of water appropriated during the year and,
214.7 except as provided in paragraph (f), the minimum fee is \$100.

214.8 (d) For water-use processing fees other than once-through cooling systems:

214.9 (1) the fee for a city of the first class may not exceed \$250,000 per year;

214.10 (2) the fee for other entities for any permitted use may not exceed:

214.11 (i) \$60,000 per year for an entity holding three or fewer permits;

214.12 (ii) \$90,000 per year for an entity holding four or five permits; or

214.13 (iii) \$300,000 per year for an entity holding more than five permits;

214.14 (3) the fee for agricultural irrigation may not exceed \$750 per year;

214.15 (4) the fee for a municipality that furnishes electric service and cogenerates steam for
214.16 home heating may not exceed \$10,000 for its permit for water use related to the cogeneration
214.17 of electricity and steam;

214.18 (5) the fee for a facility that temporarily diverts a water of the state from its natural
214.19 channel to produce hydroelectric or hydromechanical power may not exceed \$5,000 per
214.20 year. A permit for such a facility does not count toward the number of permits held by an
214.21 entity as described in this paragraph; and

214.22 (6) no fee is required for a project involving the appropriation of surface water to prevent
214.23 flood damage or to remove flood waters during a period of flooding, as determined by the
214.24 commissioner.

214.25 (e) Failure to pay the fee is sufficient cause for revoking a permit. A penalty of ten
214.26 percent per month calculated from the original due date must be imposed on the unpaid
214.27 balance of fees remaining 30 days after the sending of a second notice of fees due. A fee
214.28 may not be imposed on an agency, as defined in section 16B.01, subdivision 2, or federal
214.29 governmental agency holding a water appropriation permit.

214.30 (f) The minimum water-use processing fee for a permit issued for irrigation of agricultural
214.31 land is \$20 for years in which:

215.1 (1) there is no appropriation of water under the permit; or

215.2 (2) the permit is suspended for more than seven consecutive days between May 1 and
215.3 October 1.

215.4 (g) The commissioner shall waive the water-use permit fee for installations and projects
215.5 that use stormwater runoff or where public entities are diverting water to treat a water quality
215.6 issue and returning the water to its source without using the water for any other purpose,
215.7 unless the commissioner determines that the proposed use adversely affects surface water
215.8 or groundwater.

215.9 (h) A surcharge of ~~\$30~~ \$50 per million gallons in addition to the fee prescribed in
215.10 paragraph (a) shall be applied to the volume of water used in each of the months of May,
215.11 June, July, and August, and September that exceeds the volume of water used in January
215.12 for municipal water use, irrigation of golf courses, and landscape irrigation. The surcharge
215.13 for municipalities with more than one permit shall be determined based on the total
215.14 appropriations from all permits that supply a common distribution system.

215.15 Sec. 85. Minnesota Statutes 2022, section 103G.287, subdivision 2, is amended to read:

215.16 Subd. 2. **Relationship to surface water resources.** Groundwater appropriations ~~that~~
215.17 ~~will have negative impacts to surface waters are subject to applicable provisions in section~~
215.18 ~~103G.285~~ may be authorized only if they avoid known negative impacts to surface waters.
215.19 If the commissioner determines that groundwater appropriations are having a negative
215.20 impact to surface waters, the commissioner may use a sustainable diversion limit or other
215.21 relevant method, tools, or information to implement measures so that groundwater
215.22 appropriations do not negatively impact the surface waters.

215.23 Sec. 86. Minnesota Statutes 2022, section 103G.287, subdivision 3, is amended to read:

215.24 Subd. 3. **Protecting groundwater supplies.** The commissioner may establish water
215.25 appropriation limits to protect groundwater resources. When establishing water appropriation
215.26 limits to protect groundwater resources, the commissioner must consider the sustainability
215.27 of the groundwater resource, including the current and projected water levels, cumulative
215.28 withdrawal rates from the resource on a monthly or annual basis, water quality, whether
215.29 the use protects ecosystems, and the ability of future generations to meet their own needs.
215.30 The commissioner may consult with the commissioners of health, agriculture, and the
215.31 Pollution Control Agency and other state entities when determining the impacts on water
215.32 quality and quantity.

216.1 Sec. 87. Minnesota Statutes 2022, section 103G.299, subdivision 1, is amended to read:

216.2 Subdivision 1. **Authority to issue administrative penalty orders.** (a) As provided in
216.3 paragraph (b), the commissioner may issue an order requiring violations to be corrected
216.4 and administratively assessing monetary penalties for violations of sections 103G.271 and
216.5 103G.275, and any rules adopted under those sections.

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

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

216.10 Sec. 88. Minnesota Statutes 2022, section 103G.299, subdivision 2, is amended to read:

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

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

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

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

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

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

216.23 (2) the history of past violations;

216.24 (3) the number of violations;

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

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

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

- 217.1 (1) similarity of the most recent previous violation and the violation to be penalized;
- 217.2 (2) time elapsed since the last violation;
- 217.3 (3) number of previous violations; and
- 217.4 (4) response of the person to the most recent previous violation identified.

217.5 Sec. 89. Minnesota Statutes 2022, section 103G.299, subdivision 5, is amended to read:

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

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

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

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

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

217.23 Sec. 90. Minnesota Statutes 2022, section 103G.299, subdivision 10, is amended to read:

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

218.1 Sec. 91. [103G.2991] PENALTIES; ENFORCEMENT.

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

218.4 (1) this chapter;

218.5 (2) a permit issued under this chapter or a term or condition of a permit issued under
218.6 this chapter;

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

218.9 (4) a rule adopted under this chapter;

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

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

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

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

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

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

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

218.25 (1) an act of God;

218.26 (2) an act of war;

218.27 (3) negligence on the part of the state;

218.28 (4) an act or failure to act that constitutes sabotage or vandalism; or

218.29 (5) any combination of clauses (1) to (4).

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

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

219.10 (1) criminal prosecution;

219.11 (2) action to recover civil penalties;

219.12 (3) injunction;

219.13 (4) action to compel performance; or

219.14 (5) other appropriate action according to this chapter.

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

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

219.25 (b) If a municipality or its governing or managing body or any of its officers is a
219.26 defendant, the court may require the municipality to exercise its powers, without regard to
219.27 any limitation of a requirement for an election or referendum imposed thereon by law and
219.28 without restricting the powers of the commissioner, to do any or all of the following, without
219.29 limiting the generality hereof:

219.30 (1) levy taxes or special assessments;

219.31 (2) prescribe service or use charges;

219.32 (3) borrow money;

- 220.1 (4) issue bonds;
- 220.2 (5) employ assistance;
- 220.3 (6) acquire real or personal property;
- 220.4 (7) let contracts;
- 220.5 (8) otherwise provide for doing work or constructing, installing, maintaining, or operating
- 220.6 facilities; and
- 220.7 (9) do all acts and things reasonably necessary to accomplish the purposes of the
- 220.8 commissioner's order.
- 220.9 (c) The court must grant a municipality under paragraph (b) the opportunity to determine
- 220.10 the appropriate financial alternatives to be used to comply with the court-imposed
- 220.11 requirements.
- 220.12 (d) An action brought under this subdivision must be venued in Ramsey County District
- 220.13 Court.

220.14 Sec. 92. Minnesota Statutes 2022, section 103G.301, subdivision 2, is amended to read:

220.15 Subd. 2. **Permit application and notification fees.** (a) A fee to defray the costs of

220.16 receiving, recording, and processing must be paid for a permit application authorized under

220.17 this chapter, except for a general permit application, for each request to amend or transfer

220.18 an existing permit, and for a notification to request authorization to conduct a project under

220.19 a general permit. Fees established under this subdivision, unless specified in paragraph (c),

220.20 must comply with section 16A.1285.

220.21 (b) Proposed projects that require water in excess of 100 million gallons per year must

220.22 be assessed fees to recover the costs incurred to evaluate the project and the costs incurred

220.23 for environmental review. Fees collected under this paragraph must be credited to an account

220.24 in the natural resources fund and are appropriated to the commissioner.

220.25 (c) The fee to apply for a permit to appropriate water, in addition to any fee under

220.26 paragraph (b), is \$150. The application fee for a permit to construct or repair a dam that is

220.27 subject to a dam safety inspection, to work in public waters, or to divert waters for mining

220.28 must be at least ~~\$300~~ \$1,200, but not more than ~~\$3,000~~ \$12,000. The fee for a notification

220.29 to request authorization to conduct a project under a general permit is ~~\$100~~ \$400.

221.1 Sec. 93. Minnesota Statutes 2022, section 103G.301, subdivision 6, is amended to read:

221.2 Subd. 6. **Filing application.** An application for a permit must be filed with the
221.3 commissioner ~~and~~. If the proposed activity for which the permit is requested is within a
221.4 municipality, ~~or~~ is within or affects a watershed district or a soil and water conservation
221.5 district, or is within the boundaries of a reservation or Tribal community of a federally
221.6 recognized Indian Tribe in Minnesota, a copy of the application with maps, plans, and
221.7 specifications must be served on the mayor of the municipality, the secretary of the board
221.8 of managers of the watershed district, ~~and~~ the secretary of the board of supervisors of the
221.9 soil and water conservation district, or the Tribal chair of the federally recognized Indian
221.10 Tribe, as applicable. For purposes of this section, "federally recognized Indian Tribe" means
221.11 the Minnesota Tribal governments listed in section 10.65, subdivision 2.

221.12 Sec. 94. Minnesota Statutes 2022, section 103G.301, subdivision 7, is amended to read:

221.13 Subd. 7. **Recommendation of local units of government and federally recognized**
221.14 **Indian Tribes.** (a) If the proposed activity for which the permit is requested is within a
221.15 municipality, or is within or affects a watershed district or a soil and water conservation
221.16 district, the commissioner may obtain a written recommendation of the managers of the
221.17 district and the board of supervisors of the soil and water conservation district or the mayor
221.18 of the municipality before issuing or denying the permit.

221.19 (b) The managers, supervisors, or mayor must file a recommendation within 30 days
221.20 after receiving of a copy of the application for permit.

221.21 (c) If the proposed activity for which the permit is requested is within the boundaries of
221.22 a reservation or Tribal community of a federally recognized Indian Tribe in Minnesota, the
221.23 federally recognized Indian Tribe may:

221.24 (1) submit recommendations to the commissioner within 30 days of receiving the
221.25 application; or

221.26 (2) request Tribal consultation according to section 10.65 within 30 days of receiving
221.27 the application.

221.28 (d) If Tribal consultation is requested under paragraph (c), clause (2), a permit application
221.29 is not complete until after the consultation occurs or 90 days after the request for consultation
221.30 is made, whichever is sooner.

222.1 Sec. 95. Minnesota Statutes 2022, section 171.07, is amended by adding a subdivision to
222.2 read:

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

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

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

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

222.19 Sec. 96. Minnesota Statutes 2022, section 297A.94, is amended to read:

222.20 **297A.94 DEPOSIT OF REVENUES.**

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

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

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

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

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

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

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

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

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

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

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

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

223.25 (g) The commissioner shall deposit an amount of the remittances monthly into the state
223.26 treasury and credit them to the highway user tax distribution fund as a portion of the estimated
223.27 amount of taxes collected from the sale and purchase of motor vehicle repair and replacement
223.28 parts in that month. The monthly deposit amount is \$12,137,000. For purposes of this
223.29 paragraph, "motor vehicle" has the meaning given in section 297B.01, subdivision 11, and
223.30 "motor vehicle repair and replacement parts" includes (i) all parts, tires, accessories, and
223.31 equipment incorporated into or affixed to the motor vehicle as part of the motor vehicle
223.32 maintenance and repair, and (ii) paint, oil, and other fluids that remain on or in the motor
223.33 vehicle as part of the motor vehicle maintenance or repair. For purposes of this paragraph,

224.1 "tire" means any tire of the type used on highway vehicles, if wholly or partially made of
224.2 rubber and if marked according to federal regulations for highway use.

224.3 (h) ~~72.43~~ 81.56 percent of the revenues, including interest and penalties, transmitted to
224.4 the commissioner under section 297A.65, must be deposited by the commissioner in the
224.5 state treasury as follows:

224.6 (1) 50 percent of the receipts must be deposited in the heritage enhancement account in
224.7 the game and fish fund, and may be spent only on activities that improve, enhance, or protect
224.8 fish and wildlife resources, including conservation, restoration, and enhancement of land,
224.9 water, and other natural resources of the state;

224.10 (2) 22.5 percent of the receipts must be deposited in the natural resources fund, and may
224.11 be spent only for state parks and trails;

224.12 (3) 22.5 percent of the receipts must be deposited in the natural resources fund, and may
224.13 be spent only on metropolitan park and trail grants;

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

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

224.19 (i) 1.5 percent of the revenues, including interest and penalties, transmitted to the
224.20 commissioner under section 297A.65 must be deposited in a regional parks and trails account
224.21 in the natural resources fund and may only be spent for parks and trails of regional
224.22 significance outside of the seven-county metropolitan area under section 85.535, based on
224.23 recommendations from the Greater Minnesota Regional Parks and Trails Commission under
224.24 section 85.536.

224.25 (j) 1.5 percent of the revenues, including interest and penalties, transmitted to the
224.26 commissioner under section 297A.65 must be deposited in an outdoor recreational
224.27 opportunities for underserved communities account in the natural resources fund and may
224.28 only be spent on projects and activities that connect diverse and underserved Minnesotans
224.29 through expanding cultural environmental experiences, exploration of their environment,
224.30 and outdoor recreational activities.

224.31 ~~(i)~~ (k) The revenue dedicated under paragraph (h) may not be used as a substitute for
224.32 traditional sources of funding for the purposes specified, but the dedicated revenue shall
224.33 supplement traditional sources of funding for those purposes. Land acquired with money

225.1 deposited in the game and fish fund under paragraph (h) must be open to public hunting
225.2 and fishing during the open season, except that in aquatic management areas or on lands
225.3 where angling easements have been acquired, fishing may be prohibited during certain times
225.4 of the year and hunting may be prohibited. At least 87 percent of the money deposited in
225.5 the game and fish fund for improvement, enhancement, or protection of fish and wildlife
225.6 resources under paragraph (h) must be allocated for field operations.

225.7 ~~(j)~~ (l) The commissioner must deposit the revenues, including interest and penalties
225.8 minus any refunds, derived from the sale of items regulated under section 624.20, subdivision
225.9 1, that may be sold to persons 18 years old or older and that are not prohibited from use by
225.10 the general public under section 624.21, in the state treasury and credit:

225.11 (1) 25 percent to the volunteer fire assistance grant account established under section
225.12 88.068;

225.13 (2) 25 percent to the fire safety account established under section 297I.06, subdivision
225.14 3; and

225.15 (3) the remainder to the general fund.

225.16 For purposes of this paragraph, the percentage of total sales and use tax revenue derived
225.17 from the sale of items regulated under section 624.20, subdivision 1, that are allowed to be
225.18 sold to persons 18 years old or older and are not prohibited from use by the general public
225.19 under section 624.21, is a set percentage of the total sales and use tax revenues collected in
225.20 the state, with the percentage determined under Laws 2017, First Special Session chapter
225.21 1, article 3, section 39.

225.22 ~~(k)~~ (m) The revenues deposited under paragraphs (a) to ~~(j)~~ (l) do not include the revenues,
225.23 including interest and penalties, generated by the sales tax imposed under section 297A.62,
225.24 subdivision 1a, which must be deposited as provided under the Minnesota Constitution,
225.25 article XI, section 15.

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

225.27 **Sec. 97. UPPER SIOUX AGENCY STATE PARK; LAND TRANSFER.**

225.28 (a) The commissioner of natural resources must convey for no consideration all
225.29 state-owned land within the boundaries of Upper Sioux Agency State Park to the Upper
225.30 Sioux Community.

225.31 (b) Upon approval by the Minnesota Historical Society's Executive Council, the
225.32 Minnesota Historical Society may convey for no consideration state-owned land and real

226.1 property in the Upper Sioux Agency Historic Site, as defined in Minnesota Statutes, section
226.2 138.662, subdivision 33, to the Upper Sioux Community. In cooperation with the
226.3 commissioner of natural resources, the Minnesota Historical Society must identify any
226.4 funding restrictions or other legal barriers to conveying the land.

226.5 (c) By January 15, 2024, the commissioner, in cooperation with the Minnesota Historical
226.6 Society, must submit a report to the chairs and ranking minority members of the legislative
226.7 committees with jurisdiction over environment and natural resources that identifies all
226.8 barriers to conveying land within Upper Sioux Agency State Park and recommendations
226.9 for addressing those barriers, including any legislation needed to eliminate those barriers.

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

226.11 **Sec. 98. REQUIRED RULEMAKING.**

226.12 Subdivision 1. **Snowmobile registration.** (a) The commissioner of natural resources
226.13 must amend Minnesota Rules as follows:

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

226.16 (2) part 6100.5700, subpart 1, item C, by striking the reference to registration numbers.

226.17 (b) The commissioner may use the good-cause exemption under Minnesota Statutes,
226.18 section 14.388, subdivision 1, clause (3), to adopt rules under this section, and Minnesota
226.19 Statutes, section 14.386, does not apply except as provided under Minnesota Statutes, section
226.20 14.388.

226.21 Subd. 2. **Walk-in access program.** The commissioner of natural resources must amend
226.22 Minnesota Rules, part 6230.0250, subpart 10, item A, subitem (2), to replace the word
226.23 "hunter" with "person." The commissioner may use the good cause exempt rulemaking
226.24 procedure under Minnesota Statutes, section 14.388, subdivision 1, clause (3), and Minnesota
226.25 Statutes, section 14.386, does not apply.

226.26 **Sec. 99. REGISTRATION DECAL FORMAT TRANSITION.**

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

227.1 Sec. 100. **REPORT ON FERAL PIGS AND MINK.**

227.2 By February 15, 2024, the commissioner of natural resources, in cooperation with the
227.3 Board of Animal Health and the commissioners of agriculture and health, must submit a
227.4 report to the chairs and ranking minority members of the legislative committees with
227.5 jurisdiction over agriculture and environment and natural resources that:

227.6 (1) identifies the responsibilities of the Board of Animal Health and the commissioners
227.7 of natural resources, health, and agriculture for managing feral pigs and mink;

227.8 (2) identifies any need to clarify or modify responsibilities for feral pig and mink
227.9 management; and

227.10 (3) includes policy recommendations for managing feral pigs and mink to further prevent
227.11 negative impacts on the environment and human health.

227.12 Sec. 101. **STATUTORY AND RULE REVISIONS TO PREVENT FISH KILLS IN**
227.13 **DRIFTLESS AREA.**

227.14 By January 15, 2024, the commissioners of agriculture, health, and natural resources
227.15 and the commissioner of the Pollution Control Agency must make recommendations to the
227.16 legislature for statutes and rules that should be amended to prevent fish kills within the
227.17 boundaries of the Department of Natural Resources Paleozoic Plateau ecological section.

227.18 Sec. 102. **TURTLE SELLER'S LICENSES; TRANSFER AND RENEWAL.**

227.19 The commissioner of natural resources must not renew or transfer a turtle seller's license
227.20 after the effective date of this section.

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

227.22 Sec. 103. **SWAN RESTITUTION VALUES; RULE AMENDMENTS.**

227.23 (a) The commissioner of natural resources must amend Minnesota Rules, part 6133.0030,
227.24 to increase the restitution value of a tundra swan from \$200 to \$1,000 and the restitution
227.25 value of a trumpeter swan from \$1,000 to \$2,500.

227.26 (b) The commissioner of natural resources must amend Minnesota Rules, chapter 6133,
227.27 to double the restitution values for wild game when a person takes, harasses, or destroys
227.28 the wild game with malicious intent.

227.29 (c) The commissioner of natural resources may use the good cause exemption under
227.30 Minnesota Statutes, section 14.388, subdivision 1, clause (3), to adopt rules under this

228.1 section, and Minnesota Statutes, section 14.386, does not apply except as provided under
228.2 Minnesota Statutes, section 14.388.

228.3 **Sec. 104. NATIVE FISH CONSERVATION; REPORTS.**

228.4 (a) By August 1, 2023, the commissioner of natural resources must submit a written
228.5 update on the progress of identifying necessary protection and conservation measures for
228.6 native fish currently defined as rough fish under Minnesota Statutes, section 97A.015,
228.7 subdivision 43, including buffalo, sucker, sheepshead, bowfin, gar, goldeye, and bullhead
228.8 to the chairs and ranking minority members of the house of representatives and senate
228.9 committees and divisions with jurisdiction over environment and natural resources.

228.10 (b) By December 15, 2023, the commissioner of natural resources must submit a written
228.11 report with recommendations for statutory and rule changes to provide necessary protection
228.12 and conservation measures and research needs for native fish currently designated as rough
228.13 fish to the chairs and ranking minority members of the house of representatives and senate
228.14 committees and divisions with jurisdiction over environment and natural resources. The
228.15 report must include recommendations for amending Minnesota Statutes to separately classify
228.16 fish that are native to Minnesota and that are currently designated as rough fish and invasive
228.17 fish that are currently designated as rough fish. For the purposes of this paragraph, native
228.18 fish include but are not limited to bowfin (*Amia calva*), bigmouth buffalo (*Ictiobus*
228.19 *cyprinellus*), smallmouth buffalo (*Ictiobus bubalus*), burbot (*Lota lota*), longnose gar
228.20 (*Lepisosteus osseus*), shortnose gar (*Lepisosteus platostomus*), goldeye (*Hiodon alosoides*),
228.21 mooneye (*Hiodon tergisus*), and white sucker (*Catostomus commersonii*), and invasive fish
228.22 include but are not limited to bighead carp (*Hypophthalmichthys nobilis*), grass carp
228.23 (*Ctenopharyngodon idella*), and silver carp (*Hypophthalmichthys molitrix*).

228.24 **Sec. 105. WATER-USE PERMITS; CITY OF LAKE ELMO.**

228.25 (a) Notwithstanding any other provision of law, the commissioner of natural resources
228.26 may:

228.27 (1) issue permits necessary for the city of Lake Elmo to construct and operate a new
228.28 municipal water supply well; and

228.29 (2) amend existing water-use permits issued to the city of Lake Elmo to increase the
228.30 authorized volume of water that may be appropriated under the permits to a level consistent
228.31 with the amount anticipated to be needed each year according to a water supply plan approved
228.32 by the commissioner under Minnesota Statutes, section 103G.291.

229.1 (b) Notwithstanding paragraph (a), all new and amended water-use permits issued by
229.2 the commissioner to the city of Lake Elmo must contain the same water-use conservation
229.3 and planning measures required by law for municipal wells located wholly or partially
229.4 within the five-mile radius of White Bear Lake.

229.5 (c) This section expires June 30, 2027.

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

229.7 Sec. 106. **WHITE BEAR LAKE AREA WATER-USE PERMIT MODIFICATION**
229.8 **MORATORIUM.**

229.9 (a) Except as provided under paragraph (b), the commissioner of natural resources may
229.10 not reduce the total maximum amount of groundwater use permitted under a White Bear
229.11 Lake area water-use permit issued or amended before January 1, 2023.

229.12 (b) Notwithstanding paragraph (a), the commissioner of natural resources may reduce
229.13 the authorized amount of groundwater use permitted or impose additional restrictions or
229.14 conditions if necessary to address emergency preparedness or other public health and safety
229.15 issues as determined by the commissioner.

229.16 (c) Except as provided under paragraph (b), this section does not authorize the
229.17 commissioner to reduce or eliminate water-use conservation or planning conditions imposed
229.18 on municipal water appropriation permits for wells located wholly or partially within a
229.19 five-mile radius of White Bear Lake.

229.20 (d) For the purposes of this section, "White Bear Lake area water-use permit" means a
229.21 water-use permit authorizing the use of groundwater from one or more municipal wells
229.22 located wholly or partially within a five-mile radius of White Bear Lake.

229.23 (e) This section expires June 30, 2027.

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

229.25 Sec. 107. **ANALYSIS OF CROSSBOW HUNTING'S EFFECT ON DEER**
229.26 **POPULATION.**

229.27 By October 1, 2025, the commissioner of natural resources must submit to the chairs
229.28 and ranking minority members of the house of representatives and senate committees and
229.29 divisions with jurisdiction over the environment and natural resources an analysis of the
229.30 effect that allowing persons who are under age 60 to hunt with a crossbow during regular
229.31 archery seasons has had on the deer population in this state.

230.1 Sec. 108. **DEPARTMENT OF NATURAL RESOURCES OUTREACH TO**
230.2 **SOUTHEAST ASIAN MINNESOTANS.**

230.3 The commissioner of natural resources must recruit and hire at least 3.5 full-time
230.4 equivalent positions to engage in outreach to members of Southeast Asian communities in
230.5 Minnesota about hunting and fishing opportunities and regulations in this state. No more
230.6 than two of these full-time equivalent positions may be conservation officers and all persons
230.7 hired pursuant to this section must be fluent in the Hmong or Karen language.

230.8 Sec. 109. **ENSURING ADEQUATE BAIT SUPPLY.**

230.9 (a) Notwithstanding Minnesota Statutes, sections 97C.211, 97C.341, and 97C.515, or
230.10 any other provision of law, the commissioner of natural resources may adopt emergency
230.11 rules in accordance with Minnesota Statutes, section 84.027, subdivision 13, including by
230.12 the expedited emergency process described in Minnesota Statutes, section 84.027, subdivision
230.13 13, paragraph (b), to alleviate a shortage of bait in this state, including by allowing
230.14 importation of live minnows into the state. Only minnows harvested from waters in states
230.15 that are adjacent to Minnesota may be imported under this section.

230.16 (b) By January 15, 2024, the commissioner, in consultation with bait producers, bait
230.17 harvesters, retailers, and other fishing interest groups, must submit recommendations to the
230.18 chairs and ranking minority members of the house of representatives and senate committees
230.19 and divisions with jurisdiction over environment and natural resources to ensure a viable
230.20 Minnesota-grown bait supply and sustainable bait industry for anglers of Minnesota that
230.21 minimizes the risk of spreading aquatic invasive species or fish disease in Minnesota.

230.22 (c) This section expires June 30, 2025.

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

230.24 Sec. 110. **RECOMMENDATIONS FOR REDUCING AQUATIC INVASIVE**
230.25 **SPECIES CONTAMINATION IN TROUT STREAMS.**

230.26 By January 15, 2024, the commissioner of natural resources, in consultation with
230.27 Minnesota Trout Unlimited and other trout stream angling organizations, must submit to
230.28 the chairs and ranking minority members of the house of representatives and senate
230.29 committees and divisions with jurisdiction over the environment and natural resources
230.30 policy recommendations for statutory and program changes to reduce the risk of aquatic
230.31 invasive species contamination in Minnesota trout streams.

231.1 Sec. 111. **REVISOR INSTRUCTION.**

231.2 The revisor of statutes must renumber the subdivisions of Minnesota Statutes, section
 231.3 103G.005, listed in column A to the references listed in column B. The revisor must make
 231.4 necessary cross-reference changes in Minnesota Statutes and Minnesota Rules consistent
 231.5 with the renumbering:

231.6	<u>Column A</u>	<u>Column B</u>
231.7	<u>subdivision 9b</u>	<u>subdivision 9d</u>
231.8	<u>subdivision 13a</u>	<u>subdivision 13c</u>
231.9	<u>subdivision 15h</u>	<u>subdivision 15j</u>

231.10 Sec. 112. **REPEALER.**

231.11 (a) Minnesota Rules, parts 6100.5000, subparts 3, 4, and 5; 6100.5700, subpart 4; and
 231.12 6115.1220, subpart 8, are repealed.

231.13 (b) Minnesota Statutes 2022, sections 86B.101; 86B.305; and 86B.313, subdivisions 2
 231.14 and 3, are repealed.

231.15 (c) Minnesota Rules, part 6256.0500, subparts 2, 2a, 2b, 4, 5, 6, 7, and 8, are repealed.

231.16 (d) Minnesota Statutes 2022, section 97C.605, subdivisions 2, 2a, 2b, and 5, are repealed.

231.17 **EFFECTIVE DATE.** Paragraph (b) is effective July 1, 2025, and paragraphs (c) and
 231.18 (d) are effective January 1, 2024.

231.19

ARTICLE 5

231.20

WATER AND SOIL RESOURCES

231.21 Section 1. Minnesota Statutes 2022, section 103B.101, subdivision 2, is amended to read:

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

231.23 (1) three county commissioners;

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

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

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

231.28 (5) one township officer;

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

232.3 (7) the commissioner of agriculture;

232.4 (8) the commissioner of health;

232.5 (9) the commissioner of natural resources;

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

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

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

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

232.17 (d) The membership terms, compensation, removal of members and filling of vacancies
232.18 on the board for members in paragraph (a), clauses (1) to (6), are as provided in section
232.19 15.0575, except that a member may be compensated at the rate of up to \$125 a day.

232.20 Sec. 2. Minnesota Statutes 2022, section 103B.101, subdivision 9, is amended to read:

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

232.23 (1) coordinate the water and soil resources planning and implementation activities of
232.24 counties, soil and water conservation districts, watershed districts, watershed management
232.25 organizations, and any other local units of government through its various authorities for
232.26 approval of local plans, administration of state grants, contracts and easements, and by other
232.27 means as may be appropriate;

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

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

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

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

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

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

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

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

233.30 Sec. 3. Minnesota Statutes 2022, section 103B.101, subdivision 16, is amended to read:

233.31 Subd. 16. ~~Water quality~~ **Conservation practices; standardized specifications.** (a)
233.32 ~~The board of Water and Soil Resources shall~~ must work with state and federal agencies,
233.33 Tribal Nations, academic institutions, local governments, practitioners, and stakeholders to

234.1 foster mutual understanding and provide recommendations for standardized specifications
234.2 for ~~water quality and soil conservation protection and improvement~~ practices and₂ projects,₂
234.3 and systems for:

234.4 (1) erosion or sedimentation control;

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

234.6 (3) habitat restoration and enhancement;

234.7 (4) energy conservation; and

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

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

234.11 Sec. 4. Minnesota Statutes 2022, section 103B.101, is amended by adding a subdivision
234.12 to read:

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

234.18 (1) water quality;

234.19 (2) soil conservation;

234.20 (3) habitat enhancement;

234.21 (4) energy conservation; and

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

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

234.25 Sec. 5. Minnesota Statutes 2022, section 103B.103, is amended to read:

234.26 **103B.103 EASEMENT STEWARDSHIP ACCOUNTS.**

234.27 Subdivision 1. **Accounts established; sources.** (a) The water and soil conservation
234.28 easement stewardship account and the mitigation easement stewardship account are created
234.29 in the special revenue fund. The accounts consist of money credited to the accounts and

235.1 interest and other earnings on money in the accounts. The State Board of Investment must
235.2 manage the accounts to maximize long-term gain.

235.3 (b) Revenue from contributions and money appropriated for any purposes of the account
235.4 as described in subdivision 2 must be deposited in the water and soil conservation easement
235.5 stewardship account. Revenue from contributions, ~~wetland banking~~ mitigation fees designated
235.6 for stewardship purposes by the board, easement stewardship payments authorized under
235.7 subdivision 3, and money appropriated for any purposes of the account as described in
235.8 subdivision 2 must be deposited in the mitigation easement stewardship account.

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

235.14 (1) repairing or replacing structures;

235.15 (2) monitoring;

235.16 (3) landowner contacts;

235.17 (4) records storage and management;

235.18 (5) processing landowner notices;

235.19 (6) requests for approval or amendments;

235.20 (7) enforcement; and

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

235.22 Subd. 3. **Financial contributions.** The board shall seek a financial contribution to the
235.23 water and soil conservation easement stewardship account for each conservation easement
235.24 acquired by the board. The board shall seek a financial contribution or assess an easement
235.25 stewardship payment to the mitigation easement stewardship account for each wetland
235.26 ~~banking~~ mitigation easement acquired by the board. Unless otherwise provided by law, the
235.27 board shall determine the amount of the contribution or payment, which must be an amount
235.28 calculated to earn sufficient money to meet the costs of managing the easement at a level
235.29 that neither significantly overrecovers nor underrecovers the costs. In determining the
235.30 amount of the financial contribution, the board shall consider:

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

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

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

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

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

236.8 (6) the estimated annualized costs for repairing or replacing water control structures;

236.9 and

236.10 ~~(6)~~ (7) the expected rate of return on investments in the account.

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

236.12 **Sec. 6. [103B.104] LAWNS TO LEGUMES PROGRAM.**

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

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

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

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

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

236.26 **Sec. 7. [103B.105] HABITAT-FRIENDLY UTILITIES PROGRAM.**

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

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

237.1 (2) protect habitat and water resources.

237.2 (b) The board must establish criteria for grants or payments awarded under this section.

237.3 Grants or payments awarded under this section may prioritize proposals in areas identified

237.4 by state and federal agencies and conservation partners for protecting high-priority natural

237.5 resources and wildlife species.

237.6 (c) The board may collaborate with and enter into agreements with federal, state, and

237.7 local agencies; Tribal Nations; utility companies; nonprofit organizations; and contractors

237.8 to implement and promote the program.

237.9 **Sec. 8. [103B.106] HABITAT ENHANCEMENT LANDSCAPE PROGRAM.**

237.10 (a) The Board of Water and Soil Resources may provide financial and technical assistance

237.11 to establish or enhance areas of diverse native vegetation to:

237.12 (1) support declining populations of bees, butterflies, dragonflies, birds, and other wildlife

237.13 species that are essential for ecosystems and food production across conservation lands,

237.14 open spaces, and natural areas; and

237.15 (2) provide additional benefits for water management, carbon sequestration, and landscape

237.16 and climate resiliency.

237.17 (b) The board must establish criteria for grants or payments awarded under this section.

237.18 Grants or payments awarded under this section may prioritize proposals in areas identified

237.19 by state and federal agencies and conservation partners as high priority for protecting

237.20 endangered or threatened pollinator and other species.

237.21 (c) The board may collaborate with and enter into agreements with federal, state, and

237.22 local agencies; Tribal Nations; nonprofit organizations; and contractors to implement and

237.23 promote the program.

237.24 **Sec. 9. Minnesota Statutes 2022, section 103C.501, subdivision 1, is amended to read:**

237.25 **Subdivision 1. Cost-share Program authorization.** The state board may allocate

237.26 available funds to districts to share the cost of systems or for practices, projects, and systems

237.27 for:

237.28 (1) erosion or sedimentation control or;

237.29 (2) improvements to water quality improvement that are designed to protect and improve

237.30 soil and water resources; or water quantity;

237.31 (3) habitat enhancement;

238.1 (4) plant biodiversity;

238.2 (5) energy conservation; or

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

238.4 Sec. 10. Minnesota Statutes 2022, section 103C.501, subdivision 4, is amended to read:

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

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

238.10 (1) for conservation practices for high-priority problems activities, including technical
 238.11 and financial assistance, identified in the comprehensive and annual work plans of the
 238.12 districts, for the technical assistance portion of the grant funds state-approved plans that are
 238.13 related to water and natural resources and established under chapters 103B, 103C, 103D,
 238.14 103F, 103G, and 114D;

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

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

238.18 Sec. 11. Minnesota Statutes 2022, section 103C.501, subdivision 5, is amended to read:

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

238.22 (1) erosion or sedimentation control or;

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

238.25 (3) habitat enhancement;

238.26 (4) plant biodiversity;

238.27 (5) energy conservation; or

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

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

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

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

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

239.16 ~~(f)~~ (d) When a district board determines that long-term maintenance of a system or
 239.17 practice is desirable, the district or the state board may require that maintenance be made
 239.18 a covenant upon the land for the effective life of the practice. A covenant under this
 239.19 subdivision shall be construed in the same manner as a conservation restriction under section
 239.20 84.65.

239.21 Sec. 12. Minnesota Statutes 2022, section 103C.501, subdivision 6, is amended to read:

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

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

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

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

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

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

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

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

240.7 Sec. 13. Minnesota Statutes 2022, section 103C.501, is amended by adding a subdivision
240.8 to read:

240.9 Subd. 7. **Inspections.** The district or the district's delegate must conduct site inspections
240.10 of conservation practices installed to determine if the land occupier is in compliance with
240.11 design, operation, and maintenance specifications.

240.12 Sec. 14. Minnesota Statutes 2022, section 103D.605, subdivision 5, is amended to read:

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

240.18 Sec. 15. **[103F.06] SOIL HEALTH PRACTICES PROGRAM.**

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

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

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

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

240.25 Subd. 2. **Establishment.** (a) The board must administer a financial and technical support
240.26 program to produce soil health practices that achieve water quality, soil productivity, climate
240.27 change resiliency, or carbon sequestration benefits or reduce pesticide and fertilizer use.

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

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

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

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

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

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

241.13 Subd. 6. **Soil health practices.** The board, in consultation with the commissioner of
 241.14 agriculture, may cooperate with the United States Department of Agriculture, other federal
 241.15 and state agencies, local governments, and private sector organizations to establish soil
 241.16 health goals for the state that will achieve water quality, soil productivity, climate change
 241.17 resiliency, and carbon sequestration benefits and reduce pesticide and fertilizer use.

241.18 Sec. 16. Minnesota Statutes 2022, section 103F.505, is amended to read:

241.19 **103F.505 PURPOSE AND POLICY.**

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

241.22 (1) enhance soil and water quality;

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

241.24 (3) sequester carbon, ~~and~~;

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

241.26 (5) establish perennial vegetation.

241.27 (b) It is state policy to encourage ~~the~~:

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

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

242.1 (3) protection of environmentally sensitive areas, including wellhead protection areas,
242.2 grasslands, peatlands, shorelands, karst geology, and forest lands in priority areas.

242.3 Sec. 17. Minnesota Statutes 2022, section 103F.511, is amended by adding a subdivision
242.4 to read:

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

242.9 Sec. 18. Minnesota Statutes 2022, section 103F.511, is amended by adding a subdivision
242.10 to read:

242.11 Subd. 8d. **Restored prairie.** "Restored prairie" means a restoration that uses at least 25
242.12 representative and biologically diverse native prairie plant species and that occurs on land
242.13 that was previously cropped or used as pasture.

242.14 Sec. 19. **[103F.519] REINVEST IN MINNESOTA WORKING LANDS PROGRAM.**

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

242.18 (1) protecting or improving water quality;

242.19 (2) reducing erosion;

242.20 (3) improving soil health;

242.21 (4) reducing chemical inputs;

242.22 (5) improving carbon storage; and

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

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

242.26 Subd. 3. **Nature of property rights acquired.** Notwithstanding section 103F.515,
242.27 subdivision 4, paragraph (a), the board may authorize managed haying and managed livestock
242.28 grazing, perennial or winter annual cover crop production, forest management, or other
242.29 activities that the board determines are consistent with section 103F.505 or appropriation
242.30 conditions or criteria.

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

243.4 Sec. 20. Minnesota Statutes 2022, section 103G.2242, subdivision 1, is amended to read:

243.5 Subdivision 1. **Rules.** (a) The board, in consultation with the commissioner, shall adopt
243.6 rules governing the approval of wetland value replacement plans under this section and
243.7 public-waters-work permits affecting public waters wetlands under section 103G.245. These
243.8 rules must address the criteria, procedure, timing, and location of acceptable replacement
243.9 of wetland values and may address the state establishment and administration of a wetland
243.10 banking program for public and private projects, including provisions for an in-lieu fee
243.11 program; mitigating and banking other water and water-related resources; the administrative,
243.12 monitoring, and enforcement procedures to be used; and a procedure for the review and
243.13 appeal of decisions under this section. In the case of peatlands, the replacement plan rules
243.14 must consider the impact on carbon. Any in-lieu fee program established by the board must
243.15 conform with Code of Federal Regulations, title 33, section 332.8, as amended.

243.16 (b) After the adoption of the rules, a replacement plan must be approved by a resolution
243.17 of the governing body of the local government unit, consistent with the provisions of the
243.18 rules or a comprehensive wetland protection and management plan approved under section
243.19 103G.2243.

243.20 (c) If the local government unit fails to apply the rules, or fails to implement a local
243.21 comprehensive wetland protection and management plan established under section
243.22 103G.2243, the government unit is subject to penalty as determined by the board.

243.23 (d) When making a determination under rules adopted pursuant to this subdivision on
243.24 whether a rare natural community will be permanently adversely affected, consideration of
243.25 measures to mitigate any adverse effect on the community must be considered.

243.26 Sec. 21. **DRAINAGE WORK GROUP REPORT.**

243.27 (a) The Board of Water and Soil Resources and the Drainage Work Group established
243.28 under Minnesota Statutes, section 103B.101, subdivision 13, must evaluate and develop
243.29 recommendations on the following subjects:

243.30 (1) the definition and application of outlet adequacy as provided in Minnesota Statutes,
243.31 section 103E.261; and

244.1 (2) public notice requirements for proposed public drainage activities, including a
244.2 drainage registry portal.

244.3 (b) The board must submit the report to the chairs and ranking minority members of the
244.4 house of representatives and senate committees and divisions with jurisdiction over
244.5 environment and natural resources by February 1, 2024.

244.6 Sec. 22. **REPEALER.**

244.7 (a) Minnesota Statutes 2022, section 103C.501, subdivisions 2 and 3, are repealed.

244.8 (b) Minnesota Rules, parts 8400.0500; 8400.0550; 8400.0600, subparts 4 and 5;
244.9 8400.0900, subparts 1, 2, 4, and 5; 8400.1650; 8400.1700; 8400.1750; 8400.1800; and
244.10 8400.1900, are repealed.

244.11 **ARTICLE 6**

244.12 **STATE LANDS**

244.13 Section 1. Minnesota Statutes 2022, section 84.66, subdivision 7, is amended to read:

244.14 Subd. 7. **Landowner responsibilities.** The commissioner may enroll eligible land in
244.15 the program by signing an easement in recordable form with a landowner in which the
244.16 landowner agrees to:

244.17 (1) convey to the state a permanent easement that is not subject to any prior title, lien,
244.18 or encumbrance, except for preexisting easements that are acceptable to the commissioner;
244.19 and

244.20 (2) manage the land in a manner consistent with the purposes for which the land was
244.21 selected for the program and not convert the land to other uses.

244.22 Sec. 2. Laws 2023, chapter 9, section 19, is amended to read:

244.23 Sec. 19. **LAND EXCHANGE; ST. LOUIS COUNTY.**

244.24 Subdivision 1. Authority. (a) Notwithstanding Minnesota Statutes, section 92.461, and
244.25 the riparian restrictions in Minnesota Statutes, section 94.342, subdivision 3, St. Louis
244.26 County may, with the approval of the Land Exchange Board as required under the Minnesota
244.27 Constitution, article XI, section 10, and according to the remaining provisions of Minnesota
244.28 Statutes, sections 94.342 to 94.347, exchange the land described in paragraph (c).

245.1 (b) The conveyance must be in the form approved by the attorney general. The attorney
245.2 general may make necessary changes to the legal description to correct errors and ensure
245.3 accuracy.

245.4 (c) The lands that may be conveyed are located in St. Louis County and are described
245.5 as:

245.6 (1) Sections 1 and 2, Township 53 North, Range 18 West;

245.7 (2) Sections 19, 20, 29, 30, 31, and 32, Township 54 North, Range 17 West;

245.8 (3) Sections 24, 25, 26, and 35, Township 54 North, Range 18 West;

245.9 (4) Sections 22, 23, 26, and 27, Township 54 North, Range 19 West; and

245.10 (5) Sections 8, 9, 17, and 18, Township 55 North, Range 18 West.

245.11 Subd. 2. Exchange for greater than substantially equal value. Notwithstanding
245.12 Minnesota Statutes, section 94.344, subdivisions 3 and 5, or any other law to the contrary,
245.13 the county may require the exchange partner to exchange lands or a combination of lands
245.14 and money valued in the amount of at least 125 percent of the state land referenced in
245.15 subdivision 1, paragraph (c), in determining whether the proposal is in the best interests of
245.16 the state.

245.17 **Sec. 3. ADDITIONS TO STATE PARKS.**

245.18 Subdivision 1. [85.012] [Subd. 21.] Frontenac State Park, Goodhue County. The
245.19 following area is added to Frontenac State Park, Goodhue County:

245.20 That part of the Southeast Quarter of Section 10, Township 112 North, Range 13 West,
245.21 and that part of the Southwest Quarter of Section 11, Township 112 North, Range 13
245.22 West, Goodhue County, Minnesota, described as follows: Commencing at the northeast
245.23 corner of the Southeast Quarter of said Section 10; thence southerly on an assumed
245.24 azimuth from North of 189 degrees 34 minutes 33 seconds, along the east line of the
245.25 Southeast Quarter of said Section 10, a distance of 1,100.31 feet; thence westerly 269
245.26 degrees 34 minutes 33 seconds azimuth, a distance of 80.53 feet to the point of beginning
245.27 of the land to be described; thence northerly 340 degrees 42 minutes 19 seconds azimuth,
245.28 a distance of 300.00 feet; thence easterly 100 degrees 22 minutes 46 seconds azimuth,
245.29 a distance of 286.97 feet to the centerline of County Road Number 2, as now located
245.30 and established; thence southerly and southwesterly, along said centerline, to the
245.31 intersection with a line drawn southerly 160 degrees 42 minutes 19 seconds azimuth

246.1 from the point of beginning; thence northerly 340 degrees 42 minutes 19 seconds azimuth,
246.2 a distance of 51.66 feet to the point of beginning.

246.3 EXCEPT the following described premises:

246.4 Part of the Northeast Quarter of the Southeast Quarter of Section 10, Township 112
246.5 North, Range 13 West, Goodhue County, shown as Parcel 6 on the plat designated as
246.6 Goodhue County Right-of-Way Plat No. 23 on file and of record in the Office of the
246.7 County Recorder in and for Goodhue County, Minnesota.

246.8 ALSO EXCEPT the following:

246.9 Part of the Northwest Quarter of the Southwest Quarter of Section 11, Township 112
246.10 North, Range 13 West, Goodhue County, shown as Parcel 1 on the plat designated as
246.11 Goodhue County Highway Right-Of-Way Plat No. 24 on file and of record in the Office
246.12 of the County Recorder in and for Goodhue County, Minnesota.

246.13 Subd. 2. [85.012] [Subd. 60.] William O'Brien State Park, Washington County. The
246.14 following area is added to William O'Brien State Park, Washington County:

246.15 The South Half of the Northwest Quarter, except the East 2 rods thereof, Section 25,
246.16 Township 32, Range 20.

246.17 Sec. 4. **ADDITION TO STATE FOREST.**

246.18 **[89.021] [Subd. 42a.] Riverlands State Forest.** Those parts of St. Louis County
246.19 described as follows are added to Riverlands State Forest:

246.20 That part of Government Lot 8, Section 30, Township 51 North, Range 19, St. Louis
246.21 County, Minnesota, lying northwesterly of the railroad right-of-way.

246.22 Sec. 5. **PRIVATE SALE OF SURPLUS STATE LAND BORDERING PUBLIC**
246.23 **WATER; AITKIN COUNTY.**

246.24 (a) Notwithstanding Minnesota Statutes, sections 92.45, 94.09, and 94.10, the
246.25 commissioner of natural resources may sell by private sale the surplus land bordering public
246.26 water that is described in paragraph (c).

246.27 (b) The commissioner may make necessary changes to the legal description to correct
246.28 errors and ensure accuracy.

246.29 (c) The land that may be sold is located in Aitkin County and is described as:

247.1 The West 16.25 feet of that part of the 32.50-foot-wide road, as delineated on the Plat
247.2 of Sugar Lake Addition, according to the plat of record and on file in the Office of the
247.3 County Recorder in and for Aitkin County, Minnesota lying northerly of the following
247.4 described line: Commencing at the iron monument at the southwest corner of Section
247.5 2, Township 45, Range 25, said Aitkin County, Minnesota; thence North 0 degrees 00
247.6 minutes 23 seconds West, assumed bearing, 2,020.36 feet along the west line of said
247.7 Section 2 to the point of beginning of the line to be described; thence North 89 degrees
247.8 59 minutes 37 seconds East 32.50 feet to the west line of Lot 1 said Sugar Lake Addition
247.9 and said line there terminating.

247.10 (d) The land borders Sugar Lake. The Department of Natural Resources has determined
247.11 that the land is not needed for natural resource purposes and that the state's land management
247.12 interests would best be served if the land was returned to private ownership.

247.13 **Sec. 6. PUBLIC SALE OF SURPLUS STATE LAND BORDERING PUBLIC**
247.14 **WATER; BECKER COUNTY.**

247.15 (a) Notwithstanding Minnesota Statutes, sections 92.45, 94.09, and 94.10, the
247.16 commissioner of natural resources may sell by public sale the surplus land bordering public
247.17 water that is described in paragraph (c).

247.18 (b) The commissioner may make necessary changes to the legal description to correct
247.19 errors and ensure accuracy.

247.20 (c) The land that may be sold is located in Becker County and is described as:

247.21 All that part of Government Lot 2, Section 12, Township 139 North, Range 40 West of
247.22 the 5th P.M., bounded by the water's edge of Cotton Lake and the following described
247.23 lines: Commencing at the North quarter corner of said Section 12, from which the
247.24 northwest corner of said section bears North 90 degrees 00 minutes West; thence South
247.25 00 degrees 00 minutes East, 325.0 feet; thence North 90 degrees 00 minutes East, 72.0
247.26 feet to the point of beginning and the centerline of County State-Aid Highway No. 29;
247.27 thence South 25 degrees 52 minutes East, 222.27 feet along the centerline of said
247.28 highway; thence North 90 degrees 00 minutes West, 284.0 feet, more or less, to the
247.29 water's edge of Cotton Lake and there terminating; and from the point of beginning,
247.30 North 90 degrees 00 minutes West, 249.1 feet, more or less, to the water's edge of Cotton
247.31 Lake and there terminating.

247.32 (d) The land borders Cotton Lake and is not contiguous to other state lands. The
247.33 Department of Natural Resources has determined that the land is not needed for natural

248.1 resource purposes and that the state's land management interests would best be served if
248.2 the land was returned to private ownership.

248.3 **Sec. 7. PUBLIC SALE OF SURPLUS STATE LAND BORDERING PUBLIC**
248.4 **WATER; BECKER COUNTY.**

248.5 (a) Notwithstanding Minnesota Statutes, sections 92.45, 94.09, and 94.10, the
248.6 commissioner of natural resources may sell by public sale the surplus land bordering public
248.7 water that is described in paragraph (c).

248.8 (b) The commissioner may make necessary changes to the legal description to correct
248.9 errors and ensure accuracy.

248.10 (c) The land that may be sold is located in Becker County and is described as:

248.11 Lot 1, Pearl Hill, according to the certified plat on file and of record in the Office of the
248.12 Register of Deeds in and for Becker County, Minnesota, and being a part of Government
248.13 Lots 2 and 3, Section 13, Township 138 North, Range 42 West.

248.14 (d) The land borders Pearl Lake and is not contiguous to other state lands. The Department
248.15 of Natural Resources has determined that the land is not needed for natural resource purposes
248.16 and that the state's land management interests would best be served if the land was returned
248.17 to private ownership.

248.18 **Sec. 8. PRIVATE SALE OF TAX-FORFEITED LAND; BELTRAMI COUNTY.**

248.19 (a) Notwithstanding the public sale provisions of Minnesota Statutes, chapter 282, or
248.20 other law to the contrary, Beltrami County may sell by private sale the tax-forfeited land
248.21 described in paragraph (c).

248.22 (b) The conveyance must be in a form approved by the attorney general. The attorney
248.23 general may make changes to the land description to correct errors and ensure accuracy.

248.24 (c) The land to be sold is located in Beltrami County and is described as:

248.25 That part of the Southwest Quarter of the Southwest Quarter, Section 20, Township 150
248.26 North, Range 35 West, Beltrami County, Minnesota: Commencing at the southwest corner
248.27 of the said Southwest Quarter of the Southwest Quarter, said corner is documented by a
248.28 Certificate of Location of Government Corner filed in the Office of the Beltrami County
248.29 Recorder on February 14, 2013, by Document No. A000529106; thence South 89 degrees
248.30 31 minutes 48 seconds East, bearing based on the Beltrami County Coordinate System,
248.31 South Zone, along the south line of said Southwest Quarter of the Southwest Quarter, a

249.1 distance of 1,318.01 feet; thence North 00 degrees 00 minutes 57 seconds West, along the
249.2 east line of said Southwest Quarter of the Southwest Quarter, a distance of 929.92 feet to
249.3 the point of beginning of land to be described and said point is designated by an iron pipe,
249.4 1/2 inch in diameter, stamped LS 15483; thence continue North 00 degrees 00 minutes 57
249.5 seconds West, along said east line, a distance of 151.79 feet to a point designated by an iron
249.6 pipe, 1/2 inch in diameter, stamped LS 15483; thence North 81 degrees 33 minutes 00
249.7 seconds West a distance of 62.18 feet to a point designated by an iron pipe, 1/2 inch in
249.8 diameter, stamped LS 15483; thence South 08 degrees 27 minutes 00 seconds West a distance
249.9 of 150.14 feet to the intersection with a line bearing North 81 degrees 33 minutes 00 seconds
249.10 West from the point of beginning and said intersection is designated by an iron pipe, 1/2
249.11 inch in diameter, stamped LS 15483; thence South 81 degrees 33 minutes 00 seconds East
249.12 a distance of 84.53 feet to the point of beginning (0.25 acres) (part of parcel identification
249.13 number 01.00227.00).

249.14 (d) The county has determined that the county's land management interests would best
249.15 be served if the land was returned to private ownership to resolve an encroachment.

249.16 **Sec. 9. PRIVATE SALE OF TAX-FORFEITED LAND; BELTRAMI COUNTY.**

249.17 (a) Notwithstanding the public sale provisions of Minnesota Statutes, chapter 282, or
249.18 other law to the contrary, Beltrami County may sell by private sale the tax-forfeited land
249.19 described in paragraph (c).

249.20 (b) The conveyance must be in a form approved by the attorney general. The attorney
249.21 general may make changes to the land description to correct errors and ensure accuracy.

249.22 (c) The land to be sold is located in Beltrami County and is described as: the East 11.00
249.23 feet of the North 80.00 feet of the South 714.97 feet of the Northwest Quarter of the Southeast
249.24 Quarter, Section 1, Township 146 North, Range 34 West, Beltrami County, Minnesota (0.02
249.25 acres) (part of parcel identification number 15.00030.00).

249.26 (d) The county has determined that the county's land management interests would best
249.27 be served if the land was returned to private ownership to resolve an encroachment.

249.28 **Sec. 10. PRIVATE SALE OF SURPLUS LAND BORDERING PUBLIC WATER;**
249.29 **CROW WING COUNTY.**

249.30 (a) Notwithstanding Minnesota Statutes, sections 92.45, 94.09, and 94.10, the
249.31 commissioner of natural resources may sell by private sale the surplus land that is described
249.32 in paragraph (c).

250.1 (b) The commissioner may make necessary changes to the legal description to correct
250.2 errors and ensure accuracy.

250.3 (c) The land that may be conveyed is located in Crow Wing County and is described as:
250.4 That part of Government Lot 2, Section 11, Township 44, Range 28, Crow Wing County,
250.5 Minnesota, described as follows: Commencing at the southeast corner of said Government
250.6 Lot 2; thence South 89 degrees 08 minutes 05 seconds West, assumed bearing along the
250.7 south line of said Government Lot 2 a distance of 203.73 feet to the westerly right-of-way
250.8 of State Highway No. 18; thence North 24 degrees 13 minutes 27 seconds West, along
250.9 said westerly right-of-way 692.40 feet, to the point of beginning; thence continuing
250.10 North 24 degrees 13 minutes 27 seconds West along said westerly right-of-way 70.31
250.11 feet; thence North 89 degrees 25 minutes 27 seconds West 90.00 feet; thence South 11
250.12 degrees 16 minutes 29 seconds East 87.00 feet; thence North 78 degrees 43 minutes 31
250.13 seconds East 103.84 feet to the point of beginning. Said parcel contains 0.17 acres of
250.14 land, more or less, and is subject to existing easements of record.

250.15 (d) The tax parcel from which the land will be split borders Borden Lake, but the land
250.16 to be sold does not border Borden Lake. The Department of Natural Resources has
250.17 determined that the land is not needed for natural resource purposes and that the state's land
250.18 management interests would best be served if the land were returned to private ownership.

250.19 **Sec. 11. PRIVATE SALE OF TAX-FORFEITED LAND; ITASCA COUNTY.**

250.20 (a) Notwithstanding the public sale provisions of Minnesota Statutes, chapter 282, or
250.21 other law to the contrary, Itasca County may sell by private sale the tax-forfeited land
250.22 described in paragraph (c).

250.23 (b) The conveyance must be in a form approved by the attorney general. The attorney
250.24 general may make changes to the land description to correct errors and ensure accuracy.

250.25 (c) The land to be sold is located in Itasca County and is described as: the Northwest
250.26 Quarter of the Southeast Quarter, Section 25, Township 56, Range 25 (parcel identification
250.27 number 02-025-4200).

250.28 (d) The county has determined that the county's land management interests would best
250.29 be served if the lands were returned to private ownership.

251.1 **Sec. 12. PUBLIC OR PRIVATE SALE OF SURPLUS STATE LAND BORDERING**
251.2 **PUBLIC WATER; KANDIYOHI COUNTY.**

251.3 (a) Notwithstanding Minnesota Statutes, sections 92.45, 94.09, and 94.10, the
251.4 commissioner of natural resources may sell by public or private sale the surplus land that
251.5 is described in paragraph (c), subject to the state's reservation of a perpetual flowage
251.6 easement.

251.7 (b) The commissioner may make necessary changes to the legal description to correct
251.8 errors and ensure accuracy.

251.9 (c) The land that may be sold is located in Kandiyohi County and is described as:

251.10 Lots 18 and 19 of First Addition to Walleye Beach, according to the plat thereof on file
251.11 and of record in the Office of the Register of Deeds in and for Kandiyohi County,
251.12 Minnesota.

251.13 (d) The land borders Florida Lake and is not contiguous to other state lands. The
251.14 Department of Natural Resources has determined that the land is not needed for natural
251.15 resource purposes and that the state's land management interests would best be served if
251.16 the land was returned to private ownership.

251.17 **Sec. 13. PRIVATE SALE OF TAX-FORFEITED LANDS; KOOCHICHING**
251.18 **COUNTY.**

251.19 (a) Notwithstanding the public sale provisions of Minnesota Statutes, chapter 282, or
251.20 any other law to the contrary, Koochiching County may sell by private sale the tax-forfeited
251.21 lands described in paragraph (c).

251.22 (b) The conveyance must be in a form approved by the attorney general. The attorney
251.23 general may make changes to the land description to correct errors and ensure accuracy.

251.24 (c) The land to be sold is located in Koochiching County and is described as:

251.25 That part of Lot 53, Plat of Riverview Acres, according to the recorded plat thereof on
251.26 file in the Office of the County Recorder, Koochiching County, Minnesota, lying
251.27 northwesterly of the following described line: Commencing at the northwest corner of
251.28 said Lot 53; thence South 89 degrees 59 minutes 47 seconds East 31.00 feet along the
251.29 north line of said Lot 53 to the point of beginning of the line to be described; thence
251.30 South 67 degrees 10 minutes 42 seconds West 33.51 feet to the west line of said Lot 53
251.31 and there terminating. Said parcel contains 200 square feet, more or less.

252.1 (d) The county has determined that the county's land management interests would best
252.2 be served if the lands were returned to private ownership.

252.3 Sec. 14. **PRIVATE SALE OF TAX-FORFEITED LANDS; ST. LOUIS COUNTY.**

252.4 (a) Notwithstanding the public sale provisions of Minnesota Statutes, chapter 282, or
252.5 other law to the contrary, St. Louis County may sell by private sale the tax-forfeited land
252.6 described in paragraph (c).

252.7 (b) The conveyance must be in a form approved by the attorney general. The attorney
252.8 general may make changes to the land description to correct errors and ensure accuracy.

252.9 (c) The land to be sold is located in St. Louis County and is described as:

252.10 Lot 6, Block 12, Chambers First Division of Duluth (parcel number 010-0460-00660).

252.11 (d) The county has determined that the county's land management interests would best
252.12 be served if the land was returned to private ownership to resolve a structure encroachment.

252.13 Sec. 15. **PRIVATE SALE OF TAX-FORFEITED LANDS; ST. LOUIS COUNTY.**

252.14 (a) Notwithstanding the public sale provisions of Minnesota Statutes, chapter 282, or
252.15 other law to the contrary, St. Louis County may sell by private sale the tax-forfeited land
252.16 described in paragraph (c).

252.17 (b) The conveyance must be in a form approved by the attorney general. The attorney
252.18 general may make changes to the land description to correct errors and ensure accuracy.

252.19 (c) The land to be sold is located in St. Louis County and is described as:

252.20 The West 3 feet of the North 20 feet of Lot 87, Block 75, Duluth Proper Third Division
252.21 (parcel number 010-1310-01945).

252.22 (d) The county has determined that the county's land management interests would best
252.23 be served if the land was returned to private ownership to resolve a structure encroachment.

252.24 Sec. 16. **PRIVATE SALE OF TAX-FORFEITED LANDS; ST. LOUIS COUNTY.**

252.25 (a) Notwithstanding the public sale provisions of Minnesota Statutes, chapter 282, or
252.26 other law to the contrary, St. Louis County may sell by private sale the tax-forfeited land
252.27 described in paragraph (c).

252.28 (b) The conveyance must be in a form approved by the attorney general. The attorney
252.29 general may make changes to the land description to correct errors and ensure accuracy.

253.1 (c) The land to be sold is located in St. Louis County and is described as:

253.2 Lot 90, except the North 100 feet and except the East Half of the South 50 feet of Lot
253.3 90 and except the West 6 feet of the South 50 feet of the West Half of Lot 90, Block 75,
253.4 Duluth Proper Third Division (parcel number 010-1310-02125).

253.5 (d) The county has determined that the county's land management interests would best
253.6 be served if the land was returned to private ownership to resolve a structure encroachment.

253.7 **Sec. 17. PRIVATE SALE OF TAX-FORFEITED LANDS; ST. LOUIS COUNTY.**

253.8 (a) Notwithstanding the public sale provisions of Minnesota Statutes, chapter 282, or
253.9 other law to the contrary, St. Louis County may sell by private sale the tax-forfeited land
253.10 described in paragraph (c).

253.11 (b) The conveyance must be in a form approved by the attorney general. The attorney
253.12 general may make changes to the land description to correct errors and ensure accuracy.

253.13 (c) The land to be sold is located in St. Louis County and is described as:

253.14 Block 11, Endion Park Division of Duluth (parcel number 010-1490-00860).

253.15 (d) The county has determined that the county's land management interests would best
253.16 be served if the land was returned to private ownership to resolve a structure encroachment.

253.17 **Sec. 18. PRIVATE SALE OF TAX-FORFEITED LANDS; ST. LOUIS COUNTY.**

253.18 (a) Notwithstanding the public sale provisions of Minnesota Statutes, chapter 282, or
253.19 other law to the contrary, St. Louis County may sell by private sale the tax-forfeited lands
253.20 described in paragraph (c).

253.21 (b) The conveyances must be in a form approved by the attorney general. The attorney
253.22 general may make changes to the land descriptions to correct errors and ensure accuracy.

253.23 (c) The lands to be sold are located in St. Louis County and are described as:

253.24 (1) Lots 52, 54, and 56, Fond Du Lac Fourth Street Duluth (parcel number
253.25 010-1620-01260);

253.26 (2) Lots 58 and 60, Fond Du Lac Fourth Street Duluth (parcel number 010-1620-01290);

253.27 (3) Lots 21 thru 39, odd numbers, and Lot 41 except the North 52 feet, and except the
253.28 North 52 feet of Lots 43, 45, and 47, and Lots 49 and 51 except that part lying North of a
253.29 line drawn from a point on the westerly line of Lot 49 and 52 feet South of the northwest
253.30 corner to a point on the easterly line of Lot 51 38.1 feet South of the northeast corner, and

254.1 all of Lots 53, 55, 57, and 59, and except that part of Lots 21 thru 39, odd numbered lots,
254.2 lying 20 feet northerly and 20 feet southerly of a line beginning at a point on the west line
254.3 of Lot 21 13.56 feet South of the northwest corner of Lot 21; thence to a point 54.83 feet
254.4 South of the northeast corner along the east line of Lot 39, and except the southerly 46 feet
254.5 of the northerly 98 feet of Lots 41, 43, and 45, and except that part of Lots 47 thru 57, odd
254.6 numbered lots, described as beginning at a point on the west line of Lot 47 52 feet South
254.7 of the northwest corner of Lot 47; thence easterly 40 feet to a point on the east line of Lot
254.8 47 52 feet South of the northeast corner of Lot 47; thence northeasterly 81.22 feet to a point
254.9 on the east line of Lot 51 38.1 feet South of the northeast corner of Lot 51; thence North
254.10 17.3 feet to a point on the east line of Lot 51 20.8 feet South of the northeast corner of Lot
254.11 51; thence northeasterly 82.68 feet to the northwest corner of Lot 57; thence East 40 feet
254.12 to the northeast corner of Lot 57; thence South 64.1 feet along the east line of Lot 57; thence
254.13 southwesterly 242.22 feet to a point on the west line of Lot 47 98 feet South of the northwest
254.14 corner of Lot 47; thence North 46 feet along the west line of Lot 47 to the point of beginning,
254.15 and except Lot 59, and except that part of Lots 25, 27, 29, 31, 33, 35, 37, and 39 lying
254.16 southerly of a line run parallel with and distant 20 feet southerly of the following described
254.17 line: beginning at a point on the west line of Lot 21, distant 13.56 feet South of the northwest
254.18 corner thereof; thence southeasterly to a point on the east line of said Lot 39, distant 54.83
254.19 feet South of the northeast corner thereof and there terminating, Fond Du Lac Fourth Street
254.20 Duluth (parcel number 010-1620-00290); and

254.21 (4) that part of Lots 21 thru 39, odd numbered lots, lying 20 feet northerly and 20 feet
254.22 southerly of a line beginning at a point on the west line of Lot 21 13.56 feet South of the
254.23 northwest corner of Lot 21; thence to a point 54.83 feet South of the northeast corner along
254.24 the east line of Lot 39 and the southerly 46 feet of the northerly 98 feet of Lots 41, 43, and
254.25 45, and that part of Lots 47 thru 57, odd numbered lots, described as beginning at a point
254.26 on the west line of Lot 47 52 feet South of the northwest corner of Lot 47; thence easterly
254.27 40 feet to a point on the east line of Lot 47 52 feet South of the northeast corner of Lot 47;
254.28 thence northeasterly 81.22 feet to a point on the east line of Lot 51 38.1 feet South of the
254.29 northeast corner of Lot 51; thence North 17.3 feet to a point on the east line of Lot 51 20.8
254.30 feet South of the northeast corner of Lot 51; thence northeasterly 82.68 feet to the northwest
254.31 corner of Lot 57; thence East 40 feet to the northeast corner of Lot 57; thence South 64.1
254.32 feet along the east line of Lot 57; thence southwesterly 242.22 feet to a point on the west
254.33 line of Lot 47 98 feet South of the northwest corner of Lot 47; thence North 46 feet along
254.34 the west line of Lot 47 to the point of beginning, and Lot 59, Fond Du Lac Fourth Street
254.35 Duluth (parcel number 010-1620-00291).

255.1 (d) The county has determined that the county's land management interests would best
255.2 be served if the lands were returned to private ownership for the Mission Creek Cemetery.

255.3 **Sec. 19. PRIVATE SALE OF TAX-FORFEITED LANDS; ST. LOUIS COUNTY.**

255.4 (a) Notwithstanding the public sale provisions of Minnesota Statutes, chapter 282, or
255.5 other law to the contrary, St. Louis County may sell by private sale the tax-forfeited lands
255.6 described in paragraph (c).

255.7 (b) The conveyances must be in a form approved by the attorney general. The attorney
255.8 general may make changes to the land descriptions to correct errors and ensure accuracy.

255.9 (c) The lands to be sold are located in St. Louis County and are described as:

255.10 (1) Lot 28, Fond Du Lac Fourth Street Duluth (part of parcel number 010-1620-01140);

255.11 (2) Lot 30, Fond Du Lac Fourth Street Duluth (part of parcel number 010-1620-01150);

255.12 (3) Lot 32, Fond Du Lac Fourth Street Duluth (part of parcel number 010-1620-01160);

255.13 (4) Lot 34, Fond Du Lac Fourth Street Duluth (part of parcel number 010-1620-01170);

255.14 (5) Lot 36, Fond Du Lac Fourth Street Duluth (part of parcel number 010-1620-01180);

255.15 (6) Lot 38, Fond Du Lac Fourth Street Duluth (part of parcel number 010-1620-01190);

255.16 (7) Lots 40 thru 48, even numbered lots, Fond Du Lac Fourth Street Duluth (part of
255.17 parcel number 010-1620-01200); and

255.18 (8) Lot 50, Fond Du Lac Fourth Street Duluth (part of parcel number 010-1620-01250).

255.19 (d) The county has determined that the county's land management interests would best
255.20 be served if the lands were returned to private ownership for the Mission Creek Cemetery.

255.21 **Sec. 20. PRIVATE SALE OF TAX-FORFEITED LANDS; ST. LOUIS COUNTY.**

255.22 (a) Notwithstanding the public sale provisions of Minnesota Statutes, chapter 282, or
255.23 other law to the contrary, St. Louis County may sell by private sale the tax-forfeited land
255.24 described in paragraph (c).

255.25 (b) The conveyance must be in a form approved by the attorney general. The attorney
255.26 general may make changes to the land description to correct errors and ensure accuracy.

255.27 (c) The land to be sold is located in St. Louis County and is described as:

255.28 The South Half of Section 31, Township 50, Range 20, Town of Fine Lakes (part of
255.29 parcel number 355-0010-04960).

256.1 (d) The county has determined that the county's land management interests would best
256.2 be served if the land was returned to private ownership to resolve a structure encroachment.

256.3 **Sec. 21. PRIVATE SALE OF SURPLUS LAND BORDERING PUBLIC WATER;**
256.4 **SHERBURNE COUNTY.**

256.5 (a) Notwithstanding Minnesota Statutes, sections 92.45, 94.09, and 94.10, the
256.6 commissioner of natural resources may sell by private sale the surplus land bordering public
256.7 water that is described in paragraph (c) for less than market value.

256.8 (b) The commissioner may make necessary changes to the legal description to correct
256.9 errors and ensure accuracy.

256.10 (c) The land that may be conveyed is located in Sherburne County and is described as:
256.11 That part of Government Lot 6, Section 31, Township 34 North, Range 27 West,
256.12 Sherburne County, Minnesota, described as follows: Commencing at the most northerly
256.13 corner of Outlot A, Eagle Lake Estates, according to the plat thereof on file and of record
256.14 in the Office of the County Recorder in and for Sherburne County, Minnesota, being an
256.15 existing iron monument with an aluminum cap stamped "Judicial Landmark 16095"
256.16 (JLM); thence southwesterly 146.20 feet along the easterly line of said Outlot A on a
256.17 curve concave to the southeast, having a central angle of 14 degrees 41 minutes 15
256.18 seconds, radius of 570.32 feet, and a chord bearing of South 29 degrees 12 minutes 20
256.19 seconds West, to a JLM; thence South 21 degrees 51 minutes 43 seconds West, along
256.20 said easterly line, 196.53 feet to the point of beginning; thence continuing South 21
256.21 degrees 51 minutes 43 seconds West, along said easterly line, 35.00 feet to a JLM; thence
256.22 South 89 degrees 38 minutes 17 seconds East, along the northerly line of said Outlot A,
256.23 87 feet, more or less, to the water's edge of Eagle Lake; thence northerly along said
256.24 water's edge, 45 feet, more or less, to a line bearing North 80 degrees 55 minutes 20
256.25 seconds East from the point of beginning; thence South 80 degrees 55 minutes 20 seconds
256.26 West 70 feet, more or less, to the point of beginning.

256.27 (d) The Department of Natural Resources has determined that the land is not needed for
256.28 natural resource purposes and that the state's land management interests would best be
256.29 served if the land were returned to private ownership.

256.30 **Sec. 22. LEASE; TAX-FORFEITED LAND; ST. LOUIS COUNTY.**

256.31 (a) Notwithstanding Minnesota Statutes, section 282.04, or other law to the contrary,
256.32 St. Louis County may lease the tax-forfeited lands described in paragraph (b) for

257.1 consideration of more than \$50,000 per year or for a period exceeding 25 years to support
257.2 new capital investment to support business expansion in the port.

257.3 (b) The lands to be leased are located in St. Louis County, city of Duluth, Rearrangement
257.4 of Auditor's Plat of West Duluth Outlots, and are described as:

257.5 (1) that part of Out Lot Q described as follows: Commencing at the intersection of the
257.6 extended center line of 50th Avenue West the United States government dock line as now
257.7 established running thence North along said extended center line of 50th Avenue West a
257.8 distance of 1,261 feet; thence southerly parallel with the southwesterly line of Lesure Street
257.9 to intersection with the said dock line; thence westerly along said dock line to place of
257.10 beginning (parcel number: 010-0130-00310) except public waters; and

257.11 (2) that part of Out Lots Q and R as follows: Commencing at the intersection of extended
257.12 center line of 50th Avenue West and the United States government dock line running thence
257.13 North along said extended center line of 50th Avenue West 1,261 feet to the place of
257.14 beginning; thence southerly parallel with the southwest line of Lesure Street to intersection
257.15 with said dock line; thence easterly along said dock line to a point 550 feet southwesterly
257.16 from said southwesterly line of Lesure Street measured at right angles thereto; thence
257.17 northwesterly parallel with said southwestern line of Lesure Street to said extended center
257.18 line of said 50th Avenue West thence southerly along center line to place of beginning,
257.19 excluding the railroad right-of-way (parcel number: 010-0130-00320) except public waters.

257.20 Sec. 23. **EXCHANGE OF STATE LAND; ST. LOUIS COUNTY.**

257.21 Subdivision 1. **Authority.** (a) Notwithstanding Minnesota Statutes, section 92.461, and
257.22 the riparian restrictions in Minnesota Statutes, section 94.342, subdivision 3, the
257.23 commissioner of natural resources may, with the approval of the Land Exchange Board, as
257.24 required under the Minnesota Constitution, article XI, section 10, and according to the
257.25 remaining provisions of Minnesota Statutes, sections 94.342 to 94.347, exchange the land
257.26 described in paragraph (c).

257.27 (b) The conveyance must be in a form approved by the commissioner. The commissioner
257.28 may make necessary changes to the legal description to correct errors and ensure accuracy.

257.29 (c) The state lands that may be conveyed are located in St. Louis County and are described
257.30 as:

257.31 (1) Section 6, Township 53 North, Range 17 West;

257.32 (2) the Northeast Quarter of Section 29, Township 54 North, Range 17 West;

258.1 (3) the South Half of Section 30, Township 54 North, Range 17 West;

258.2 (4) the Northwest Quarter of Section 31, Township 54 North, Range 17 West; and

258.3 (5) Section 36, Township 54 North, Range 18 West.

258.4 (d) The state land administered by the commissioner of natural resources borders Jenkins
258.5 Creek in portions of Sections 30 and 31 of Township 54 North, Range 17 West and includes
258.6 approximately 210 feet of water frontage on Nichols Lake on Lot 7 of Section 6, Township
258.7 53 North, Range 17 West. The private land to be exchanged is forest land. While the
258.8 exchange proposal does not provide at least equal opportunity for access to waters by the
258.9 public, the land to be acquired by the commissioner in the exchange will increase the total
258.10 riparian frontage of future state-administered lands and improve access to adjacent state
258.11 forest lands.

258.12 Subd. 2. Exchange for greater than substantially equal value. (a) Notwithstanding
258.13 Minnesota Statutes, section 94.343, subdivisions 3 and 5, or any other law to the contrary,
258.14 the commissioner shall require the exchange partner to exchange lands or a combination of
258.15 lands and money valued in the amount of at least 125 percent of the state land referenced
258.16 in subdivision 1, paragraph (c), in determining whether the proposal is in the best interests
258.17 of the school trust.

258.18 (b) Any money received under this subdivision shall be deposited in the permanent
258.19 school fund pursuant to Minnesota Statutes, section 127A.32.

258.20 **Sec. 24. PRIVATE SALE OF LAND; ST. LOUIS COUNTY.**

258.21 (a) Notwithstanding the public sale and competitive bidding provisions of Minnesota
258.22 Statutes, chapter 373, or other law to the contrary, St. Louis County may sell by private sale
258.23 the fee-owned lands described in paragraph (b).

258.24 (b) The lands to be sold are located in St. Louis County and are described as:

258.25 (1) the Southeast Quarter of the Northeast Quarter of Section 26, Township 54 North,
258.26 Range 18 West of the 4th Principal Meridian; and

258.27 (2) the Northeast Quarter of the Southeast Quarter of Section 25, Township 54 North,
258.28 Range 18 West of the 4th Principal Meridian.

258.29 (c) St. Louis County has determined that county interests are best served by sale of these
258.30 parcels.

259.1 **Sec. 25. LAND TRANSFER; CITY OF DULUTH.**

259.2 Subdivision 1. **Acquisition.** (a) Notwithstanding the requirements or limitations in
259.3 Minnesota Statutes, section 161.20, or any other law to the contrary, the commissioner of
259.4 transportation may acquire, by deed or other means, the land described in paragraph (c)
259.5 from the city of Duluth for the fair market value as determined by an appraisal of the property.

259.6 (b) The conveyance must be in a form approved by the attorney general. The attorney
259.7 general may make changes to the land description to correct errors and ensure accuracy.

259.8 (c) The land to be acquired is described as:

259.9 (1) the North 52 feet of Lots 41, 43, 45, and 47 on Glass Street (formerly Fourth Street)
259.10 in Fond du Lac (part of parcel number 010-1620-00285); and

259.11 (2) those portions of Lots 49 and 51 on said Glass Street lying North of a straight line
259.12 extending from a point on the west line of said Lot 49, distant 52 feet South measured along
259.13 said west line from the northwest corner thereof, to a point on the east line of said Lot 51,
259.14 distant 38.1 feet South measured along the east line of said Lot 51 from the northeast corner
259.15 thereof, all in Fond du Lac (part of parcel number 010-1620-00285).

259.16 (d) The interests of the state and the city of Duluth would best be served if the land was
259.17 purchased for fair market value by the commissioner of transportation in satisfaction of a
259.18 State of Minnesota General Obligation Bond Financed Declaration under Minnesota Statutes,
259.19 section 16A.695, and returned to the Fond du Lac Band of the Lake Superior Chippewa,
259.20 also known as the Fond du Lac Band of the Minnesota Chippewa Tribe, for the Mission
259.21 Creek Cemetery.

259.22 Subd. 2. **Reconveyance.** (a) Upon acquiring the land described in subdivision 1, the
259.23 commissioner of transportation must convey the land according to this subdivision.
259.24 Notwithstanding Minnesota Statutes, section 161.44, or any other law to the contrary, the
259.25 commissioner of transportation must convey the land described in subdivision 1 for no
259.26 consideration to the Fond du Lac Band of the Lake Superior Chippewa, also known as Fond
259.27 du Lac Band of the Minnesota Chippewa Tribe, for the public purpose of the Mission Creek
259.28 Cemetery.

259.29 (b) The conveyance must be in accordance with the state standard conveyance form and
259.30 may incorporate the use restrictions contained in Term 1, paragraphs (a) and (b), of the
259.31 current vesting deed.

260.1 Sec. 26. EFFECTIVE DATE.

260.2 This article is effective the day following final enactment.

260.3 **ARTICLE 7**260.4 **FARMED CERVIDAE**

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

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

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

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

260.19 (d) A hunter licensed by the commissioner of natural resources under chapter 97A may
260.20 kill and possess escaped farmed Cervidae in a lawful manner and is not liable to the owner
260.21 for the loss of the animal. If the animal has been outside of its enclosure less than 72 hours
260.22 following notification of the commissioner of natural resources of its escape, the farmed
260.23 Cervidae owner retains ownership of the animal. A licensed hunter who harvests escaped
260.24 farmed Cervidae under this paragraph must notify the commissioner of natural resources
260.25 within 24 hours.

260.26 (e) Escaped farmed Cervidae killed by a hunter or destroyed by the commissioner of
260.27 natural resources must be tested for chronic wasting disease. The hunter must provide the
260.28 animal to the commissioner of natural resources for testing and the commissioner must
260.29 ensure the animal is tested.

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

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

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

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

261.6 Subd. 4. **Fencing.** Farmed Cervidae must be confined in a manner designed to prevent
261.7 escape. All perimeter fences for farmed Cervidae must be at least 96 inches in height and
261.8 be constructed and maintained in a way that prevents the escape of farmed Cervidae ~~or~~₂
261.9 entry into the premises by free-roaming Cervidae, and physical contact between farmed
261.10 Cervidae and free-roaming Cervidae. The Board of Animal Health or commissioner of
261.11 natural resources may determine whether the construction and maintenance of fencing is
261.12 adequate to prevent physical contact or escape under this subdivision and may compel
261.13 corrective action when fencing is determined to be inadequate. After July 1, 2019, All new
261.14 fencing installed and all fencing used to repair deficiencies must be high tensile. By
261.15 December 1, 2019, All entry areas for farmed Cervidae enclosure areas must have two
261.16 redundant gates, which must be maintained to prevent the escape of animals through an
261.17 open gate. If a fence deficiency allows entry or exit by farmed or wild Cervidae, the owner
261.18 must immediately repair the deficiency. All other deficiencies must be repaired within a
261.19 reasonable time, as determined by the Board of Animal Health, not to exceed 45 14 days.
261.20 If a fence deficiency is detected during an inspection, the facility must be reinspected at
261.21 least once in the subsequent three months. The farmed Cervidae owner must pay a
261.22 reinspection fee equal to one-half the applicable annual inspection fee under subdivision
261.23 7a for each reinspection related to a fence violation. If the facility experiences more than
261.24 one escape incident in any six-month period or fails to correct a deficiency found during
261.25 an inspection, the board may revoke the facility's registration and order the owner to remove
261.26 or destroy the animals as directed by the board. If the board revokes a facility's registration,
261.27 the commissioner of natural resources may seize and destroy animals at the facility.

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

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

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

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

262.4 (c) The board must not allow new registrations under this section for possessing
 262.5 white-tailed deer. This paragraph does not prohibit a person holding a valid registration
 262.6 under this subdivision from selling or transferring the person's registration to an immediate
 262.7 family member. A valid registration may be sold or transferred only once under this
 262.8 paragraph. Before the board approves a sale or transfer under this paragraph, the board must
 262.9 verify that the registration is in good standing and the eligible family member must pay a
 262.10 onetime transfer fee of \$500 to the board.

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

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

262.13 Subd. 11. **Mandatory surveillance for chronic wasting disease; depopulation.** (a)
 262.14 An inventory for each farmed Cervidae herd must be verified by an accredited veterinarian
 262.15 and filed with the Board of Animal Health every 12 months.

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

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

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

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

262.26 ~~(1)~~ (2) depopulate the premises of Cervidae after the federal indemnification process
 262.27 has been completed or, if an indemnification application is not submitted, within ~~a reasonable~~
 262.28 ~~time determined by the board in consultation with the commissioner of natural resources~~
 262.29 30 days;

262.30 ~~(2)~~ (3) maintain the fencing required under subdivision 4 on the premises for ~~five~~ ten
 262.31 years after the date of detection; ~~and~~

262.32 ~~(3)~~ (4) post the fencing on the premises with biohazard signs as directed by the board;

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

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

263.5 (7) record with the county recorder or registrar of titles, as appropriate, in the county
263.6 where the premises is located a notice, in the form required by the board, that meets the
263.7 recording requirements of sections 507.093 and 507.24 and includes the nearest address
263.8 and the legal description of the premises, the date of detection, the date of depopulation,
263.9 the landowner requirements under this paragraph, and any other information required by
263.10 the board. The legal description must be the legal description of record with the county
263.11 recorder or registrar of titles and must not otherwise be the real estate tax statement legal
263.12 description of the premises. The notice expires and has no effect ten years after the date of
263.13 detection stated in the notice. The registrar of titles must omit an expired notice from future
263.14 certificates of title.

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

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

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

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

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

263.28 Subd. 12. **Importation.** (a) A person must not import live Cervidae into the state from
263.29 a herd that is infected or exposed to chronic wasting disease or from a known chronic wasting
263.30 disease endemic area, as determined by the board. A person may import Cervidae into the
263.31 state only from a herd that is not in a known chronic wasting disease endemic area, as
263.32 determined by the board, and the herd has been subject to a state or provincial approved

264.1 ~~chronic wasting disease monitoring program for at least three years~~ state or province where
264.2 chronic wasting disease has been detected in the farmed or wild cervid population in the
264.3 last five years unless the animal has tested not detected for chronic wasting disease with a
264.4 validated live-animal test.

264.5 (b) Live Cervidae or Cervidae semen must originate from a herd that has been subject
264.6 to a state-, federal-, or provincial-approved chronic wasting disease herd certification program
264.7 and that has reached a status equivalent to the highest certification.

264.8 (c) Cervidae imported in violation of this section may be seized and destroyed by the
264.9 commissioner of natural resources.

264.10 (d) This subdivision does not apply to the interstate transfer of animals between two
264.11 facilities accredited by the Association of Zoos and Aquariums.

264.12 (e) Notwithstanding this subdivision, the commissioner of natural resources may issue
264.13 a permit allowing the importation of orphaned wild cervid species that are not susceptible
264.14 to chronic wasting disease from another state to an Association of Zoos and Aquariums
264.15 accredited institution in Minnesota following a joint risk-based assessment conducted by
264.16 the commissioner and the institution.

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

264.19 Subd. 15. **Cooperation with Board of Animal Health.** (a) The commissioner of natural
264.20 resources may contract with the Board of Animal Health to administer some or all of sections
264.21 35.153 to 35.156 for farmed white-tailed deer.

264.22 (b) The commissioner of natural resources must enter into an interagency agreement
264.23 which establishes roles and responsibilities necessary to protect the health of Cervidae in
264.24 Minnesota consistent with state regulations.

264.25 Sec. 8. Minnesota Statutes 2022, section 35.156, subdivision 2, is amended to read:

264.26 Subd. 2. **Federal fund account.** (a) Money granted to the state by the federal government
264.27 for purposes of chronic wasting disease must be credited to a separate account in the federal
264.28 fund and is annually appropriated to the commissioner of agriculture for the purposes for
264.29 which the federal grant was made according to section 17.03.

264.30 (b) By February 15 each year, the commissioner of agriculture, in consultation with the
264.31 commissioner of natural resources and Board of Animal Health, must submit a report to the
264.32 chairs and ranking minority members of the house of representatives and senate committees

265.1 and divisions with jurisdiction over agriculture and the environment and natural resources
265.2 on the receipt and expenditure of any federal money received for purposes of chronic wasting
265.3 disease.

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

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

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

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

265.16 Sec. 11. Minnesota Statutes 2022, section 35.156, is amended by adding a subdivision to
265.17 read:

265.18 Subd. 5. **Live-animal testing required.** (a) Once the United States Department of
265.19 Agriculture has determined that a noninvasive live-animal test capable of accurately detecting
265.20 chronic wasting disease in white-tailed deer is available, the Board of Animal Health must
265.21 have each farmed white-tailed deer possessed by a person registered under section 35.155
265.22 tested for chronic wasting disease using a noninvasive live-animal test offered by a public
265.23 or private diagnostic laboratory. A validated live-animal test is required when moving
265.24 farmed white-tailed deer six months old and over from any premises within the state within
265.25 12 weeks of movement. The Board of Animal Health may institute additional live-animal
265.26 chronic wasting disease testing protocols. Live-animal testing results must be submitted to
265.27 both the commissioner of natural resources and the Board of Animal Health in the form
265.28 required by both agencies.

265.29 (b) If a farmed white-tailed deer tests positive using a noninvasive live-animal test, the
265.30 owner must have the animal destroyed and tested for chronic wasting disease using a
265.31 postmortem test approved by the Board of Animal Health.

266.1 (c) If a farmed white-tailed deer tests positive for chronic wasting disease under paragraph
266.2 (b), the owner must depopulate the premises of farmed Cervidae as required under section
266.3 35.155, subdivision 11.

266.4 Sec. 12. **TRANSFER OF DUTIES; FARMED WHITE-TAILED DEER.**

266.5 (a) Responsibility for administering and enforcing the statutes and rules listed in clauses
266.6 (1) and (2) for farmed white-tailed deer are, except as provided in paragraph (c), transferred
266.7 pursuant to Minnesota Statutes, section 15.039, from the Board of Animal Health to the
266.8 commissioner of natural resources:

266.9 (1) Minnesota Statutes, sections 35.153 to 35.156; and

266.10 (2) Minnesota Rules, parts 1721.0370 to 1721.0420.

266.11 (b) The Board of Animal Health retains responsibility for administering and enforcing
266.12 the statutes and rules listed in paragraph (a), clauses (1) and (2), for all other farmed Cervidae.

266.13 (c) Notwithstanding Minnesota Statutes, section 15.039, subdivision 7, the transfer of
266.14 personnel will not take place.

266.15 Sec. 13. **REVISOR INSTRUCTION.**

266.16 The revisor of statutes must recodify the relevant sections in Minnesota Statutes, chapter
266.17 35, and Minnesota Rules, chapter 1721, as necessary to conform with section 12. The revisor
266.18 must also change the responsible agency, remove obsolete language, and make necessary
266.19 cross-reference changes consistent with section 12 and the renumbering.

266.20 Sec. 14. **REPEALER.**

266.21 Minnesota Statutes 2022, section 35.155, subdivision 14, is repealed.

266.22 **ARTICLE 8**

266.23 **ENVIRONMENTAL JUSTICE**

266.24 Section 1. Minnesota Statutes 2022, section 16A.151, subdivision 2, as amended by Laws
266.25 2023, chapter 25, section 3, is amended to read:

266.26 Subd. 2. **Exceptions.** (a) If a state official litigates or settles a matter on behalf of specific
266.27 injured persons or entities, this section does not prohibit distribution of money to the specific
266.28 injured persons or entities on whose behalf the litigation or settlement efforts were initiated.
266.29 If money recovered on behalf of injured persons or entities cannot reasonably be distributed
266.30 to those persons or entities because they cannot readily be located or identified or because

267.1 the cost of distributing the money would outweigh the benefit to the persons or entities, the
267.2 money must be paid into the general fund.

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

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

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

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

267.15 (f) Any money received by the state resulting from a settlement agreement or an assurance
267.16 of discontinuance entered into by the attorney general of the state, or a court order in litigation
267.17 brought by the attorney general of the state, on behalf of the state or a state agency, related
267.18 to alleged violations of consumer fraud laws in the marketing, sale, or distribution of opioids
267.19 in this state or other alleged illegal actions that contributed to the excessive use of opioids,
267.20 must be deposited in the settlement account established in the opiate epidemic response
267.21 fund under section 256.043, subdivision 1. This paragraph does not apply to attorney fees
267.22 and costs awarded to the state or the Attorney General's Office, to contract attorneys hired
267.23 by the state or Attorney General's Office, or to other state agency attorneys.

267.24 (g) Notwithstanding paragraph (f), if money is received from a settlement agreement or
267.25 an assurance of discontinuance entered into by the attorney general of the state or a court
267.26 order in litigation brought by the attorney general of the state on behalf of the state or a state
267.27 agency against a consulting firm working for an opioid manufacturer or opioid wholesale
267.28 drug distributor, the commissioner shall deposit any money received into the settlement
267.29 account established within the opiate epidemic response fund under section 256.042,
267.30 subdivision 1. Notwithstanding section 256.043, subdivision 3a, paragraph (a), any amount
267.31 deposited into the settlement account in accordance with this paragraph shall be appropriated
267.32 to the commissioner of human services to award as grants as specified by the opiate epidemic
267.33 response advisory council in accordance with section 256.043, subdivision 3a, paragraph
267.34 (e).

268.1 (h) If the Minnesota Pollution Control Agency, through litigation or settlement of a
268.2 matter that could have resulted in litigation, recovers \$250,000 or more in a civil penalty
268.3 from violations of a permit issued by the agency, then 40 percent of the money recovered
268.4 must be distributed to the community health board, as defined in section 145A.02, where
268.5 the permitted facility is located. Within 30 days of a final court order in the litigation or the
268.6 effective date of the settlement agreement, the commissioner of the Minnesota Pollution
268.7 Control Agency must notify the applicable community health board that the litigation has
268.8 concluded or a settlement has been reached. The commissioner must collect the money and
268.9 transfer it to the applicable community health board. The community health board must
268.10 meet directly with the residents potentially affected by the pollution that was the subject of
268.11 the litigation or settlement to identify the residents' concerns and incorporate those concerns
268.12 into a project that benefits the residents. The project must be implemented by the community
268.13 health board and funded as directed in this paragraph. The community health board may
268.14 recover the reasonable costs it incurs to administer this paragraph from the funds transferred
268.15 to the board under this paragraph. This paragraph directs the transfer and use of money only
268.16 and does not create a right of intervention in the litigation or settlement of the enforcement
268.17 action for any person or entity. A supplemental environmental project funded as part of a
268.18 settlement agreement is not part of a civil penalty and must not be included in calculating
268.19 the amount of funds required to be distributed to a community health board under this
268.20 paragraph. For the purposes of this paragraph, "supplemental environmental project" means
268.21 a project that benefits the environment or public health that a regulated facility agrees to
268.22 undertake, though not legally required to do so, as part of a settlement with respect to an
268.23 enforcement action taken by the Minnesota Pollution Control Agency to resolve
268.24 noncompliance.

268.25 (i) A community health board receiving a transfer of funds under paragraph (h) must,
268.26 no later than one year after receiving the funds, submit a report to the chairs and ranking
268.27 minority members of the senate and house of representatives committees with primary
268.28 jurisdiction over environment policy and natural resources that describes:

268.29 (1) the process of community engagement employed to solicit community input regarding
268.30 the use of the funds;

268.31 (2) the purposes and activities for which the funds were used; and

268.32 (3) an account of expenditures.

268.33 (j) The commissioner of the Minnesota Pollution Control Agency must submit a report
268.34 in September each even-numbered year, beginning in 2024, to the chairs and ranking minority

269.1 members of the senate and house of representatives committees with primary jurisdiction
269.2 over environmental policy and natural resources that includes:

269.3 (1) the amount transferred under paragraph (h) to each community health board during
269.4 the previous two years; and

269.5 (2) any agency services provided to the community health board or community residents
269.6 during the duration of the project funded by the transfer, and the cost of those agency
269.7 services, for consideration by the legislature for future appropriations that address
269.8 reimbursement of the amount of the transfers and the cost of services provided by the agency.

269.9 **EFFECTIVE DATE.** This section is effective the day following final enactment and
269.10 applies to all litigation actions or settlements from which the Minnesota Pollution Control
269.11 Agency recovers \$250,000 or more on or after that date.

269.12 Sec. 2. **[116.062] AIR TOXICS EMISSIONS REPORTING.**

269.13 (a) This section applies to facilities that are subject to paragraph (b) and are located in
269.14 the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, or Washington.

269.15 (b) The commissioner must require owners and operators of a facility issued an air
269.16 quality permit by the agency, except a facility issued an Option B registration permit under
269.17 Minnesota Rules, part 7007.1120, to annually report the facility's air toxics emissions to
269.18 the agency, including a facility not required as a condition of its air quality permit to keep
269.19 records of air toxics emissions. The commissioner must determine the method to be used
269.20 by a facility to directly measure or estimate air toxics emissions. The commissioner must
269.21 amend permits and complete rulemaking, and may enter into enforceable agreements with
269.22 facility owners and operators, in order to make the reporting requirements under this section
269.23 enforceable.

269.24 (c) For the purposes of this section, "air toxics" means chemical compounds or compound
269.25 classes that are emitted into the air by a permitted facility and that are:

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

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

269.31 (3) chemicals for which the Department of Health has developed health-based values
269.32 or risk assessment advice;

270.1 (4) chemicals for which the risk to human health has been assessed by either the federal
270.2 Environmental Protection Agency's Integrated Risk Information System; or

270.3 (5) chemicals reported by facilities in the agency's most recent triennial emissions
270.4 inventory.

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

270.6 Sec. 3. **[116.065] CUMULATIVE IMPACTS ANALYSIS; PERMIT DECISIONS**
270.7 **IN ENVIRONMENTAL JUSTICE AREAS.**

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

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

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

270.14 (d) "Environmental justice" means:

270.15 (1) the fair treatment and meaningful involvement of all people, regardless of race, color,
270.16 national origin, or income, with respect to the development, implementation, and enforcement
270.17 of environmental laws, regulations, and policies; and

270.18 (2) in all decisions that have the potential to affect the environment of an environmental
270.19 justice area or the public health of its residents, due consideration is given to the history of
270.20 the area's and its residents' cumulative exposure to pollutants and to any current
270.21 socioeconomic conditions that could increase harm to those residents from additional
270.22 exposure to pollutants.

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

270.24 (1) in which, based on the most recent decennial census data published by the United
270.25 States Census Bureau:

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

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

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

270.31 (2) located within Indian Country.

271.1 (f) "Environmental stressors" means factors that may make residents of an environmental
271.2 justice area susceptible to harm from exposure to pollutants. Environmental stressors include:

271.3 (1) environmental effects on health from exposure to past and current pollutants in the
271.4 environmental justice area, including any biomonitoring data from residents reported through
271.5 the Centers for Disease Control, the Department of Health, or peer-reviewed scientific or
271.6 medical articles; and

271.7 (2) social and environmental factors, including but not limited to poverty, substandard
271.8 housing, food insecurity, elevated rates of disease, and poor access to health insurance and
271.9 medical care.

271.10 (g) "Indian Country" has the meaning given in United States Code, title 18, section 1151.

271.11 (h) "Permit" means a major source air permit, as defined in Minnesota Rules, part
271.12 7007.0200, or a state air permit required under Minnesota Rules, part 7007.0250, subpart
271.13 5 or 6. Permit includes a permit required for new construction or facility expansion or the
271.14 reissuance of an existing permit.

271.15 Subd. 2. **Applicability.** (a) This section applies to an application for a permit by a facility
271.16 that:

271.17 (1) is located in or within one mile of a census tract that is part of an environmental
271.18 justice area; and

271.19 (2) is located:

271.20 (i) in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, or Washington;

271.21 or

271.22 (ii) in a city of the first class.

271.23 (b) The commissioner must enter into consultation, consistent with section 10.65,
271.24 regarding the application of this section to permit applications located in Indian Country.
271.25 After consultation, the Tribal government with jurisdiction over the applicable environmental
271.26 justice area may elect that the facility seeking the permit action be subject to this section
271.27 and must so notify the commissioner in writing.

271.28 Subd. 3. **Cumulative impacts analysis; determination of need.** (a) The commissioner
271.29 is responsible for determining:

271.30 (1) whether a proposed permit action may substantially impact the environment or health
271.31 of the residents of an environmental justice area; and

271.32 (2) whether a cumulative impacts analysis is required.

272.1 (b) A permit application must include:

272.2 (1) the applicant's determination of whether the permit action sought is likely to impact
272.3 the environment or the health of residents of an environmental justice area;

272.4 (2) the data used by the applicant to make the determination; and

272.5 (3) information and data necessary for the commissioner to determine whether the
272.6 potential impact of issuing the permit exceeds any benchmarks adopted in rules required
272.7 under subdivision 6 for requiring a cumulative analysis.

272.8 (c) In making a determination whether a cumulative impacts analysis is required, the
272.9 commissioner must:

272.10 (1) review the permit application and the applicant's assessment of the need to conduct
272.11 a cumulative analysis;

272.12 (2) assess whether the proposed permit exceeds any of the benchmarks for conducting
272.13 a cumulative impacts analysis established in rules adopted under subdivision 6; and

272.14 (3) review any other information the commissioner deems relevant, including material
272.15 evidence accompanying a petition submitted under paragraph (e).

272.16 (d) The commissioner must require an applicant to conduct a cumulative impacts analysis
272.17 if:

272.18 (1) the potential impacts of the permit issuance exceed any of the benchmarks for
272.19 conducting a cumulative impacts analysis established in rules adopted under subdivision 6;
272.20 or

272.21 (2) the commissioner determines that issuance of the permit may substantially impact
272.22 the environment or health of the residents of an environmental justice area.

272.23 (e) The commissioner may require the permit applicant or permit holder to conduct a
272.24 cumulative impacts analysis if:

272.25 (1) the facility is below all the benchmarks established for conducting a cumulative
272.26 impacts analysis and the commissioner determines that a cumulative impacts analysis is
272.27 necessary and supported by material evidence; or

272.28 (2) a petition requesting that a cumulative analysis be conducted is signed by at least
272.29 100 individuals who reside or own property in the environmental justice area impacted by
272.30 the facility and is supported by material evidence that demonstrates a potential adverse
272.31 cumulative impact to the impacted environmental justice area if the permit is issued.

273.1 (f) The commissioner must prepare a written document containing the reasons for the
273.2 commissioner's decision regarding the need for a cumulative impacts analysis. The document
273.3 must describe the information that was considered in making the decision and how the
273.4 information was weighed. The commissioner must post the document on the agency website
273.5 within 30 days of the determination.

273.6 Subd. 4. **Public meeting requirements.** (a) A permit applicant or permit holder required
273.7 to conduct a cumulative impacts analysis under this section must hold at least two public
273.8 meetings in the environmental justice area impacted by the facility before the commissioner
273.9 issues or denies a permit. The first public meeting must be held before conducting a
273.10 cumulative impacts analysis, and the second must be held after conducting the analysis.

273.11 (b) Before any public meeting held under this subdivision, the permit applicant or permit
273.12 holder must:

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

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

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

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

273.22 (d) At any public meeting held under this subdivision, the permit applicant or permit
273.23 holder must:

273.24 (1) provide an opportunity for robust public and Tribal engagement; and

273.25 (2) accept written and oral comments, as directed by the commissioner, from any
273.26 interested party.

273.27 (e) After a public meeting held under this subdivision, the permit applicant or permit
273.28 holder must provide an electronic copy of all written comments and a transcript of all oral
273.29 comments to the agency within 30 days of the meeting.

273.30 (f) If the permit applicant or permit holder is applying for more than one permit that
273.31 may affect the same environmental justice area, the permit applicant or permit holder may
273.32 request that the commissioner consolidate the public meeting requirements under this

274.1 subdivision, requiring the facility to hold two public meetings that address all of the permits
274.2 sought. The commissioner may approve or deny the request.

274.3 (g) The commissioner may incorporate conditions in a permit for a facility located in or
274.4 affecting an environmental justice area to hold multiple in-person meetings with residents
274.5 of the environmental justice area affected by the facility to share information and discuss
274.6 community concerns.

274.7 Subd. 5. **Environmental justice area; permit decisions.** (a) In determining whether to
274.8 issue or deny a permit under this section, the commissioner must consider the cumulative
274.9 impacts analysis conducted, the testimony presented, and comments submitted in public
274.10 meetings held under subdivision 4. The permit may be issued no earlier than 30 days
274.11 following the last public meeting held under subdivision 4.

274.12 (b) Unless the commissioner enters into a community benefit agreement with the facility
274.13 owner or operator, the commissioner must deny a permit subject to this section for a facility
274.14 in an environmental justice area if the cumulative impacts analysis determines that issuing
274.15 the permit, in combination with the environmental stressors present in the environmental
274.16 justice area and considering the socioeconomic impact of the facility to the residents of the
274.17 environmental justice area, would have a substantial adverse impact on the environment or
274.18 health of the environmental justice area and its residents.

274.19 (c) If the facility owner or operator enters into a community benefit agreement with the
274.20 commissioner, the agency may grant a permit that imposes conditions on the construction
274.21 and operation of the facility to protect public health and the environment.

274.22 (d) A community benefit agreement must be signed on or before the date a new or
274.23 reissued permit is issued in an environmental justice area.

274.24 (e) The commissioner must publish and maintain on the agency website a list of
274.25 environmental justice areas in the state.

274.26 (f) The agency must maintain an updated database of identified environmental stressors
274.27 in specific census tracts and make this database accessible to the public.

274.28 Subd. 6. **Rulemaking.** (a) The commissioner must adopt rules under chapter 14 to
274.29 implement and govern the cumulative impacts analysis and issuance or denial of permits
274.30 for facilities that impact environmental justice areas as provided in this section.
274.31 Notwithstanding section 14.125, the agency must publish the notice of intent to adopt rules
274.32 within 36 months of the effective date of this act, or the authority for the rules expires.

- 275.1 (b) During the rulemaking process, the Pollution Control Agency must engage in robust
275.2 public engagement, including public meetings, and Tribal consultation.
- 275.3 (c) Rules adopted under this section must:
- 275.4 (1) establish benchmarks to assist the commissioner's determination regarding the need
275.5 for a cumulative impacts analysis;
- 275.6 (2) establish the required content of a cumulative impacts analysis and must provide
275.7 sources of public information that an applicant can access regarding environmental stressors
275.8 that are present in an environmental justice area;
- 275.9 (3) define conditions, criteria, or circumstances that establish an environmental or health
275.10 impact as a substantial adverse impact;
- 275.11 (4) establish the content of a community benefit agreement and procedures for entering
275.12 into community benefit agreements, which must include:
- 275.13 (i) active outreach to residents of the impacted environmental justice area designed to
275.14 achieve significant community participation;
- 275.15 (ii) considerations other than or in addition to economic considerations, but with priority
275.16 given to considerations that directly impact the residents of the environmental justice area;
275.17 and
- 275.18 (iii) at least one public meeting held within the impacted environmental justice area;
- 275.19 (5) establish a petition process and form to be submitted to the agency by environmental
275.20 justice area residents to support the need for a cumulative impact analysis;
- 275.21 (6) establish a process by which a Tribal government can elect to apply this section to
275.22 a permit application, as provided under subdivision 2; and
- 275.23 (7) establish methods for holding public meetings and handling public comments as
275.24 required under subdivision 4.
- 275.25 (d) The agency must provide translation services and translated materials upon request
275.26 during rulemaking meetings.
- 275.27 (e) The agency must provide public notice on the agency website at least 30 days before
275.28 public meetings held on the rulemaking. The notice must include the date, time, and location
275.29 of the meeting. The agency must use multiple communication methods to inform residents
275.30 of environmental justice areas in the public meetings held for the rulemaking.

276.1 Subd. 7. **Compliance costs.** A permit applicant is responsible for the cost of complying
276.2 with this section. The reasonable costs of the agency to comply with this section are to be
276.3 borne by permit applicants subject to this section, as required under section 116.07,
276.4 subdivision 4d, paragraph (b).

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

276.6 Sec. 4. Minnesota Statutes 2022, section 116.07, is amended by adding a subdivision to
276.7 read:

276.8 Subd. 4m. **Public informational meetings.** (a) The commissioner may require, as part
276.9 of a state individual air quality permit issued in response to an enforcement action that
276.10 required the payment of a civil penalty, that the owner or operator hold in-person meetings
276.11 with residents of the community where the facility is located to share information about the
276.12 facility's operations and environmental releases and to discuss community concerns.

276.13 (b) For the purposes of this subdivision, "state individual air quality permit" means an
276.14 air quality permit that:

276.15 (1) is issued to an individual facility that is required to obtain a permit under Minnesota
276.16 Rules, part 7007.0250, subparts 2 to 6; and

276.17 (2) is not a general permit issued under Minnesota Rules, part 7007.1100.

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

276.19 Sec. 5. **AIR TOXICS EMISSIONS; RULEMAKING.**

276.20 Subdivision 1. **Definitions.** For the purposes of this section:

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

276.22 (2) "air toxics" has the meaning given in Minnesota Statutes, section 116.062;

276.23 (3) "commissioner" means the commissioner of the Minnesota Pollution Control Agency;

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

276.26 (5) "environmental justice area" means one or more census tracts in Minnesota:

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

276.28 (A) 40 percent or more of the population is nonwhite;

277.1 (B) 35 percent or more of the households have an income at or below 200 percent of the
277.2 federal poverty level; or

277.3 (C) 40 percent or more of the population over the age of five has limited English
277.4 proficiency; or

277.5 (ii) located within Indian Country, as defined in United States Code, title 18, section
277.6 1151;

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

277.9 (7) "volatile organic compound" has the meaning given in Minnesota Rules, part
277.10 7005.0100, subpart 45.

277.11 Subd. 2. **Application.** This section applies to facilities that emit air toxics and are located
277.12 in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, or Washington.

277.13 Subd. 3. **Rulemaking required.** The commissioner shall adopt rules under Minnesota
277.14 Statutes, chapter 14, to implement and govern regulation of facilities that emit air toxics.
277.15 Notwithstanding Minnesota Statutes, section 14.125, the agency must publish notice of
277.16 intent to adopt rules within 36 months of the effective date of this act, or the authority for
277.17 the rules expires.

277.18 Subd. 4. **Content of rules.** (a) The rules required under subdivision 3 must address, at
277.19 a minimum:

277.20 (1) specific air toxics to be regulated, including, at a minimum, those defined in
277.21 subdivision 1;

277.22 (2) types of facilities to be regulated, including, at a minimum, facilities that have been
277.23 issued an air quality permit by the commissioner, other than an Option B registration permit
277.24 under Minnesota Rules, part 7007.1120, and that:

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

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

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

277.29 (4) required monitoring of air emissions, including using continuous emission monitoring
277.30 systems for certain facilities, and monitoring of production inputs or other production
277.31 parameters;

278.1 (5) requirements for reporting information to the agency to assist the agency in
278.2 determining the amount of the facility's air toxics emissions and the facility's compliance
278.3 with emission limits in the facility's permit;

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

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

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

278.9 (1) the different risks to human health and the environment posed by the specific air
278.10 toxics and amounts emitted by a facility, such that facilities posing greater risks are required
278.11 to provide more frequent evidence of permit compliance, including but not limited to
278.12 performance tests, agency inspections, and reporting;

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

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

278.17 Subd. 5. **Modifying permits.** Within three years after adopting the rules required in
278.18 subdivision 3, the commissioner must amend existing air quality permits, including but not
278.19 limited to federal permits, individual state total facility permits, and capped emission permits,
278.20 as necessary to conform with the rules.

278.21 Subd. 6. **Rulemaking cost.** The commissioner must collect the agency's costs to develop
278.22 the rulemaking required under this section and to conduct regulatory activities, including
278.23 but not limited to monitoring, inspection, and data collection and maintenance, required as
278.24 a result of the rulemaking through the annual fee paid by owners or operators of facilities
278.25 required to obtain air quality permits from the agency, as required under Minnesota Statutes,
278.26 section 116.07, subdivision 4d, paragraph (b).

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

278.28 Sec. 6. **COMMUNITY AIR-MONITORING SYSTEMS; PILOT GRANT**
278.29 **PROGRAM.**

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

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

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

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

279.7 (e) "Nonprofit organization" means an organization that is exempt from taxation under
279.8 section 501(c)(3) of the Internal Revenue Code.

279.9 Subd. 2. **Establishing program.** A pilot grant program for community air-monitoring
279.10 systems is established in the agency to measure air pollution levels at many locations within
279.11 a community.

279.12 Subd. 3. **Eligible applicants.** Grants under this section may be awarded to applicants:

279.13 (1) consisting of a partnership between a nonprofit organization located in or working
279.14 with residents located in the area in which the community air-monitoring system is to be
279.15 deployed and an entity that has experience deploying, operating, and interpreting data from
279.16 air-monitoring systems; and

279.17 (2) located in the seven-county metropolitan area.

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

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

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

279.26 (3) use the monitoring data to generate maps of pollution levels throughout the monitored
279.27 area; and

279.28 (4) provide monitoring data to the agency to help inform:

279.29 (i) agency decisions, including placement of the agency's stationary air monitors and
279.30 the development of programs to reduce air emissions; and

279.31 (ii) decisions by other governmental bodies regarding transportation or land use planning.

280.1 Subd. 5. **Eligible expenditures.** Grants may be used only for:

280.2 (1) planning the configuration and deployment of the community air-monitoring system;

280.3 (2) purchasing and installing air-monitoring devices as part of the community
280.4 air-monitoring system;

280.5 (3) training and paying persons to operate stationary, handheld, and mobile devices to
280.6 measure air pollution;

280.7 (4) developing data and mapping systems to analyze, organize, and present the
280.8 air-monitoring data collected; and

280.9 (5) writing a final report on the project, as required under subdivision 9.

280.10 Subd. 6. **Application and grant award process.** An eligible applicant must submit an
280.11 application to the commissioner on a form prescribed by the commissioner. The
280.12 commissioner must develop administrative procedures governing the application and grant
280.13 award process. The commissioner must act as fiscal agent for the grant program and is
280.14 responsible for receiving and reviewing grant applications and awarding grants under this
280.15 section.

280.16 Subd. 7. **Grant awards; priorities.** In awarding grants under this section, the
280.17 commissioner must give priority to proposed projects that:

280.18 (1) take place:

280.19 (i) in areas with high rates of illness associated with exposure to air pollution, including
280.20 asthma, chronic obstructive pulmonary disease, heart disease, chronic bronchitis, and cancer;

280.21 (ii) in or within one mile of a census tract where a facility with a state individual air
280.22 permit has undergone an enforcement action that required the payment of a civil penalty in
280.23 the previous two years; or

280.24 (iii) in an environmental justice area as defined in Minnesota Statutes, section 116.065;

280.25 (2) promote public access to and transparency of air-monitoring data developed through
280.26 the project; and

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

280.29 Subd. 8. **Report to agency.** No later than 90 days after a project ends, a grantee must
280.30 submit a written report to the commissioner describing the project's findings and results
280.31 and any recommendations for agency actions, programs, or activities to reduce levels of air

281.1 pollution measured by the community air-monitoring system. The grantee must also submit
281.2 to the commissioner all air-monitoring data developed by the project.

281.3 Subd. 9. Report to legislature. No later than March 15, 2025, the commissioner must
281.4 submit a report to the chairs and ranking minority members of the legislative committees
281.5 with primary jurisdiction over environment policy and finance on the results of the grant
281.6 program, including:

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

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

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

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

281.14

ARTICLE 9

281.15 **ENVIRONMENT AND NATURAL RESOURCES MISCELLANEOUS PROVISIONS**

281.16 Section 1. Minnesota Statutes 2022, section 18B.01, subdivision 31, is amended to read:

281.17 Subd. 31. **Unreasonable adverse effects on the environment.** "Unreasonable adverse
281.18 effects on the environment" means any unreasonable risk to humans or the environment,
281.19 taking into account the economic, social, and environmental costs and benefits of the use
281.20 of any pesticide or seed treated with pesticide.

281.21 Sec. 2. **[18B.075] PESTICIDE-TREATED SEED.**

281.22 A person may not use, store, handle, distribute, or dispose of seed treated with pesticide
281.23 in a manner that:

281.24 (1) endangers humans, food, livestock, fish, or wildlife; or

281.25 (2) will cause unreasonable adverse effects on the environment.

281.26 Sec. 3. Minnesota Statutes 2022, section 18B.09, subdivision 2, is amended to read:

281.27 Subd. 2. **Authority.** (a) Statutory and home rule charter cities may enact an ordinance,
281.28 which may include penalty and enforcement provisions, containing the pesticide application
281.29 warning information contained in subdivision 3, ~~including their own licensing, penalty, and~~
281.30 ~~enforcement provisions. Statutory and home rule charter cities may not enact an ordinance~~

282.1 ~~that contains more restrictive pesticide application warning information than is contained~~
282.2 ~~in subdivision 3.~~ An ordinance may not be adopted that is more restrictive than the ordinance
282.3 authorized by subdivision 3.

282.4 (b) Cities of the first class may enact an ordinance, which may include penalty and
282.5 enforcement provisions, containing the pesticide prohibition contained in subdivision 4. An
282.6 ordinance may not be adopted that is more restrictive than the ordinance authorized by
282.7 subdivision 4.

282.8 Sec. 4. Minnesota Statutes 2022, section 18B.09, is amended by adding a subdivision to
282.9 read:

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

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

282.16 (c) This subdivision does not apply to:

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

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

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

282.21 (4) pesticides as used or applied by the Metropolitan Mosquito Control District for public
282.22 health protection if the pesticide includes vector species on the label;

282.23 (5) wood preservative pesticides used either within a sealed steel cylinder or inside an
282.24 enclosed building at a secure facility by trained technicians and pesticide-treated wood
282.25 products;

282.26 (6) pesticides used or applied to control or eradicate a noxious weed designated by the
282.27 commissioner under section 18.79, subdivision 13; and

282.28 (7) pesticides used or applied on land used for agricultural production and located in an
282.29 area zoned for agricultural use.

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

283.1 (e) The commissioner must consult with federal regulatory authorities to ensure this
283.2 section and ordinances adopted under subdivision 2, paragraph (b), comply with federal
283.3 law. A city of the first class must consult with the commissioner before adopting an ordinance
283.4 under subdivision 2, paragraph (b), to ensure that the proposed ordinance complies with
283.5 state law.

283.6 Sec. 5. Minnesota Statutes 2022, section 21.86, subdivision 2, is amended to read:

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

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

283.12 (b) hinder or obstruct in any way any authorized person in the performance of duties
283.13 under sections 21.80 to 21.92;

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

283.17 (d) use the word "type" in any labeling in connection with the name of any agricultural
283.18 seed variety;

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

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

283.22 (g) advertise or sell seed containing patented, protected, or proprietary varieties used
283.23 without permission of the patent or certificate holder of the intellectual property associated
283.24 with the variety of seed; or

283.25 (h) use or sell as food, feed, oil, or ethanol feedstock any seed treated with neonicotinoid
283.26 pesticide.

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

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

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

284.3 Sec. 7. Minnesota Statutes 2022, section 85A.01, subdivision 1, is amended to read:

284.4 Subdivision 1. **Creation.** (a) The Minnesota Zoological Garden is established under the
284.5 supervision and control of the Minnesota Zoological Board. The board consists of 30 public
284.6 and private sector members having a background or interest in zoological societies or zoo
284.7 management or an ability to generate community interest in the Minnesota Zoological
284.8 Garden. Fifteen members shall be appointed by the board after consideration of a list supplied
284.9 by board members serving on a nominating committee, and 15 members shall be appointed
284.10 by the governor. One member of the board must be a resident of Dakota County and shall
284.11 be appointed by the governor after consideration of the recommendation of the Dakota
284.12 County Board. Board appointees shall not be subject to the advice and consent of the senate.

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

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

284.22 Sec. 8. Minnesota Statutes 2022, section 216B.2424, subdivision 5c, is amended to read:

284.23 Subd. 5c. **New power purchase agreement.** (a) No later than August 1, 2021, a public
284.24 utility subject to subdivision 5 and the cogeneration facility may file a proposal with the
284.25 commission to enter into a power purchase agreement that governs the public utility's
284.26 purchase of electricity generated by the cogeneration facility. The power purchase agreement
284.27 may extend no later than December 31, 2024, and must not be extended beyond that date
284.28 except as provided in paragraph (f).

284.29 (b) The commission is prohibited from approving a new power purchase agreement filed
284.30 under this subdivision that does not meet all of the following conditions:

284.31 (1) the cogeneration facility agrees that any waste wood from ash trees removed from
284.32 Minnesota counties that have been designated as quarantined areas in Section IV of the

285.1 Minnesota State Formal Quarantine for Emerald Ash Borer, issued by the commissioner of
285.2 agriculture under section 18G.06, effective November 14, 2019, as amended, for utilization
285.3 as biomass fuel by the cogeneration facility must be accompanied by evidence:

285.4 (i) demonstrating that the transport of biomass fuel from processed waste wood from
285.5 ash trees to the cogeneration facility complies with the department's regulatory requirements
285.6 under the Minnesota State Formal Quarantine for Emerald Ash Borer, which may consist
285.7 of:

285.8 (A) a certificate authorized or prepared by the commissioner of agriculture or an employee
285.9 of the Animal and Plant Health Inspection Service of the United States Department of
285.10 Agriculture verifying compliance; or

285.11 (B) shipping documents demonstrating compliance; or

285.12 (ii) certifying that the waste wood from ash trees has been chipped to one inch or less
285.13 in two dimensions, and was chipped within the county from which the ash trees were
285.14 originally removed;

285.15 (2) the price per megawatt hour of electricity paid by the public utility demonstrates
285.16 significant savings compared to the existing power purchase agreement, with a price that
285.17 does not exceed \$98 per megawatt hour;

285.18 (3) the proposal includes a proposal to the commission for one or more electrification
285.19 projects that result in the St. Paul district heating and cooling system being powered by
285.20 electricity generated from renewable energy technologies. The plan must evaluate
285.21 electrification at three or more levels from ten to 100 percent, including 100 percent of the
285.22 energy used by the St. Paul district heating and cooling system to be implemented by
285.23 December 31, 2027. The proposal may also evaluate alternative dates for implementation.
285.24 For each level of electrification analyzed, the proposal must contain:

285.25 (i) a description of the alternative electrification technologies evaluated and whose
285.26 implementation is proposed as part of the electrification project;

285.27 (ii) an estimate of the cost of the electrification project to the public utility, the impact
285.28 on the monthly energy bills of the public utility's Minnesota customers, and the impact on
285.29 the monthly energy bills of St. Paul district heating and cooling system customers;

285.30 (iii) an estimate of the reduction in greenhouse gas emissions resulting from the
285.31 electrification project, including greenhouse gas emissions associated with the transportation
285.32 of waste wood;

286.1 (iv) estimated impacts on the operations of the St. Paul district heating and cooling
286.2 system; and

286.3 (v) a timeline for the electrification project; and

286.4 (4) the power purchase agreement provides a net benefit to the utility customers or the
286.5 state.

286.6 (c) The commission may approve, or approve as modified, a proposed electrification
286.7 project that meets the requirements of this subdivision if it finds the electrification project
286.8 is in the public interest, or the commission may reject the project if it finds that the project
286.9 is not in the public interest. When determining whether an electrification project is in the
286.10 public interest, the commission may consider the effects of the electrification project on air
286.11 emissions from the St. Paul district heating and cooling system and how the emissions
286.12 impact the environment and residents of affected neighborhoods.

286.13 (d) During the agreement period, the cogeneration facility must attempt to obtain funding
286.14 to reduce the cost of generating electricity and enable the facility to continue to operate
286.15 beyond the agreement period to address the removal of ash trees, as described in paragraph
286.16 (b), clause (1), ~~without any subsidy or contribution from any power purchase agreement~~
286.17 ~~after December 31, 2024~~. The cogeneration facility must submit periodic reports to the
286.18 commission regarding the efforts made under this paragraph.

286.19 (e) Upon approval of the new power purchase agreement, the commission must require
286.20 periodic reporting regarding progress toward development of a proposal for an electrification
286.21 project.

286.22 (f) Except as provided in paragraph (a), the commission is ~~prohibited from approving~~
286.23 allowed to approve a power purchase agreement after the agreement period ~~unless it approves~~
286.24 without approving an electrification project. Nothing in this section shall require any utility
286.25 to enter into a power purchase agreement with the cogeneration facility after December 31,
286.26 2024.

286.27 (g) Upon approval of an electrification project, the commission must require periodic
286.28 reporting regarding the progress toward implementation of the electrification project.

286.29 (h) If the commission approves the proposal submitted under paragraph (b), clause (3),
286.30 the commission may allow the public utility to recover prudently incurred costs net of
286.31 revenues resulting from the electrification project through an automatic cost recovery
286.32 mechanism that allows for cost recovery outside of a general rate case. The cost recovery
286.33 mechanism approved by the commission must:

287.1 (1) allow a reasonable return on the capital invested in the electrification project by the
287.2 public utility, as determined by the commission; and

287.3 (2) recover costs only from the public utility's Minnesota electric service customers.

287.4 Sec. 9. Minnesota Statutes 2022, section 373.475, is amended to read:

287.5 **373.475 COUNTY ENVIRONMENTAL TRUST FUND.**

287.6 (a) Notwithstanding the provisions of chapter 282 and any other law relating to the
287.7 apportionment of proceeds from the sale of tax-forfeited land, and except as otherwise
287.8 provided in this section, a county board must deposit the money received from the sale of
287.9 land under Laws 1998, chapter 389, article 16, section 31, subdivision 3, into an
287.10 environmental trust fund established by the county under this section. The principal from
287.11 the sale of the land may not be expended, and the county board may spend interest earned
287.12 on the principal only for purposes related to the improvement of natural resources. To the
287.13 extent money received from the sale is attributable to tax-forfeited land from another county,
287.14 the money must be deposited in an environmental trust fund established under this section
287.15 by that county board.

287.16 (b) Notwithstanding paragraph (a), St. Louis County may use up to 50 percent of the
287.17 principal in an environmental trust fund established under this section in calendar years
287.18 2023, 2024, and 2025 and up to ten percent annually thereafter for renewable and climate
287.19 change related economic development and environmental projects in the county that protect
287.20 the environment or create clean-economy jobs and manufacturing. The county must leave
287.21 a minimum of \$10,000,000 as principal in the account. For purposes of this paragraph,
287.22 economic development projects mean solar incentives and projects to protect Lake Superior
287.23 and other waters in the Great Lakes watershed from PFAS contamination from landfills.
287.24 Notwithstanding section 10.49, the environmental trust fund established under this section
287.25 must be named the Mary C. Murphy Trust Fund.

287.26 Sec. 10. **[473.5491] METROPOLITAN CITIES INFLOW AND INFILTRATION**
287.27 **GRANTS.**

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

287.30 (b) "Affordability criteria" means an inflow and infiltration project service area that is
287.31 located, in whole or in part, in a census tract where at least three of the following apply as

288.1 determined using the most recently published data from the United States Census Bureau
288.2 or United States Centers for Disease Control and Prevention:

288.3 (1) 20 percent or more of the residents have income below the federal poverty thresholds;

288.4 (2) the tract has a United States Centers for Disease Control and Prevention Social
288.5 Vulnerability Index greater than 0.80;

288.6 (3) the upper limit of the lowest quintile of household income is less than the state upper
288.7 limit of the lowest quintile;

288.8 (4) the housing vacancy rate is greater than the state average; or

288.9 (5) the percent of the population receiving Supplemental Nutrition Assistance Program
288.10 (SNAP) benefits is greater than the state average.

288.11 (c) "City" means a statutory or home rule charter city located within the metropolitan
288.12 area.

288.13 Subd. 2. **Grants.** (a) The council shall make grants to cities for capital improvements
288.14 in municipal wastewater collection systems to reduce the amount of inflow and infiltration
288.15 to the council's metropolitan sanitary sewer disposal system.

288.16 (b) A grant under this section may be made in an amount up to 50 percent of the cost to
288.17 mitigate inflow and infiltration in the publicly owned municipal wastewater collection
288.18 system. The council may award a grant up to 100 percent of the cost to mitigate inflow and
288.19 infiltration in the publicly owned municipal wastewater collection system if the project
288.20 meets affordability criteria.

288.21 Subd. 3. **Eligibility.** To be eligible for a grant under this section, a city must be identified
288.22 by the council as a contributor of excessive inflow and infiltration in the metropolitan
288.23 disposal system or have a measured flow rate within 20 percent of its allowable
288.24 council-determined inflow and infiltration limits.

288.25 Subd. 4. **Application.** The council must award grants based on applications from cities
288.26 that identify eligible capital costs and include a timeline for inflow and infiltration mitigation
288.27 construction, pursuant to guidelines established by the council. The council must prioritize
288.28 applications that meet affordability criteria.

288.29 Subd. 5. **Cancellation.** If a grant is awarded to a city and funds are not encumbered for
288.30 the grant within four years after the award date, the grant must be canceled.

289.1 Sec. 11. [473.5492] COMMUNITY WASTEWATER COSTS; ANNUAL REPORT.

289.2 By February 15 each year, the council must submit a report to the chairs and ranking
289.3 minority members of the legislative committees and divisions with jurisdiction over capital
289.4 investment and environment and natural resources that provides a summary of the average
289.5 monthly wastewater costs for communities in the metropolitan area for the previous calendar
289.6 year.

289.7 Sec. 12. 50-YEAR CLEAN WATER PLAN SCOPE OF WORK.

289.8 (a) The Board of Regents of the University of Minnesota, through the University of
289.9 Minnesota Water Council, is requested to develop a scope of work, timeline, and budget
289.10 for a plan to promote and protect clean water in Minnesota for the next 50 years. The 50-year
289.11 clean water plan must:

289.12 (1) provide a literature-based assessment of the current status and trends regarding the
289.13 quality and quantity of all Minnesota waters, both surface and subsurface;

289.14 (2) identify gaps in the data or understanding and provide recommended action steps to
289.15 address gaps;

289.16 (3) identify existing and potential future threats to Minnesota's waters; and

289.17 (4) propose a road map of scenarios and policy recommendations to allow the state to
289.18 proactively protect, remediate, and conserve clean water for human use and biodiversity
289.19 for the next 50 years.

289.20 (b) The scope of work must outline the steps and resources necessary to develop the
289.21 plan, including but not limited to:

289.22 (1) the data sets that are required and how the University of Minnesota will obtain access;

289.23 (2) the suite of proposed analysis methods;

289.24 (3) the roles and responsibilities of project leaders, key personnel, and stakeholders;

289.25 (4) the project timeline with milestones; and

289.26 (5) a budget with expected costs for tasks and milestones.

289.27 (c) By December 1, 2023, the Board of Regents of the University of Minnesota is
289.28 requested to submit the scope of work to the chairs and ranking minority members of the
289.29 house of representatives and senate committees and divisions with jurisdiction over
289.30 environment and natural resources.

ARTICLE 10

CLIMATE AND ENERGY FINANCE

Section 1. APPROPRIATIONS.

The sums shown in the columns marked "Appropriations" are appropriated to the agencies and for the purposes specified in this article. The appropriations are from the general fund, or another named fund, and are available for the fiscal years indicated for each purpose. The figures "2024" and "2025" used in this article mean that the appropriations listed under them are available for the fiscal year ending June 30, 2024, or June 30, 2025, respectively. "The first year" is fiscal year 2024. "The second year" is fiscal year 2025. "The biennium" is fiscal years 2024 and 2025. If an appropriation in this article is enacted more than once in the 2023 legislative session, the appropriation must be given effect only once.

<u>APPROPRIATIONS</u>	
<u>Available for the Year</u>	
<u>Ending June 30</u>	
<u>2024</u>	<u>2025</u>

Sec. 2. DEPARTMENT OF COMMERCE

<u>Subdivision 1. Total Appropriation</u>	<u>\$</u>	<u>97,159,000</u>	<u>\$</u>	<u>28,714,000</u>
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Appropriations by Fund

	<u>2024</u>	<u>2025</u>
<u>General</u>	<u>96,083,000</u>	<u>27,617,000</u>
<u>Petroleum Tank</u>	<u>1,076,000</u>	<u>1,097,000</u>

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

<u>Subd. 2. Energy Resources</u>	<u>96,083,000</u>	<u>27,617,000</u>
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(a) \$5,861,000 the first year and \$6,038,000 the second year are to the division of energy resources for operating expenses.

(b) \$150,000 the first year and \$150,000 the second year are to remediate vermiculite insulation from households that are eligible for weatherization assistance under Minnesota's weatherization assistance program state plan under Minnesota Statutes, section 216C.264. Remediation must be done in

291.1 conjunction with federal weatherization
291.2 assistance program services.

291.3 (c) \$1,138,000 in the first year is transferred
291.4 from the general fund to the solar for schools
291.5 program account under Minnesota Statutes,
291.6 section 216C.375, to provide financial
291.7 assistance to schools that are state colleges
291.8 and universities to purchase and install solar
291.9 energy generating systems. This appropriation
291.10 must be expended on schools located outside
291.11 the electric service territory of the public
291.12 utility that is subject to Minnesota Statutes,
291.13 section 116C.779. Money under this paragraph
291.14 is available until June 30, 2034. Any money
291.15 remaining on June 30, 2034, cancels to the
291.16 general fund.

291.17 (d) \$189,000 each year is for activities
291.18 associated with a utility's implementation of
291.19 a natural gas innovation plan under Minnesota
291.20 Statutes, section 216B.2427.

291.21 (e) \$15,000,000 in the first year is transferred
291.22 from the general fund to the solar for schools
291.23 program account in the special revenue fund
291.24 for grants under the solar for schools program
291.25 established under Minnesota Statutes, section
291.26 216C.375. The money under this paragraph
291.27 must be expended on schools located outside
291.28 the electric service territory of the public
291.29 utility that is subject to Minnesota Statutes,
291.30 section 116C.779.

291.31 (f) \$500,000 each year is for the strengthen
291.32 Minnesota homes program under Minnesota
291.33 Statutes, section 65A.299, subdivision 4.
291.34 Money under this paragraph is transferred
291.35 from the general fund to strengthen Minnesota

292.1 homes account in the special revenue fund.
292.2 This is a onetime appropriation.
292.3 (g) \$20,000,000 the first year and \$18,737,000
292.4 the second year are for weatherization and
292.5 preweatherization work to serve additional
292.6 households and allow for services that would
292.7 otherwise be denied due to current federal
292.8 limitations related to the federal weatherization
292.9 assistance program. Money under this
292.10 paragraph is transferred from the general fund
292.11 to the preweatherization account in the special
292.12 revenue fund under Minnesota Statutes,
292.13 section 216C.264, subdivision 1c. The base
292.14 in fiscal years 2026 and later is \$3,199,000.
292.15 (h) \$15,000,000 the first year is for a grant to
292.16 an investor-owned electric utility that has at
292.17 least 50,000 retail electric customers, but no
292.18 more than 200,000 retail electric customers,
292.19 to increase the capacity and improve the
292.20 reliability of an existing high-voltage direct
292.21 current transmission line that runs between
292.22 North Dakota and Minnesota. This is a
292.23 onetime appropriation and must be used to
292.24 support the cost-share component of a federal
292.25 grant application to a program enacted in the
292.26 federal Infrastructure Investment and Jobs Act,
292.27 Public Law 117-58, and may otherwise be
292.28 used to reduce the cost of the high-voltage
292.29 direct current transmission project upgrade
292.30 and to reimburse the reasonable costs incurred
292.31 by the department to administer the grant. This
292.32 appropriation is available until June 30, 2034.
292.33 (i) \$300,000 the first year is for technical
292.34 assistance and administrative support for the
292.35 Tribal Advocacy Council on Energy under

293.1 article 12, section 71. As part of the technical
293.2 assistance and administrative support for the
293.3 program, the commissioner must hire a Tribal
293.4 liaison to support the Tribal Advocacy Council
293.5 on Energy and advise the department on the
293.6 development of a culturally responsive clean
293.7 energy grants program based on the priorities
293.8 identified by the Tribal Advocacy Council on
293.9 Energy.

293.10 (j) \$3,000,000 the first year is for a grant to
293.11 Clean Energy Economy Minnesota for the
293.12 Minnesota Energy Alley initiative to secure
293.13 the state's energy and economic development
293.14 future. The appropriation may be used to
293.15 establish and support the initiative, provide
293.16 seed funding for businesses, develop a training
293.17 and development program, support recruitment
293.18 of entrepreneurs to Minnesota, and secure
293.19 funding from federal programs and corporate
293.20 partners to establish a self-sustaining,
293.21 long-term revenue model. This appropriation
293.22 may be used to reimburse the reasonable costs
293.23 incurred by the department to administer the
293.24 grant. This is a onetime appropriation and is
293.25 available until June 30, 2027.

293.26 (k) \$5,000,000 the first year is transferred to
293.27 the electric vehicle rebate program account to
293.28 award rebates to purchase or lease eligible
293.29 electric vehicles under Minnesota Statutes,
293.30 section 216C.401. Rebates must be awarded
293.31 under this paragraph only to eligible recipients
293.32 located outside the retail electric service area
293.33 of the public utility that is subject to
293.34 Minnesota Statutes, section 116C.779. This is

294.1 a onetime appropriation and is available until
294.2 June 30, 2027.

294.3 (l) \$1,000,000 the first year is to award grants
294.4 under Minnesota Statutes, section 216C.402,
294.5 to automobile dealers seeking certification to
294.6 sell electric vehicles and to reimburse the
294.7 reasonable costs incurred by the department
294.8 to administer the grants. Grants must only be
294.9 awarded under this paragraph to eligible
294.10 dealers located outside the retail electric
294.11 service area of the public utility that is subject
294.12 to Minnesota Statutes, section 116C.779. This
294.13 is a onetime appropriation and is available
294.14 until June 30, 2027.

294.15 (m) \$3,000,000 the first year is transferred to
294.16 the residential electric panel upgrade grant
294.17 program account established under Minnesota
294.18 Statutes, section 216C.45, to award electric
294.19 panel upgrade grants and to reimburse the
294.20 reasonable costs incurred by the department
294.21 to administer the program. Grants must be
294.22 awarded under this paragraph only to owners
294.23 of single-family homes or multifamily
294.24 buildings located outside the electric service
294.25 area of the public utility subject to Minnesota
294.26 Statutes, section 116C.779. This is a onetime
294.27 appropriation and is available until June 30,
294.28 2027.

294.29 (n) \$500,000 the first year and \$500,000 the
294.30 second year are for a grant to the clean energy
294.31 resource teams partnerships under Minnesota
294.32 Statutes, section 216C.385, subdivision 2, to
294.33 provide additional capacity to perform the
294.34 duties specified under Minnesota Statutes,
294.35 section 216C.385, subdivision 3. This

295.1 appropriation may be used to reimburse the
295.2 reasonable costs incurred by the department
295.3 to administer the grant.

295.4 (o) \$1,807,000 the first year and \$301,000 the
295.5 second year are to implement energy
295.6 benchmarking under Minnesota Statutes,
295.7 section 216C.331.

295.8 Of the amount appropriated under this
295.9 paragraph, \$750,000 the first year is to award
295.10 grants to qualifying utilities that are not
295.11 investor-owned utilities to support the
295.12 development of technology for implementing
295.13 energy benchmarking under Minnesota
295.14 Statutes, section 216C.331. This is a onetime
295.15 appropriation.

295.16 Of the amount appropriated in the first year
295.17 under this paragraph, \$756,000 the first year
295.18 is for a grant to Building Owners and
295.19 Managers Association Greater Minneapolis
295.20 to establish partnerships with three technical
295.21 colleges and high school career counselors
295.22 with a goal of increasing the number of
295.23 building engineers across Minnesota. This is
295.24 a onetime appropriation and is available until
295.25 June 30, 2028. The grant recipient must
295.26 provide a detailed report describing how the
295.27 grant funds were used to the chairs and
295.28 ranking minority members of the legislative
295.29 committees having jurisdiction over higher
295.30 education by January 15 of each year until
295.31 2028. The report must describe the progress
295.32 made toward the goal of increasing the number
295.33 of building engineers and strategies used.

295.34 (p) \$500,000 the first year is for a feasibility
295.35 study to identify and process Minnesota iron

296.1 resources that could be suitable for upgrading
296.2 to long-term battery storage specifications.
296.3 The results of the feasibility study must be
296.4 submitted to the commissioner of commerce
296.5 and to the chairs and ranking minority
296.6 members of the house of representatives and
296.7 senate committees with jurisdiction over
296.8 energy policy no later than February 1, 2025.
296.9 This appropriation may be used to reimburse
296.10 the reasonable costs incurred to administer the
296.11 study. This is a onetime appropriation.

296.12 (q) \$6,000,000 the first year is for electric
296.13 school bus grants under Minnesota Statutes,
296.14 section 216C.374. Money under this paragraph
296.15 is transferred from the general fund to the
296.16 electric school bus program account. This is
296.17 a onetime appropriation.

296.18 (r) \$5,300,000 the first year is for electric grid
296.19 resiliency grants under article 12, section 72.
296.20 This appropriation may be used to reimburse
296.21 the reasonable costs incurred by the
296.22 department to administer the grants. This is a
296.23 onetime appropriation and is available until
296.24 June 30, 2028.

296.25 (s) \$6,000,000 the first year is transferred to
296.26 the heat pump rebate program account
296.27 established under Minnesota Statutes, section
296.28 216C.46, to implement the heat pump rebate
296.29 program and to reimburse the reasonable costs
296.30 incurred by the department to administer the
296.31 program. Of this amount:

296.32 (1) up to \$1,400,000 the first year is to
296.33 contract with an energy coordinator under
296.34 Minnesota Statutes, section 216C.46,
296.35 subdivision 5; and

297.1 (2) up to \$1,400,000 the first year is to conduct
297.2 contractor training and support under
297.3 Minnesota Statutes, section 216C.46,
297.4 subdivision 6.

297.5 (t) \$1,000,000 the first year is to award air
297.6 ventilation pilot program grants under
297.7 Minnesota Statutes, section 123B.663, for
297.8 assessments, testing, and equipment upgrades
297.9 in schools, and for the department's costs to
297.10 administer the program. This is a onetime
297.11 appropriation.

297.12 (u) \$500,000 the first year is for a grant to the
297.13 city of Anoka for feasibility studies as
297.14 described in this paragraph and design,
297.15 engineering, and environmental analysis
297.16 related to the repair and reconstruction of the
297.17 Rum River Dam. Findings from the feasibility
297.18 studies must be incorporated into the design
297.19 and engineering funded by this appropriation.
297.20 This appropriation is onetime and is available
297.21 until June 30, 2027. This appropriation
297.22 includes money for the following studies: (1)
297.23 a study to assess the feasibility of adding a
297.24 lock or other means for boats to traverse the
297.25 dam to navigate between the lower Rum River
297.26 and upper Rum River; (2) a study to assess
297.27 the feasibility of constructing the dam in a
297.28 manner that would facilitate recreational river
297.29 surfing at the dam site; and (3) a study to
297.30 assess the feasibility of constructing the dam
297.31 in a manner to generate hydroelectric power.

297.32 (v) \$3,000,000 the first year is for grants to
297.33 install on-site energy storage systems, as
297.34 defined in Minnesota Statutes, section
297.35 216B.2422, subdivision 1, paragraph (f), with

298.1 a capacity of 50 kilowatt hours or less and that
298.2 are located outside the electric service area of
298.3 the electric utility subject to Minnesota
298.4 Statutes, section 116C.779. To receive a grant
298.5 under this paragraph, an owner of the energy
298.6 storage system must be operating a solar
298.7 energy generating system at the same site as
298.8 the energy storage system or have filed an
298.9 application with a utility to interconnect a solar
298.10 energy generating system at the same site as
298.11 the energy storage system. This appropriation
298.12 may be used to reimburse the reasonable costs
298.13 incurred by the department to administer the
298.14 grants. This is a onetime appropriation and is
298.15 available until June 30, 2027.

298.16 (w) \$164,000 the second year is for activities
298.17 associated with a public utility's filing a
298.18 transportation electrification plan under
298.19 Minnesota Statutes, section 216B.1615. The
298.20 base in fiscal year 2026 and later is \$164,000.

298.21 (x) \$77,000 each year is for activities
298.22 associated with appeals of consumer
298.23 complaints to the commission under
298.24 Minnesota Statutes, section 216B.172.

298.25 (y) \$961,000 each year is for activities
298.26 required under Minnesota Statutes, section
298.27 216B.1641 for community solar gardens. This
298.28 appropriation must be assessed directly to the
298.29 public utility subject to Minnesota Statutes,
298.30 section 116C.779.

298.31 (z) \$300,000 the first year is for the
298.32 community solar garden program study
298.33 required under article 12, section 73.

299.1 Subd. 3. **Petroleum Tank Release Compensation**
 299.2 **Board** 1,076,000 1,097,000

299.3 This appropriation is from the petroleum tank
 299.4 fund.

299.5 Sec. 3. **PUBLIC UTILITIES COMMISSION** \$ 10,748,000 \$ 11,106,000

299.6 The general fund base budget is \$11,150,000
 299.7 in fiscal year 2026 and \$11,106,000 in fiscal
 299.8 year 2027.

299.9 Sec. 4. **AGRICULTURE** \$ 7,000,000 \$ -0-

299.10 \$7,000,000 the first year is for grants to
 299.11 cooperatives to invest in green fertilizer
 299.12 production facilities, as provided under article
 299.13 12, section 77. This is a onetime appropriation
 299.14 and is available until June 30, 2032.

299.15 Sec. 5. **POLLUTION CONTROL AGENCY** \$ 2,000,000 \$ -0-

299.16 \$2,000,000 the first year is transferred to the
 299.17 local climate action grant program account
 299.18 established in the special revenue fund to:

299.19 (1) award grants to eligible applicants;
 299.20 (2) provide technical assistance to applicants;
 299.21 (3) pay a contractor to provide greenhouse gas
 299.22 emissions data to grantees; and

299.23 (4) reimburse the reasonable costs of the
 299.24 agency to administer the program.

299.25 Of this amount, 65 percent is available the first
 299.26 year, of which half is reserved for applicants
 299.27 located outside the counties of Hennepin,
 299.28 Ramsey, Anoka, Dakota, Scott, Carver, and
 299.29 Washington. In the second year, any
 299.30 unencumbered first year money and the
 299.31 balance of the appropriation are available to
 299.32 all eligible applicants, and remain available

300.1 until June 30, 2025. The base in fiscal year
 300.2 2026 is \$0.

300.3 **Sec. 6. CLIMATE INNOVATION FINANCE**
 300.4 **AUTHORITY**

\$	<u>20,000,000</u>	\$	<u>-0-</u>
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300.5 \$20,000,000 the first year is transferred to the
 300.6 climate innovation finance authority account
 300.7 for purposes of Minnesota Statutes, section
 300.8 216C.441. This is a onetime appropriation.

300.9 Of this amount, the commissioner of
 300.10 management and budget may make up to
 300.11 \$500,000 available to the commissioner of
 300.12 commerce, at the request of the commissioner
 300.13 of commerce, to conduct necessary start-up
 300.14 activities before the authority has sufficient
 300.15 staff resources to do so.

300.16	Sec. 7. <u>UNIVERSITY OF MINNESOTA</u>	\$	<u>1,000,000</u>	\$	<u>1,000,000</u>
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300.17 \$1,000,000 the first year and \$1,000,000 the
 300.18 second year are for a program in the
 300.19 University of Minnesota Extension Service
 300.20 that enhances the capacity of the state's
 300.21 agricultural sector, land and resource
 300.22 managers, and communities to plan for and
 300.23 adapt to weather extremes, including but not
 300.24 limited to droughts and floods. This is a
 300.25 onetime appropriation and is available until
 300.26 June 30, 2030. The base in fiscal year 2026
 300.27 and later is \$1,000,000.

300.28 The appropriation under this section must be
 300.29 used to support existing extension service staff
 300.30 members and to hire additional staff members
 300.31 for a program with broad geographic reach
 300.32 throughout the state. The program must:
 300.33 (1) identify, develop, implement, and evaluate
 300.34 educational programs that increase the

301.1 capacity of Minnesota's agricultural sector,
 301.2 land and resource managers, and communities
 301.3 to be prepared for and adapt to projected
 301.4 physical changes in temperature, precipitation,
 301.5 and other weather parameters that affect crops,
 301.6 lands, horticulture, pests, and wildlife in ways
 301.7 that present challenges to the state's
 301.8 agricultural sector and the communities that
 301.9 depend on the agricultural sector; and
 301.10 (2) communicate and interpret the latest
 301.11 research on critical weather trends and the
 301.12 scientific basis for critical weather trends to
 301.13 further prepare extension service staff
 301.14 throughout the state to educate and provide
 301.15 technical assistance to the agricultural sector,
 301.16 land and resource managers, and community
 301.17 members at the local level regarding technical
 301.18 information on water resource management,
 301.19 agriculture and forestry, engineering and
 301.20 infrastructure design, and emergency
 301.21 management that is necessary to develop
 301.22 strategies to mitigate the effects of extreme
 301.23 weather change.

301.24 **Sec. 8. ADMINISTRATION** **\$** **945,000** **\$** **-0-**

301.25 (a) \$690,000 the first year is for a contract
 301.26 with the Board of Regents of the University
 301.27 of Minnesota for the Institute on the
 301.28 Environment to research and provide
 301.29 recommendations for establishing new energy
 301.30 guidelines for state buildings under Minnesota
 301.31 Statutes, section 16B.325, subdivision 2. The
 301.32 grant agreement must require the director of
 301.33 the Institute on the Environment to submit a
 301.34 written report that summarizes the findings
 301.35 and recommendations, including

302.1 recommendations for policy and legislative
 302.2 changes, to the chairs and ranking minority
 302.3 members of the legislative committees in the
 302.4 house of representatives and the senate with
 302.5 primary jurisdiction over energy policy and
 302.6 capital investment.

302.7 (b) \$255,000 the first year is for grants and
 302.8 the environmental analysis of construction
 302.9 materials under Minnesota Statutes, section
 302.10 16B.312.

302.11	Sec. 9. DEPARTMENT OF			
302.12	<u>TRANSPORTATION</u>	\$	<u>310,000</u>	\$
				<u>-0-</u>

302.13 \$310,000 the first year is for awarding grants
 302.14 to assist manufacturers to obtain
 302.15 environmental product declarations for certain
 302.16 construction materials used to build roads and
 302.17 other transportation infrastructure under
 302.18 Minnesota Statutes, section 16B.312. Of this
 302.19 amount, up to \$10,000 is for the reasonable
 302.20 costs of the department to administer that
 302.21 section. This appropriation is available until
 302.22 June 30, 2027.

ARTICLE 11

RENEWABLE DEVELOPMENT ACCOUNT APPROPRIATIONS

302.23

302.24

302.25 Section 1. **RENEWABLE DEVELOPMENT FINANCE.**

302.26 (a) The sums shown in the columns marked "Appropriations" are appropriated to the
 302.27 agencies and for the purposes specified in this article. Notwithstanding Minnesota Statutes,
 302.28 section 116C.779, subdivision 1, paragraph (j), the appropriations are from the renewable
 302.29 development account in the special revenue fund established in Minnesota Statutes, section
 302.30 116C.779, subdivision 1, and are available for the fiscal years indicated for each purpose.
 302.31 The figures "2024" and "2025" used in this article mean that the appropriations listed under
 302.32 them are available for the fiscal year ending June 30, 2024, or June 30, 2025, respectively.
 302.33 "The first year" is fiscal year 2024. "The second year" is fiscal year 2025. "The biennium"
 302.34 is fiscal years 2024 and 2025.

304.1 (2) procure advanced equipment and controls
304.2 to enable the extension of the university's
304.3 microgrid to additional buildings; and

304.4 (3) expand (i) hands-on educational
304.5 opportunities for undergraduate and graduate
304.6 electrical engineering students to increase
304.7 understanding of microgrid operations, and
304.8 (ii) partnerships with community colleges.

304.9 (c) \$4,100,000 the first year is for a grant to
304.10 the University of St. Thomas Center for
304.11 Microgrid Research for capacity building and
304.12 matching requirements as a condition of
304.13 receiving federal funds. This appropriation is
304.14 available until June 30, 2027.

304.15 **Subd. 4. Granite Falls Hydroelectric Generating**
304.16 **Facility**

304.17 \$2,000,000 the first year is for a grant to the
304.18 city of Granite Falls for repair and overage
304.19 costs related to the city's existing hydroelectric
304.20 generating facility. This is a onetime
304.21 appropriation and any amount unobligated by
304.22 June 30, 2025, cancels to the renewable
304.23 development account.

304.24 **Subd. 5. Electric Vehicle Rebates**

304.25 (a) \$5,567,000 the first year and \$5,149,000
304.26 the second year are for transfer to the electric
304.27 vehicle rebate program account established
304.28 under Minnesota Statutes, section 216C.401,
304.29 to award rebates to purchase or lease eligible
304.30 electric vehicles under Minnesota Statutes,
304.31 section 216C.401. Rebates must be awarded
304.32 under this paragraph only to eligible
304.33 purchasers located within the retail electric
304.34 service area of the public utility that is subject
304.35 to Minnesota Statutes, section 116C.779. This

305.1 is a onetime appropriation and is available
305.2 until June 30, 2027.

305.3 (b) \$1,000,000 the first year is to award grants
305.4 under Minnesota Statutes, section 216C.402,
305.5 to automobile dealers seeking certification
305.6 from an electric vehicle manufacturer to sell
305.7 electric vehicles and to reimburse the
305.8 reasonable costs incurred by the department
305.9 to administer the grants. Rebates must only
305.10 be awarded under this paragraph to eligible
305.11 dealers located within the retail electric service
305.12 area of the public utility that is subject to
305.13 Minnesota Statutes, section 116C.779. This is
305.14 a onetime appropriation and is available until
305.15 June 30, 2027.

305.16 **Subd. 6. Electric School Bus Grants**

305.17 \$7,000,000 the first year is transferred to the
305.18 electric school bus program account
305.19 established under Minnesota Statutes, section
305.20 216C.374, to provide grants to (1) accelerate
305.21 the deployment of electric school buses and
305.22 related electric vehicle infrastructure, and (2)
305.23 to pay the commissioner's costs to administer
305.24 Minnesota Statutes, section 216C.374. This is
305.25 a onetime appropriation and is available until
305.26 June 30, 2027.

305.27 **Subd. 7. Solar on Public Buildings**

305.28 \$5,000,000 the first year is transferred from
305.29 the renewable development account to the
305.30 solar on public buildings grant program
305.31 account for the grant program described in
305.32 Minnesota Statutes, section 216C.377. The
305.33 appropriation in this subdivision must be used
305.34 only to provide grants to public buildings

306.1 located within the electric service area of the
306.2 electric utility subject to Minnesota Statutes,
306.3 section 116C.779.

306.4 **Subd. 8. Electric Panel Upgrade Grants**

306.5 \$3,500,000 the first year is transferred to the
306.6 residential electric panel upgrade grant
306.7 program account for the purpose of awarding
306.8 electric panel upgrade grants under Minnesota
306.9 Statutes, section 216C.45, and to reimburse
306.10 the reasonable cost of the department to
306.11 administer the program. Grants awarded with
306.12 funds appropriated under this subdivision must
306.13 be awarded only to owners of single-family
306.14 homes or multifamily buildings that are
306.15 located within the electric service area of the
306.16 public utility subject to Minnesota Statutes,
306.17 section 116C.779. This is a onetime
306.18 appropriation and remains available until June
306.19 30, 2027. Any unobligated money that remains
306.20 unexpended on June 30, 2027, cancels to the
306.21 renewable development account.

306.22 **Subd. 9. Energy Storage Incentive Grants**

306.23 \$4,000,000 the first year is to award grants to
306.24 install energy storage systems under
306.25 Minnesota Statutes, section 216C.379, and to
306.26 pay the reasonable costs incurred by the
306.27 department to administer Minnesota Statutes,
306.28 section 216C.379. This is a onetime
306.29 appropriation and is available until June 30,
306.30 2027.

306.31 **Subd. 10. Distributed Energy Resources System**
306.32 **Upgrades**

306.33 \$4,250,000 the first year and \$6,000,000 the
306.34 second year are for eligible expenditures under
306.35 the distributed energy resources system

307.1 upgrade program established in Minnesota
307.2 Statutes, section 216C.378. Of this amount,
307.3 \$250,000 the first year is to implement the
307.4 small interconnection cost-sharing program
307.5 ordered by the Public Utilities Commission
307.6 on December 19, 2022, in Docket
307.7 E002/M-18-714, to cover the costs of certain
307.8 distribution upgrades for customers of the
307.9 utility subject to Minnesota Statutes, section
307.10 116C.779, seeking to interconnect distributed
307.11 generation of up to a certain size. The
307.12 appropriation under this subdivision may be
307.13 used for the reasonable costs of distribution
307.14 upgrades as defined in Minnesota Statutes,
307.15 section 216C.378, subdivision 1. Money under
307.16 this subdivision is transferred from the
307.17 renewable development account to the
307.18 distributed energy resource system upgrade
307.19 program account for the purposes of this
307.20 subdivision. This is a onetime appropriation.

307.21 **Subd. 11. Heat Pump Grants**

307.22 \$7,000,000 the first year is transferred to the
307.23 heat pump rebate program account to
307.24 implement the heat pump rebate program
307.25 under Minnesota Statutes, section 216C.46,
307.26 and to reimburse the reasonable costs incurred
307.27 by the department to administer the program.

307.28 **Subd. 12. Solar For Schools**

307.29 \$14,310,000 the first year is transferred to the
307.30 solar for schools program account established
307.31 under Minnesota Statutes, section 216C.375,
307.32 to provide financial assistance to schools to
307.33 purchase and install solar energy generating
307.34 systems under Minnesota Statutes, section
307.35 216C.375. The appropriations under this

308.1 paragraph must be expended on schools
 308.2 located within the electric service territory of
 308.3 the public utility that is subject to Minnesota
 308.4 Statutes, section 116C.779. This is a onetime
 308.5 appropriation.

308.6 **Subd. 13. Energy Storage System Capacity**
 308.7 \$250,000 the first year is for a commerce
 308.8 department study of the energy storage system
 308.9 capacity required to achieve the state
 308.10 renewable energy standard and carbon-free
 308.11 goals under Minnesota Statutes, section
 308.12 216B.1691, and to host a meeting to obtain
 308.13 recommendations from stakeholders and the
 308.14 public on policies and programs to accelerate
 308.15 energy storage system deployment to achieve
 308.16 the storage capacity the study determines to
 308.17 be required. The study is to be completed by
 308.18 January 15, 2024.

308.19	<u>Sec. 3. MINNESOTA AMATEUR SPORTS</u>			
308.20	<u>COMMISSION</u>	<u>\$</u>	<u>-0-</u>	<u>\$ 4,200,000</u>

308.21 \$4,200,000 the second year is to install solar
 308.22 arrays on an ice rink and a maintenance
 308.23 facility at the National Sports Center in Blaine.
 308.24 This is a onetime appropriation.

308.25	<u>Sec. 4. DEPARTMENT OF</u>			
308.26	<u>ADMINISTRATION</u>	<u>\$</u>	<u>780,000</u>	<u>\$ 92,000</u>

308.27 (a) \$690,000 the first year is to contract with
 308.28 the Board of Regents of the University of
 308.29 Minnesota for a grant to the Institute on the
 308.30 Environment to conduct research examining
 308.31 how projections of future weather trends may
 308.32 exacerbate conditions, including but not
 308.33 limited to drought, elevated temperatures, and
 308.34 flooding, that:

309.1 (1) can be integrated into the design and
309.2 evaluation of buildings constructed by the state
309.3 of Minnesota and local units of government,
309.4 in order to:

309.5 (i) reduce energy costs by deploying
309.6 cost-effective energy efficiency measures,
309.7 innovative construction materials and
309.8 techniques, and renewable energy sources;
309.9 and

309.10 (ii) prevent and minimize damage to buildings
309.11 caused by extreme weather conditions,
309.12 including but not limited to increased
309.13 frequency of intense precipitation events and
309.14 tornadoes, flooding, and elevated
309.15 temperatures; and

309.16 (2) may weaken the ability of natural systems
309.17 to mitigate the conditions to the point where
309.18 human intervention in the form of building or
309.19 redesigning the scale and operation of
309.20 infrastructure is required to address those
309.21 conditions in order to:

309.22 (i) maintain and increase the amount and
309.23 quality of food and wood production;

309.24 (ii) reduce fire risk on forested land;

309.25 (iii) maintain and enhance water quality; and

309.26 (iv) maintain and enhance natural habitats.

309.27 The contract must provide that no later than
309.28 February 1, 2025, the director of the Institute
309.29 on the Environment or the director's designee
309.30 must submit a written report to the chairs and
309.31 ranking minority members of the legislative
309.32 committees with primary jurisdiction over
309.33 environment policy and capital investment

310.1 summarizing the findings and
 310.2 recommendations of the research, including
 310.3 any recommendations for policy changes or
 310.4 other legislation. This is a onetime
 310.5 appropriation.

310.6 (b) \$90,000 the first year and \$92,000 the
 310.7 second year are for software and
 310.8 administrative costs associated with the state
 310.9 building energy conservation improvement
 310.10 revolving loan program under Minnesota
 310.11 Statutes, section 16B.87.

310.12 **Sec. 5. POLLUTION CONTROL AGENCY \$ 2,000,000 \$ 1,000,000**

310.13 \$2,000,000 the first year and \$1,000,000 the
 310.14 second year are transferred to the local climate
 310.15 action grant program account established in
 310.16 the special revenue fund to:

- 310.17 (1) award grants to eligible applicants;
- 310.18 (2) provide technical assistance to applicants;
- 310.19 (3) pay a contractor to provide greenhouse gas
 310.20 emissions data to grantees; and
- 310.21 (4) reimburse the reasonable costs of the
 310.22 agency to administer the program.

310.23 Of this amount, 65 percent is available the first
 310.24 year, of which half is reserved for applicants
 310.25 located outside the counties of Hennepin,
 310.26 Ramsey, Anoka, Dakota, Scott, Carver, and
 310.27 Washington. In the second year, any
 310.28 unencumbered first year money and the
 310.29 balance of the appropriation are available to
 310.30 all eligible applicants, and remains available
 310.31 until June 30, 2025. The base in fiscal year
 310.32 2026 and later is \$0.

ARTICLE 12

ENERGY POLICY

311.1

311.2

311.3 Section 1. [16B.312] CONSTRUCTION MATERIALS; ENVIRONMENTAL
311.4 ANALYSIS.

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

311.7 (b) "Carbon steel" means steel in which the main alloying element is carbon and whose
311.8 properties are chiefly dependent on the percentage of carbon present.

311.9 (c) "Commissioner" means the commissioner of administration.

311.10 (d) "Electric arc furnace" means a furnace that produces molten alloy metal and heats
311.11 the charge materials with electric arcs from carbon electrodes.

311.12 (e) "Eligible material" means:

311.13 (1) carbon steel rebar;

311.14 (2) structural steel;

311.15 (3) concrete; or

311.16 (4) asphalt paving mixtures.

311.17 (f) "Eligible project" means:

311.18 (1) new construction of a state building larger than 50,000 gross square feet of occupied
311.19 or conditioned space;

311.20 (2) renovation of more than 50,000 gross square feet of occupied or conditioned space
311.21 in a state building whose renovation cost exceeds 50 percent of the building's assessed value;
311.22 or

311.23 (3) new construction or reconstruction of two or more lane-miles of a trunk highway.

311.24 (g) "Environmental product declaration" means a supply chain specific type III
311.25 environmental product declaration that:

311.26 (1) contains a material production life cycle assessment of the environmental impacts
311.27 of manufacturing a specific product by a specific firm, including the impacts of extracting
311.28 and producing the raw materials and components that compose the product;

311.29 (2) is verified by a third party; and

312.1 (3) meets the ISO 14025 standard developed and maintained by the International
312.2 Organization for Standardization (ISO).

312.3 (h) "Global warming potential" has the meaning given in section 216H.10, subdivision
312.4 6.

312.5 (i) "Greenhouse gas" has the meaning given to "statewide greenhouse gas emissions"
312.6 in section 216H.01, subdivision 2.

312.7 (j) "Integrated steel production" means the production of iron and subsequently steel
312.8 primarily from iron ore or iron ore pellets.

312.9 (k) "Material production life cycle" means an analysis that includes the environmental
312.10 impacts of all stages of a specific product's production, from mining and processing the
312.11 product's raw materials to the process of manufacturing the product.

312.12 (l) "Rebar" means a steel reinforcing bar or rod encased in concrete.

312.13 (m) "Secondary steel production" means the production of steel from primarily ferrous
312.14 scrap and other metallic inputs that are melted and refined in an electric arc furnace.

312.15 (n) "State building" means a building owned by the state of Minnesota or a Minnesota
312.16 state agency.

312.17 (o) "Structural steel" means steel that is used in structural applications in accordance
312.18 with industry standard definitions.

312.19 (p) "Supply chain specific" means an environmental product declaration that includes
312.20 specific data for the production processes of the materials and components composing a
312.21 product that contribute at least 80 percent of the product's material production life cycle
312.22 global warming potential, as defined in ISO standard 21930.

312.23 Subd. 2. **Standard; maximum global warming potential.** (a) The commissioner shall,
312.24 after reviewing the recommendations from the Environmental Standards Procurement Task
312.25 Force made under subdivision 5, paragraph (c), establish and publish a maximum acceptable
312.26 global warming potential for each eligible material used in an eligible project, in accordance
312.27 with the following schedule:

312.28 (1) for concrete used in buildings, no later than January 15, 2026; and

312.29 (2) for carbon steel rebar and structural steel and, after conferring with the commissioner
312.30 of transportation, for asphalt paving mixtures and concrete pavement, no later than January
312.31 15, 2028.

313.1 (b) The commissioner shall, after considering nationally or internationally recognized
313.2 databases of environmental product declarations for an eligible material, establish the
313.3 maximum acceptable global warming potential for the eligible material.

313.4 (c) The commissioner may set different maximum global warming potentials for different
313.5 specific products and subproduct categories that are examples of the same eligible material
313.6 based on distinctions between eligible material production and manufacturing processes,
313.7 such as integrated versus secondary steel production.

313.8 (d) The commissioner must establish maximum global warming potentials that are
313.9 consistent with criteria in an environmental product declaration.

313.10 (e) Not later than three years after establishing the maximum global warming potential
313.11 for an eligible material under paragraph (a), and not longer than every three years thereafter,
313.12 the commissioner, after conferring with the commissioner of transportation with respect to
313.13 asphalt paving mixtures and concrete pavement, shall review the maximum acceptable
313.14 global warming potential for each eligible material and for specific eligible material products.
313.15 The commissioner may adjust any of the values downward to reflect industry improvements
313.16 if, based on the process described in paragraph (b), the commissioner determines the industry
313.17 average has declined.

313.18 Subd. 3. **Procurement process.** The Department of Administration and the Department
313.19 of Transportation shall, after reviewing the recommendations of the Environmental Standards
313.20 Procurement Task Force made under subdivision 5, paragraph (c), establish processes for
313.21 incorporating the maximum allowable global warming potential of eligible materials into
313.22 bidding processes by the effective dates listed in subdivision 2. The Department of
313.23 Administration and Department of Transportation must also incorporate into the bidding
313.24 process a preference for materials mined, made, or assembled in Minnesota.

313.25 Subd. 4. **Pilot program.** (a) No later than July 1, 2024, the Department of Administration
313.26 must establish a pilot program that seeks to obtain from vendors an estimate of the material
313.27 production life cycle greenhouse gas emissions of products selected by the departments
313.28 from among those procured. The pilot program must encourage, but may not require, a
313.29 vendor to submit the following data for each selected product that represents at least 90
313.30 percent of the total cost of the materials or components composing the selected product:

313.31 (1) the quantity of the product purchased by the department;

313.32 (2) a current environmental product declaration for the product;

313.33 (3) the name and location of the product's manufacturer;

- 314.1 (4) a copy of the vendor's Supplier Code of Conduct, if any;
- 314.2 (5) the names and locations of the product's actual production facilities; and
- 314.3 (6) an assessment of employee working conditions at the product's production facilities.
- 314.4 (b) The Department of Administration must construct or provide access to a publicly
- 314.5 accessible database, which shall be posted on the department's website and contain the data
- 314.6 reported to the department under this subdivision.
- 314.7 Subd. 5. **Environmental Standards Procurement Task Force.** (a) No later than October
- 314.8 1, 2023, the commissioners of administration and transportation must establish an
- 314.9 Environmental Standards Procurement Task Force to examine issues surrounding the
- 314.10 implementation of a program requiring vendors of certain construction materials purchased
- 314.11 by the state to:
- 314.12 (1) submit environmental product declarations that assess the material production life
- 314.13 cycle environmental impacts of the materials to state officials as part of the procurement
- 314.14 process; and
- 314.15 (2) meet standards established by the commissioner of administration that limit
- 314.16 greenhouse gas emissions impacts of the materials.
- 314.17 (b) The task force must examine, at a minimum, the following:
- 314.18 (1) which construction materials should be subject to the program requirements and
- 314.19 which construction materials should be considered to be added, including lumber, mass
- 314.20 timber, aluminum, glass, and insulation;
- 314.21 (2) what factors should be considered in establishing greenhouse gas emissions standards,
- 314.22 including distinctions between eligible material production and manufacturing processes,
- 314.23 such as integrated versus secondary steel production;
- 314.24 (3) a schedule for the development of standards for specific materials and for
- 314.25 incorporating the standards into the purchasing process, including distinctions between
- 314.26 eligible material production and manufacturing processes;
- 314.27 (4) the development and use of financial incentives to reward vendors for developing
- 314.28 products whose greenhouse gas emissions are below the standards;
- 314.29 (5) the provision of grants to defer a vendor's cost to obtain environmental product
- 314.30 declarations;
- 314.31 (6) how to ensure that lowering environmental product declaration values does not
- 314.32 negatively impact the durability or longevity of construction materials or built structures;

315.1 (7) how to create and manage a database for environmental product declaration data that
315.2 is consistent with data governance procedures of the state and is compatible for data sharing
315.3 with other states and federal agencies;

315.4 (8) how to account for differences among geographical regions with respect to the
315.5 availability of covered materials, fuel, and other necessary resources, and the quantity of
315.6 covered materials that the department uses or plans to use;

315.7 (9) coordinating with the federal Buy Clean Task Force established under Executive
315.8 Order 14057 and representatives of the United States Departments of Commerce, Energy,
315.9 Housing and Urban Development, and Transportation; Environmental Protection Agency;
315.10 General Services Administration; White House Office of Management and Budget; and the
315.11 White House Domestic Climate Policy Council;

315.12 (10) how the issues in clauses (1) to (9) are addressed by existing programs in other
315.13 states and countries; and

315.14 (11) any other issues the task force deems relevant.

315.15 (c) The task force shall make recommendations to the commissioners of administration
315.16 and transportation regarding:

315.17 (1) how to implement requirements that maximum global warming impacts for eligible
315.18 materials be integrated into the bidding process for eligible projects;

315.19 (2) incentive structures that can be included in bidding processes to encourage the use
315.20 of materials whose global warming potential is below the maximum established under
315.21 subdivision 2;

315.22 (3) how a successful bidder for a contract notifies the commissioner of the specific
315.23 environmental product declaration for a material used on a project;

315.24 (4) a process for waiving the requirements to procure materials below the maximum
315.25 global warming potential resulting from product supply problems, geographic
315.26 impracticability, or financial hardship;

315.27 (5) a system for awarding grants to manufacturers of eligible materials located in
315.28 Minnesota to offset the cost of obtaining environmental product declarations or otherwise
315.29 collect environmental product declaration data from manufacturers based in Minnesota;

315.30 (6) whether to use an industry average or a different method to set the maximum allowable
315.31 global warming potential, or whether that average could be used for some materials but not
315.32 others; and

316.1 (7) any other items the task force deems necessary in order to implement this section.

316.2 (d) Members of the task force must include but are not limited to representatives of:

316.3 (1) the Departments of Administration and Transportation;

316.4 (2) the Center for Sustainable Building Research at the University of Minnesota;

316.5 (3) the Aggregate and Ready Mix Association of Minnesota;

316.6 (4) the Concrete Paving Association of Minnesota;

316.7 (5) the Minnesota Asphalt Pavement Association;

316.8 (6) the Minnesota Board of Engineering;

316.9 (7) the Minnesota iron mining industry;

316.10 (8) building and transportation construction firms;

316.11 (9) the American Institute of Steel Construction;

316.12 (10) the Institute of Scrap Metal Recycling Industries;

316.13 (11) suppliers of eligible materials;

316.14 (12) organized labor in the construction trades;

316.15 (13) organized labor in the manufacturing or industrial sectors;

316.16 (14) environmental advocacy organizations; and

316.17 (15) environmental justice organizations.

316.18 (e) The Department of Administration must provide meeting space and serve as staff to
316.19 the task force.

316.20 (f) The commissioner of administration or the commissioner's designee shall serve as
316.21 chair of the task force. The task force must meet at least four times annually and may convene
316.22 additional meetings at the call of the chair.

316.23 (g) The commissioner of administration shall summarize the findings and
316.24 recommendations of the task force in a report submitted to the chairs and ranking minority
316.25 members of the senate and house of representatives committees with primary jurisdiction
316.26 over state government, transportation, and energy no later than December 1, 2025, and
316.27 annually thereafter for as long as the task force continues its operations.

316.28 (h) The task force is subject to section 15.059, subdivision 6.

316.29 (i) Meetings of the task force are subject to chapter 13D.

317.1 (j) The task force expires on January 1, 2029.

317.2 Subd. 6. **Environmental product declarations; grant program.** A grant program is
 317.3 established in the Department of Administration to award grants to assist manufacturers to
 317.4 obtain environmental product declarations or otherwise collect environmental product
 317.5 declaration data from manufacturers in Minnesota. The commissioner of administration
 317.6 shall develop procedures to process and evaluate grant applications, and to make grant
 317.7 awards. Grant applicants must submit an application to the commissioner on a form
 317.8 prescribed by the commissioner. The commissioner shall act as fiscal agent for the grant
 317.9 program and is responsible for receiving and reviewing grant applications and awarding
 317.10 grants under this subdivision.

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

317.12 Sec. 2. Minnesota Statutes 2022, section 16B.325, subdivision 2, is amended to read:

317.13 Subd. 2. **Lowest possible cost; energy conservation.** The guidelines must:

317.14 (1) focus on achieving the lowest possible lifetime cost, considering both construction
 317.15 and operating costs, for new buildings and major renovations, ~~and~~;

317.16 (2) allow for ~~changes in the guidelines~~ revisions that encourage continual energy
 317.17 conservation improvements in new buildings and major renovations. ~~The guidelines shall;~~

317.18 (3) define "major renovations" for purposes of this section. ~~The definition may not allow~~
 317.19 "major renovations" to encompass not less than 10,000 square feet or to encompass not less
 317.20 than the replacement of the mechanical, ventilation, or cooling system of ~~the~~ a building or
 317.21 a building section of the building. ~~The design guidelines must;~~

317.22 (4) establish sustainability guidelines that include air quality and lighting standards and
 317.23 that create and maintain a healthy environment and facilitate productivity improvements;

317.24 (5) establish resiliency guidelines to encourage design that allows buildings to adapt to
 317.25 and accommodate projected climate-related changes that are reflected in both acute events
 317.26 and chronic trends, including but not limited to changes in temperature and precipitation
 317.27 levels;

317.28 (6) specify ways to reduce material costs; and ~~must~~

317.29 (7) consider the long-term operating costs of the building, including the use of renewable
 317.30 energy sources and distributed electric energy generation that uses a renewable source or
 317.31 natural gas or a fuel that is as clean or cleaner than natural gas.

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

318.1 Sec. 3. Minnesota Statutes 2022, section 16C.135, subdivision 3, is amended to read:

318.2 Subd. 3. **Vehicle purchases.** (a) Consistent with section 16C.137, subdivision 1, when
318.3 purchasing a motor vehicle for the enterprise fleet or for use by an agency, the commissioner
318.4 or the agency shall purchase ~~a motor vehicle that is capable of being powered by cleaner~~
318.5 ~~fuels, or a motor vehicle powered by electricity or by a combination of electricity and liquid~~
318.6 ~~fuel, if the total life-cycle cost of ownership is less than or comparable to that of other~~
318.7 ~~vehicles and if the vehicle is capable~~ the motor vehicle according to the following vehicle
318.8 preference order:

318.9 (1) an electric vehicle;

318.10 (2) a hybrid electric vehicle;

318.11 (3) a vehicle capable of being powered by cleaner fuels; and

318.12 (4) a vehicle powered by gasoline or diesel fuel.

318.13 (b) The commissioner may only reject a vehicle that is higher on the vehicle preference
318.14 order if:

318.15 (1) the vehicle type is incapable of carrying out the purpose for which it is purchased;

318.16 or

318.17 (2) the total life-cycle cost of ownership of a preferred vehicle type is more than ten
318.18 percent higher than the next vehicle type in the vehicle preference order.

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

318.20 Sec. 4. Minnesota Statutes 2022, section 16C.137, subdivision 1, is amended to read:

318.21 Subdivision 1. **Goals and actions.** Each state department must, whenever legally,
318.22 technically, and economically feasible, subject to the specific needs of the department and
318.23 responsible management of agency finances:

318.24 (1) ensure that all new on-road vehicles ~~purchased~~, excluding emergency and law
318.25 enforcement vehicles~~;~~, are purchased in conformity with the vehicle preference order
318.26 established in section 16C.135, subdivision 3;

318.27 ~~(i) use "cleaner fuels" as that term is defined in section 16C.135, subdivision 1;~~

318.28 ~~(ii) have fuel efficiency ratings that exceed 30 miles per gallon for city usage or 35 miles~~
318.29 ~~per gallon for highway usage, including but not limited to hybrid electric cars and~~
318.30 ~~hydrogen-powered vehicles; or~~

318.31 ~~(iii) are powered solely by electricity;~~

319.1 (2) increase its use of renewable transportation fuels, including ethanol, biodiesel, and
319.2 hydrogen from agricultural products; and

319.3 (3) increase its use of web-based Internet applications and other electronic information
319.4 technologies to enhance the access to and delivery of government information and services
319.5 to the public, and reduce the reliance on the department's fleet for the delivery of such
319.6 information and services.

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

319.8 Sec. 5. Minnesota Statutes 2022, section 116C.779, subdivision 1, is amended to read:

319.9 Subdivision 1. **Renewable development account.** (a) The renewable development
319.10 account is established as a separate account in the special revenue fund in the state treasury.
319.11 Appropriations and transfers to the account shall be credited to the account. Earnings, such
319.12 as interest, dividends, and any other earnings arising from assets of the account, shall be
319.13 credited to the account. Funds remaining in the account at the end of a fiscal year are not
319.14 canceled to the general fund but remain in the account until expended. The account shall
319.15 be administered by the commissioner of management and budget as provided under this
319.16 section.

319.17 (b) On July 1, 2017, the public utility that owns the Prairie Island nuclear generating
319.18 plant must transfer all funds in the renewable development account previously established
319.19 under this subdivision and managed by the public utility to the renewable development
319.20 account established in paragraph (a). Funds awarded to grantees in previous grant cycles
319.21 that have not yet been expended and unencumbered funds required to be paid in calendar
319.22 year 2017 under paragraphs (f) and (g), and sections 116C.7792 and 216C.41, are not subject
319.23 to transfer under this paragraph.

319.24 (c) Except as provided in subdivision 1a, beginning January 15, 2018, and continuing
319.25 each January 15 thereafter, the public utility that owns the Prairie Island nuclear generating
319.26 plant must transfer to the renewable development account \$500,000 each year for each dry
319.27 cask containing spent fuel that is located at the Prairie Island power plant for each year the
319.28 plant is in operation, and \$7,500,000 each year the plant is not in operation if ordered by
319.29 the commission pursuant to paragraph (i). The fund transfer must be made if nuclear waste
319.30 is stored in a dry cask at the independent spent-fuel storage facility at Prairie Island for any
319.31 part of a year. The total amount transferred annually under this paragraph must be reduced
319.32 by \$3,750,000.

320.1 (d) Except as provided in subdivision 1a, beginning January 15, 2018, and continuing
320.2 each January 15 thereafter, the public utility that owns the Monticello nuclear generating
320.3 plant must transfer to the renewable development account \$350,000 each year for each dry
320.4 cask containing spent fuel that is located at the Monticello nuclear power plant for each
320.5 year the plant is in operation, and \$5,250,000 each year the plant is not in operation if ordered
320.6 by the commission pursuant to paragraph (i). The fund transfer must be made if nuclear
320.7 waste is stored in a dry cask at the independent spent-fuel storage facility at Monticello for
320.8 any part of a year.

320.9 (e) Each year, the public utility shall withhold from the funds transferred to the renewable
320.10 development account under paragraphs (c) and (d) the amount necessary to pay its obligations
320.11 under paragraphs (f) and (g), and sections 116C.7792 and 216C.41, for that calendar year.

320.12 (f) If the commission approves a new or amended power purchase agreement, the
320.13 termination of a power purchase agreement, or the purchase and closure of a facility under
320.14 section 216B.2424, subdivision 9, with an entity that uses poultry litter to generate electricity,
320.15 the public utility subject to this section shall enter into a contract with the city in which the
320.16 poultry litter plant is located to provide grants to the city for the purposes of economic
320.17 development on the following schedule: \$4,000,000 in fiscal year 2018; \$6,500,000 each
320.18 fiscal year in 2019 and 2020; and \$3,000,000 in fiscal year 2021. The grants shall be paid
320.19 by the public utility from funds withheld from the transfer to the renewable development
320.20 account, as provided in paragraphs (b) and (e).

320.21 (g) If the commission approves a new or amended power purchase agreement, or the
320.22 termination of a power purchase agreement under section 216B.2424, subdivision 9, with
320.23 an entity owned or controlled, directly or indirectly, by two municipal utilities located north
320.24 of Constitutional Route No. 8, that was previously used to meet the biomass mandate in
320.25 section 216B.2424, the public utility that owns a nuclear generating plant shall enter into a
320.26 grant contract with such entity to provide \$6,800,000 per year for five years, commencing
320.27 30 days after the commission approves the new or amended power purchase agreement, or
320.28 the termination of the power purchase agreement, and on each June 1 thereafter through
320.29 2021, to assist the transition required by the new, amended, or terminated power purchase
320.30 agreement. The grant shall be paid by the public utility from funds withheld from the transfer
320.31 to the renewable development account as provided in paragraphs (b) and (e).

320.32 (h) The collective amount paid under the grant contracts awarded under paragraphs (f)
320.33 and (g) is limited to the amount deposited into the renewable development account, and its
320.34 predecessor, the renewable development account, established under this section, that was

321.1 not required to be deposited into the account under Laws 1994, chapter 641, article 1, section
321.2 10.

321.3 (i) After discontinuation of operation of the Prairie Island nuclear plant or the Monticello
321.4 nuclear plant and each year spent nuclear fuel is stored in dry cask at the discontinued
321.5 facility, the commission shall require the public utility to pay \$7,500,000 for the discontinued
321.6 Prairie Island facility and \$5,250,000 for the discontinued Monticello facility for any year
321.7 in which the commission finds, by the preponderance of the evidence, that the public utility
321.8 did not make a good faith effort to remove the spent nuclear fuel stored at the facility to a
321.9 permanent or interim storage site out of the state. This determination shall be made at least
321.10 every two years.

321.11 (j) Funds in the account may be expended only for any of the following purposes:

321.12 (1) to stimulate research and development of renewable electric energy technologies;

321.13 (2) to encourage grid modernization, including, but not limited to, projects that implement
321.14 electricity storage, load control, and smart meter technology; and

321.15 (3) to stimulate other innovative energy projects that reduce demand and increase system
321.16 efficiency and flexibility.

321.17 Expenditures from the fund must benefit Minnesota ratepayers receiving electric service
321.18 from the utility that owns a nuclear-powered electric generating plant in this state or the
321.19 Prairie Island Indian community or its members.

321.20 The utility that owns a nuclear generating plant is eligible to apply for grants under this
321.21 subdivision.

321.22 (k) For the purposes of paragraph (j), the following terms have the meanings given:

321.23 (1) "renewable" has the meaning given in section 216B.2422, subdivision 1, paragraph
321.24 (c), clauses (1), (2), (4), and (5); and

321.25 (2) "grid modernization" means:

321.26 (i) enhancing the reliability of the electrical grid;

321.27 (ii) improving the security of the electrical grid against cyberthreats and physical threats;
321.28 and

321.29 (iii) increasing energy conservation opportunities by facilitating communication between
321.30 the utility and its customers through the use of two-way meters, control technologies, energy
321.31 storage and microgrids, technologies to enable demand response, and other innovative
321.32 technologies.

322.1 (l) A renewable development account advisory group that includes, among others,
322.2 representatives of the public utility and its ratepayers, and includes at least one representative
322.3 of the Prairie Island Indian community appointed by that community's tribal council, shall
322.4 develop recommendations on account expenditures. The advisory group must design a
322.5 request for proposal and evaluate projects submitted in response to a request for proposals.
322.6 The advisory group must utilize an independent third-party expert to evaluate proposals
322.7 submitted in response to a request for proposal, including all proposals made by the public
322.8 utility. A request for proposal for research and development under paragraph (j), clause (1),
322.9 may be limited to or include a request to higher education institutions located in Minnesota
322.10 for multiple projects authorized under paragraph (j), clause (1). The request for multiple
322.11 projects may include a provision that exempts the projects from the third-party expert review
322.12 and instead provides for project evaluation and selection by a merit peer review grant system.
322.13 In the process of determining request for proposal scope and subject and in evaluating
322.14 responses to request for proposals, the advisory group must strongly consider, where
322.15 reasonable;

322.16 (1) potential benefit to Minnesota citizens and businesses and the utility's ratepayers;
322.17 and

322.18 (2) the proposer's commitment to increasing the diversity of the proposer's workforce
322.19 and vendors.

322.20 (m) The advisory group shall submit funding recommendations to the public utility,
322.21 which has full and sole authority to determine which expenditures shall be submitted by
322.22 the advisory group to the legislature. The commission may approve proposed expenditures,
322.23 may disapprove proposed expenditures that it finds not to be in compliance with this
322.24 subdivision or otherwise not in the public interest, and may, if agreed to by the public utility,
322.25 modify proposed expenditures. The commission shall, by order, submit its funding
322.26 recommendations to the legislature as provided under paragraph (n).

322.27 (n) The commission shall present its recommended appropriations from the account to
322.28 the senate and house of representatives committees with jurisdiction over energy policy and
322.29 finance annually by February 15. Expenditures from the account must be appropriated by
322.30 law. In enacting appropriations from the account, the legislature:

322.31 (1) may approve or disapprove, but may not modify, the amount of an appropriation for
322.32 a project recommended by the commission; and

322.33 (2) may not appropriate money for a project the commission has not recommended
322.34 funding.

323.1 (o) A request for proposal for renewable energy generation projects must, when feasible
323.2 and reasonable, give preference to projects that are most cost-effective for a particular energy
323.3 source.

323.4 (p) The advisory group must annually, by February 15, report to the chairs and ranking
323.5 minority members of the legislative committees with jurisdiction over energy policy on
323.6 projects funded by the account for the prior year and all previous years. The report must,
323.7 to the extent possible and reasonable, itemize the actual and projected financial benefit to
323.8 the public utility's ratepayers of each project.

323.9 (q) By February 1, 2018, and each February 1 thereafter, the commissioner of
323.10 management and budget shall submit a written report regarding the availability of funds in
323.11 and obligations of the account to the chairs and ranking minority members of the senate
323.12 and house committees with jurisdiction over energy policy and finance, the public utility,
323.13 and the advisory group.

323.14 (r) A project receiving funds from the account must produce a written final report that
323.15 includes sufficient detail for technical readers and a clearly written summary for nontechnical
323.16 readers. The report must include an evaluation of the project's financial, environmental, and
323.17 other benefits to the state and the public utility's ratepayers. A project receiving funds from
323.18 the account must submit a report that meets the requirements of section 216C.51, subdivisions
323.19 3 and 4, each year the project funded by the account is in progress.

323.20 (s) Final reports, any mid-project status reports, and renewable development account
323.21 financial reports must be posted online on a public website designated by the commissioner
323.22 of commerce.

323.23 (t) All final reports must acknowledge that the project was made possible in whole or
323.24 part by the Minnesota renewable development account, noting that the account is financed
323.25 by the public utility's ratepayers.

323.26 (u) Of the amount in the renewable development account, priority must be given to
323.27 making the payments required under section 216C.417.

323.28 (v) Construction projects receiving funds from this account are subject to the requirement
323.29 to pay the prevailing wage rate, as defined in section 177.42 and the requirements and
323.30 enforcement provisions in sections 177.27, 177.30, 177.32, 177.41 to 177.435, and 177.45.

323.31 **EFFECTIVE DATE.** This section is effective the day following final enactment and
323.32 applies to construction contracts entered into on or after that date.

324.1 Sec. 6. Minnesota Statutes 2022, section 116C.7792, is amended to read:

324.2 **116C.7792 SOLAR ENERGY PRODUCTION INCENTIVE PROGRAM.**

324.3 (a) The utility subject to section 116C.779 shall operate a program to provide solar
324.4 energy production incentives for solar energy systems of no more than a total aggregate
324.5 nameplate capacity of 40 kilowatts alternating current per premise. The owner of a solar
324.6 energy system installed before June 1, 2018, is eligible to receive a production incentive
324.7 under this section for any additional solar energy systems constructed at the same customer
324.8 location, provided that the aggregate capacity of all systems at the customer location does
324.9 not exceed 40 kilowatts.

324.10 (b) The program is funded by money withheld from transfer to the renewable development
324.11 account under section 116C.779, subdivision 1, paragraphs (b) and (e). Program funds must
324.12 be placed in a separate account for the purpose of the solar energy production incentive
324.13 program operated by the utility and not for any other program or purpose.

324.14 (c) Funds allocated to the solar energy production incentive program in 2019 and 2020
324.15 remain available to the solar energy production incentive program.

324.16 (d) The following amounts are allocated to the solar energy production incentive program:

324.17 (1) \$10,000,000 in 2021;

324.18 (2) \$10,000,000 in 2022;

324.19 (3) \$5,000,000 in 2023; ~~and~~

324.20 (4) ~~\$5,000,000~~ \$11,250,000 in 2024; and

324.21 (5) \$6,250,000 in 2025.

324.22 (e) Notwithstanding the Department of Commerce's November 14, 2018, decision in
324.23 Docket No. E002/M-13-1015 regarding operation of the utility's solar energy production
324.24 incentive program, half of the amounts allocated each year under paragraph (d), clauses (3),
324.25 (4), and (5), must be reserved for solar energy systems whose installation meets the eligibility
324.26 standards for the low-income program established in the November 14, 2018, decision or
324.27 successor decisions of the department. All other program operations of the solar energy
324.28 production incentive program are governed by the provisions of the November 14, 2018,
324.29 decision or successor decisions of the department.

324.30 ~~(e)~~ (f) Funds allocated to the solar energy production incentive program that have not
324.31 been committed to a specific project at the end of a program year remain available to the
324.32 solar energy production incentive program.

325.1 ~~(f)~~ (g) Any unspent amount remaining on January 1, ~~2025~~ 2028, must be transferred to
325.2 the renewable development account.

325.3 ~~(g)~~ (h) A solar energy system receiving a production incentive under this section must
325.4 be sized to less than 120 percent of the customer's on-site annual energy consumption when
325.5 combined with other distributed generation resources and subscriptions provided under
325.6 section 216B.1641 associated with the premise. The production incentive must be paid for
325.7 ten years commencing with the commissioning of the system.

325.8 ~~(h)~~ (i) The utility must file a plan to operate the program with the commissioner of
325.9 commerce. The utility may not operate the program until it is approved by the commissioner.
325.10 A change to the program to include projects up to a nameplate capacity of 40 kilowatts or
325.11 less does not require the utility to file a plan with the commissioner. Any plan approved by
325.12 the commissioner of commerce must not provide an increased incentive scale over prior
325.13 years unless the commissioner demonstrates that changes in the market for solar energy
325.14 facilities require an increase.

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

325.16 Sec. 7. **[123B.662] DEFINITIONS.**

325.17 **Subdivision 1. General.** For purposes of this section and section 123B.663, the terms
325.18 in this section have the meanings given unless the language or context clearly indicates that
325.19 a different meaning is intended.

325.20 **Subd. 2. ANSI.** "ANSI" means American National Standards Institute.

325.21 **Subd. 3. ASHRAE.** "ASHRAE" means American Society of Heating Refrigeration Air
325.22 Conditioning Engineers.

325.23 **Subd. 4. Commissioner.** "Commissioner" means the commissioner of commerce or the
325.24 commissioner's representative.

325.25 **Subd. 5. Eligible entity.** "Eligible entity" means a public school board operating within
325.26 the state of Minnesota.

325.27 **Subd. 6. HVAC.** "HVAC" means heating, ventilation, and air conditioning.

325.28 **Subd. 7. Licensed professional engineer.** "Licensed professional engineer" means a
325.29 professional engineer who holds an active license issued under chapter 326, and is in good
325.30 standing with and not subject to any disciplinary or other actions by the Board of
325.31 Architecture, Engineering, Land Surveying, Landscape Architecture, Geoscience, and
325.32 Interior Design.

326.1 Subd. 8. **MERV.** "MERV" means minimum efficiency reporting value as established
326.2 by ASHRAE Standard 52.2-2017 Method of Testing General Ventilation Air-Cleaning
326.3 Devices for Removal Efficiency by Particle Size.

326.4 Subd. 9. **Program.** "Program" means the air ventilation program.

326.5 Subd. 10. **Registered apprenticeship program.** "Registered apprenticeship program"
326.6 means an apprenticeship program that is registered under chapter 178 or Code of Federal
326.7 Regulations, title 29, part 29.

326.8 Subd. 11. **Skilled and trained workforce.** "Skilled and trained workforce" means a
326.9 workforce that is paid the prevailing wage rate, as defined in section 177.42, subdivision
326.10 6, for the work, and of which at least 80 percent of the construction workers are either
326.11 registered in or graduates of a registered apprenticeship program for the applicable
326.12 occupation.

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

326.14 Sec. 8. **[123B.663] AIR VENTILATION PILOT PROGRAM GRANTS AND**
326.15 **GUIDELINES.**

326.16 Subdivision 1. **Grant program establishment.** The Department of Commerce must
326.17 establish and administer an air ventilation program to award grants to eligible entities under
326.18 this section.

326.19 Subd. 2. **Air ventilation program account; appropriation.** (a) An air ventilation
326.20 program account is created in the special revenue fund of the state treasury. The
326.21 commissioner must credit to the account appropriations and transfers made to the account.
326.22 Earnings, such as interest, dividends, and any other earnings arising from assets of the
326.23 account, must be credited to the account. Money remaining in the account at the end of a
326.24 fiscal year does not cancel to the general fund but remains available until expended. The
326.25 commissioner is the fiscal agent and must manage the account.

326.26 (b) Money in the account is appropriated to the commissioner to pay for grants issued
326.27 under the program and the reasonable costs incurred by the commissioner to administer the
326.28 program.

326.29 Subd. 3. **Grant awards; priorities; maximums.** (a) The commissioner may award
326.30 grants under the program for the following activities:

326.31 (1) completing a heating, ventilation, and air conditioning assessment report;

326.32 (2) HVAC testing, adjusting, and balancing work;

327.1 (3) ventilation equipment upgrades, replacements, or other measures recommended by
327.2 a heating, ventilation, and air conditioning assessment report;

327.3 (4) work on an HVAC system to improve health, safety, energy, or system efficiency,
327.4 or to reduce greenhouse gas emissions from the system; and

327.5 (5) other HVAC projects that have not already been approved under section 123B.595.

327.6 (b) The commissioner must prioritize grants that give direct support to schools and
327.7 school children in communities with high rates of poverty as determined by receipt of federal
327.8 Title I funding.

327.9 (c) A grant under the program may be used to reimburse an eligible entity for no more
327.10 than 50 percent of its costs for work described in paragraph (a) and must not exceed a total
327.11 of \$50,000 per school.

327.12 Subd. 4. **Administration.** (a) The commissioner must:

327.13 (1) adopt guidelines for the air ventilation program no later than October 1, 2023;

327.14 (2) establish the timing of grant funding;

327.15 (3) ensure that the program is operating and accepting applications for grants by March
327.16 31, 2024; and

327.17 (4) provide technical assistance to eligible entities.

327.18 (b) The commissioner may modify the technical and reporting requirements of the
327.19 program as necessary to comply with current COVID-19 guidance or any other applicable
327.20 guidance to achieve the intent of the program and to ensure consistency with related
327.21 requirements and codes.

327.22 Subd. 5. **Application process.** An eligible entity must apply to the commissioner for a
327.23 grant on behalf of a school on a form prescribed by the commissioner. The form must
327.24 include, at a minimum, the following information:

327.25 (1) a plan to complete a heating, ventilation, and air conditioning assessment report by
327.26 a skilled and trained workforce; and

327.27 (2) an estimate of total project costs and funding needed to conduct the assessment and
327.28 subsequent work.

327.29 Subd. 6. **Payment conditions.** The commissioner may reimburse expenses incurred by
327.30 the eligible entity while under contract with the department upon receipt of the following:

328.1 (1) a report, verified by a licensed professional engineer, that includes costs of adjustments
328.2 or repairs necessary to meet minimum ventilation and filtration requirements and that
328.3 determines whether any cost-effective energy efficiency or electrification upgrades or
328.4 replacements are warranted or recommended;

328.5 (2) an HVAC verification report that includes the name and address of the school facility
328.6 and individual or contractor preparing and certifying the report and a description of the
328.7 assessment, maintenance, adjustment, repair, upgrade, and replacement activities and
328.8 outcomes; and

328.9 (3) verification that the eligible entity has complied with all requirements. Verification
328.10 must include:

328.11 (i) documentation that either MERV 13 filters have been installed or verification that
328.12 the maximum MERV-rated filter that the system is able to effectively handle has been
328.13 installed;

328.14 (ii) documentation of the MERV rating;

328.15 (iii) the verified ventilation rates for occupied areas of the school and whether those
328.16 rates meet the requirements set forth in ANSI/ASHRAE Standard 62.1, with an accompanying
328.17 explanation for any ventilation rates that do not meet applicable requirements documenting
328.18 why the current system is unable to meet requirements;

328.19 (iv) the verified exhaust for occupied areas and whether those rates meet the requirements
328.20 set forth in the system design intent;

328.21 (v) documentation of system deficiencies;

328.22 (vi) recommendations for additional maintenance, replacement, or upgrades to improve
328.23 energy efficiency, safety, or performance, or reduce greenhouse gas emissions;

328.24 (vii) documentation of initial operating verifications, adjustments, and final operating
328.25 verifications;

328.26 (viii) documentation of any adjustments or repairs performed;

328.27 (ix) verification of carbon dioxide monitors, if required, including correct installation
328.28 and operation according to regulations;

328.29 (x) make and model of monitors;

328.30 (xi) verification of the contractor's name; and

329.1 (xii) verification that all construction work has been performed by a skilled and trained
329.2 workforce.

329.3 Subd. 7. **Use of federal funds.** An eligible entity may utilize available matching funds
329.4 from federal programs in conjunction with a grant awarded under this section to increase
329.5 funding amounts.

329.6 Subd. 8. **HVAC report.** An eligible entity that receives a grant under the program must
329.7 maintain a copy of the HVAC verification report described in subdivision 6, clause (2), and
329.8 must make the report available to students, parents, school personnel, and any member of
329.9 the public upon request.

329.10 Subd. 9. **Prevailing wage.** All work for which reimbursement is sought through a grant
329.11 under the program that is performed after conducting a heating, ventilation, and air
329.12 conditioning assessment must be performed by a skilled and trained workforce. Any project
329.13 awarded a grant under the program is subject to the requirements and enforcement provisions
329.14 of sections 177.27, 177.30, 177.32, 177.41 to 177.435, 177.44, and 177.45.

329.15 Sec. 9. Minnesota Statutes 2022, section 168.27, is amended by adding a subdivision to
329.16 read:

329.17 Subd. 2a. **Dealer training; electric vehicles.** (a) A new motor vehicle dealer licensed
329.18 under this chapter that operates under an agreement or franchise from a manufacturer and
329.19 sells electric vehicles must maintain at least one employee who is certified as having
329.20 completed a training course offered by a Minnesota motor vehicle dealership association
329.21 that addresses at least the following elements:

329.22 (1) fundamentals of electric vehicles;

329.23 (2) electric vehicle charging options and costs;

329.24 (3) publicly available electric vehicle incentives;

329.25 (4) projected maintenance and fueling costs for electric vehicles;

329.26 (5) reduced tailpipe emissions, including greenhouse gas emissions, produced by electric
329.27 vehicles;

329.28 (6) the impacts of Minnesota's cold climate on electric vehicle operation; and

329.29 (7) best practices to sell electric vehicles.

329.30 (b) For the purposes of this section, "electric vehicle" has the meaning given in section
329.31 169.011, subdivision 26a, paragraphs (a) and (b), clause (3).

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

330.2 Sec. 10. Minnesota Statutes 2022, section 216B.096, subdivision 11, is amended to read:

330.3 Subd. 11. **Reporting.** Annually on ~~November 1~~ October 15, a utility must electronically
330.4 file with the commission a report, in a format specified by the commission, specifying the
330.5 number of utility heating service customers whose service is disconnected or remains
330.6 disconnected for nonpayment as of September 15 and October 1 ~~and October 15~~. If customers
330.7 remain disconnected on October ~~15~~ 1, a utility must file a report each week between
330.8 ~~November 1~~ October 15 and the end of the cold weather period specifying:

330.9 (1) the number of utility heating service customers that are or remain disconnected from
330.10 service for nonpayment; and

330.11 (2) the number of utility heating service customers that are reconnected to service each
330.12 week. The utility may discontinue weekly reporting if the number of utility heating service
330.13 customers that are or remain disconnected reaches zero before the end of the cold weather
330.14 period.

330.15 The data reported under this subdivision are presumed to be accurate upon submission
330.16 and must be made available through the commission's electronic filing system.

330.17 Sec. 11. Minnesota Statutes 2022, section 216B.16, subdivision 10, is amended to read:

330.18 Subd. 10. **Intervenor compensation.** (a) A nonprofit organization or an individual
330.19 granted formal intervenor status by the commission is eligible to receive compensation.

330.20 (b) The commission may order a utility to compensate all or part of an eligible intervenor's
330.21 reasonable costs of participation in a general rate case that comes before the commission
330.22 when the commission finds that the intervenor has materially assisted the commission's
330.23 deliberation and when a lack of compensation would present financial hardship to the
330.24 intervenor. Compensation may not exceed \$50,000 for a single intervenor in any proceeding.
330.25 For the purpose of this subdivision, "materially assisted" means that the intervenor's
330.26 participation and presentation was useful and seriously considered, or otherwise substantially
330.27 contributed to the commission's deliberations in the proceeding.

330.28 (c) In determining whether an intervenor has materially assisted the commission's
330.29 deliberation, the commission must consider, among other factors, whether:

330.30 (1) the intervenor represented an interest that would not otherwise have been adequately
330.31 represented;

331.1 (2) the evidence or arguments presented or the positions taken by the intervenor were
331.2 an important factor in producing a fair decision;

331.3 (3) the intervenor's position promoted a public purpose or policy;

331.4 (4) the evidence presented, arguments made, issues raised, or positions taken by the
331.5 intervenor would not have been a part of the record without the intervenor's participation;
331.6 and

331.7 (5) the administrative law judge or the commission adopted, in whole or in part, a position
331.8 advocated by the intervenor.

331.9 (d) In determining whether the absence of compensation would present financial hardship
331.10 to the intervenor, the commission must consider:

331.11 (1) whether the costs presented in the intervenor's claim reflect reasonable fees for
331.12 attorneys and expert witnesses and other reasonable costs; and

331.13 (2) the ratio between the costs of intervention and the intervenor's unrestricted funds.

331.14 (e) An intervenor seeking compensation must file a request and an affidavit of service
331.15 with the commission, and serve a copy of the request on each party to the proceeding. The
331.16 request must be filed 30 days after the later of (1) the expiration of the period within which
331.17 a petition for rehearing, amendment, vacation, reconsideration, or reargument must be filed
331.18 or (2) the date the commission issues an order following rehearing, amendment, vacation,
331.19 reconsideration, or reargument.

331.20 (f) The compensation request must include:

331.21 (1) the name and address of the intervenor or representative of the nonprofit organization
331.22 the intervenor is representing;

331.23 (2) proof of the organization's nonprofit, tax-exempt status;

331.24 (3) the name and docket number of the proceeding for which compensation is requested;

331.25 (4) a list of actual annual revenues and expenses of the organization the intervenor is
331.26 representing for the preceding year and projected revenues, revenue sources, and expenses
331.27 for the current year;

331.28 (5) the organization's balance sheet for the preceding year and a current monthly balance
331.29 sheet;

331.30 (6) an itemization of intervenor costs and the total compensation request; and

332.1 (7) a narrative explaining why additional organizational funds cannot be devoted to the
332.2 intervention.

332.3 (g) Within 30 days after service of the request for compensation, a party may file a
332.4 response, together with an affidavit of service, with the commission. A copy of the response
332.5 must be served on the intervenor and all other parties to the proceeding.

332.6 (h) Within 15 days after the response is filed, the intervenor may file a reply with the
332.7 commission. A copy of the reply and an affidavit of service must be served on all other
332.8 parties to the proceeding.

332.9 (i) If additional costs are incurred as a result of additional proceedings following the
332.10 commission's initial order, the intervenor may file an amended request within 30 days after
332.11 the commission issues an amended order. Paragraphs (e) to (h) apply to an amended request.

332.12 (j) The commission must issue a decision on intervenor compensation within 60 days
332.13 of a filing by an intervenor.

332.14 (k) A party may request reconsideration of the commission's compensation decision
332.15 within 30 days of the decision.

332.16 (l) If the commission issues an order requiring payment of intervenor compensation, the
332.17 utility that was the subject of the proceeding must pay the compensation to the intervenor,
332.18 and file with the commission proof of payment, within 30 days after the later of (1) the
332.19 expiration of the period within which a petition for reconsideration of the commission's
332.20 compensation decision must be filed or (2) the date the commission issues an order following
332.21 reconsideration of its order on intervenor compensation.

332.22 (m) The implementation and enforcement of this subdivision is suspended while section
332.23 216B.631 is effective.

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

332.25 **Sec. 12. [216B.1615] ELECTRIC VEHICLE DEPLOYMENT PROGRAM.**

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

332.28 (b) "Battery exchange station" means a physical location deploying equipment that
332.29 enables a used electric vehicle battery to be removed and exchanged for a fresh electric
332.30 vehicle battery.

332.31 (c) "Electric vehicle" means any device or contrivance that transports persons or property
332.32 and is capable of being powered by an electric motor drawing current from rechargeable

- 333.1 storage batteries, fuel cells, or other portable sources of electricity. Electric vehicle includes
333.2 but is not limited to:
- 333.3 (1) an electric vehicle, as defined in section 169.011, subdivision 26a;
333.4 (2) an electric-assisted bicycle, as defined in section 169.011, subdivision 27;
333.5 (3) an off-road vehicle, as defined in section 84.797, subdivision 7;
333.6 (4) a motorboat, as defined in section 86B.005, subdivision 9; or
333.7 (5) an aircraft, as defined in section 360.013, subdivision 37.
- 333.8 (d) "Electric vehicle charging station" means a physical location deploying equipment
333.9 that:
- 333.10 (1) transfers electricity to an electric vehicle battery;
333.11 (2) dispenses hydrogen into an electric vehicle powered by a fuel cell;
333.12 (3) exchanges electric vehicle batteries; or
333.13 (4) provides other equipment used to charge or fuel electric vehicles.
- 333.14 (e) "Electric vehicle infrastructure" means electric vehicle charging stations and any
333.15 associated machinery, equipment, and infrastructure necessary for a public utility to supply
333.16 electricity or hydrogen to an electric vehicle charging station and to support electric vehicle
333.17 operation.
- 333.18 (f) "Fuel cell" means a cell that converts the chemical energy of hydrogen directly into
333.19 electricity through electrochemical reactions.
- 333.20 (g) "Government entity" means the state, a state agency, or a political subdivision, as
333.21 defined in section 13.02, subdivision 11.
- 333.22 (h) "Motor fuel" has the meaning given in section 296A.01, subdivision 33.
- 333.23 (i) "Public utility" has the meaning given in section 216B.02, subdivision 4.
- 333.24 **Subd. 2. Transportation electrification plan; contents.** (a) By November 1, 2023, and
333.25 periodically as ordered by the commission, but at least every four years thereafter, a public
333.26 utility must file a transportation electrification plan with the commission that may include
333.27 but is not limited to elements that:
- 333.28 (1) maximize the overall benefits of electric vehicles and other electrified transportation
333.29 while minimizing overall costs; and
- 333.30 (2) promote the:

- 334.1 (i) purchase of electric vehicles by the public utility's customers;
- 334.2 (ii) deployment of electric vehicle infrastructure in the public utility's service territory;
- 334.3 and
- 334.4 (iii) development of partnerships, including with establishments that currently retail
- 334.5 automotive fuel, in order to increase access to electric vehicle charging stations.
- 334.6 (b) A transportation electrification plan may include but is not limited to the following
- 334.7 elements:
- 334.8 (1) programs to educate and increase the awareness and benefits of electric vehicles and
- 334.9 electric vehicle charging equipment among individuals, electric vehicle dealers, single-family
- 334.10 and multifamily housing developers and property management companies, building owners
- 334.11 and tenants, vehicle service stations, vehicle fleet owners and managers, and other potential
- 334.12 users of electric vehicles;
- 334.13 (2) investments and customer incentives offered by the public utility to support
- 334.14 transportation electrification across all customer classes, including but not limited to
- 334.15 investments and customer incentives to facilitate:
- 334.16 (i) the deployment of all types of electric vehicles, and the electric vehicle infrastructure
- 334.17 and other electric utility infrastructure required to support them;
- 334.18 (ii) widespread access to publicly available and conveniently located electric vehicle
- 334.19 charging stations, including through partnerships between public utilities and establishments
- 334.20 that retail automotive fuel, and any Minnesota trade association predominantly composed
- 334.21 of establishments that retail automotive fuel, provided that the establishments:
- 334.22 (A) collaborate with the public utility to determine optimal charging locations;
- 334.23 (B) operate 24 hours per day and are staffed at least 14 hours per day excluding public
- 334.24 holidays; and
- 334.25 (C) assume charging station operating and maintenance costs, while maintaining operating
- 334.26 standards in a safe and efficient manner consistent with industry standards; and
- 334.27 (iii) the electrification of public transit and vehicle fleets owned or operated by a
- 334.28 government entity;
- 334.29 (3) research and demonstration projects to increase access to electricity as a transportation
- 334.30 fuel, minimize the system costs of electric transportation, and inform future transportation
- 334.31 electrification plans;
- 334.32 (4) rate structures or programs that:

- 335.1 (i) incentivize electric vehicle charging at times of day that optimize electric grid
335.2 operation through the deployment of time-varying rates and charging optimization programs;
- 335.3 (ii) are transparent to a charging customer and an owner of electric vehicle charging
335.4 stations; and
- 335.5 (iii) ensure that the rates, terms, and conditions governing the operation of electric vehicle
335.6 charging stations are uniform throughout a public utility's service area;
- 335.7 (5) programs targeting transportation electrification in low- and moderate-income
335.8 communities and in neighborhoods most affected by transportation-related air emissions;
- 335.9 (6) proposals to expedite commission consideration of program adjustments requested
335.10 by the public utility; and
- 335.11 (7) proposals to share information and results from transportation electrification projects
335.12 with stakeholders to promote effective electrification in all areas of the state.
- 335.13 (c) A transportation electrification plan may include planned upgrades to and investments
335.14 in a public utility's distribution system that are necessary to accommodate future growth in
335.15 transportation electrification and support the plan's proposed programs and activities.
- 335.16 **Subd. 3. Transportation electrification plan; review and implementation. The**
335.17 **commission may approve, modify, or reject a transportation electrification plan. When**
335.18 **reviewing a transportation electrification plan, the commission must consider whether the**
335.19 **programs, investments, and expenditures as a whole are reasonable and in the public interest,**
335.20 **and are reasonably expected to:**
- 335.21 (1) improve the operation of the electric grid;
- 335.22 (2) increase access to the use of electricity as a transportation fuel for all customers,
335.23 including those in low- and moderate-income communities, rural communities, and
335.24 communities most affected by air emissions from the transportation sector;
- 335.25 (3) increase access to publicly available electric vehicle charging for all types of electric
335.26 vehicles;
- 335.27 (4) support the electrification of medium-duty and heavy-duty vehicles and associated
335.28 charging infrastructure;
- 335.29 (5) reduce statewide greenhouse gas emissions, as defined in section 216H.01, and
335.30 emissions of other air pollutants that impair the environment and public health;
- 335.31 (6) stimulate nonutility investment and the creation of high-quality jobs for local workers;

336.1 (7) educate the public about the benefits of electric vehicles and related infrastructure;

336.2 (8) be transparent and incorporate reasonable public reporting of program activities,
336.3 consistent with existing technology and data capabilities, to inform program design and
336.4 commission policy with respect to electric vehicles;

336.5 (9) reasonably balance the benefits of ratepayer funded investments in transportation
336.6 electrification and impacts on utility rates; and

336.7 (10) appropriately balance the participation of public utilities and private enterprise in
336.8 the market for transportation electrification and related services.

336.9 Subd. 4. **Cost recovery.** Notwithstanding any other provision of this chapter, the
336.10 commission may approve cost recovery under section 216B.16, including an appropriate
336.11 rate of return, of any prudent and reasonable investments made or expenses incurred by a
336.12 public utility, including rebates for the installation of electric vehicle infrastructure, to
336.13 administer and implement an approved transportation electrification plan.

336.14 Subd. 5. **Pending filings.** This section shall not apply to any proposals designed to satisfy
336.15 the objectives established in subdivision 2 that are part of a proceeding that is pending before
336.16 the commission as of April 1, 2023. In those proceedings, the commission shall have full
336.17 authority and discretion to accept, modify, or reject the utility's proposals in accordance
336.18 with the provisions of this chapter extant at the time the public utility's proposals were
336.19 initially filed in the proceeding. In its filing due November 1, 2023, a public utility that is
336.20 a party in such a pending proceeding shall not be required under this section to file proposals
336.21 to satisfy the objectives of subdivision 2 in addition to those accepted or modified by the
336.22 commission in the pending proceeding.

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

336.24 Sec. 13. Minnesota Statutes 2022, section 216B.164, is amended by adding a subdivision
336.25 to read:

336.26 Subd. 12. **Customer's access to electricity usage data.** A utility must provide a
336.27 customer's electricity usage data to the customer within ten days of the date the utility
336.28 receives a request from the customer that is accompanied by evidence that the energy usage
336.29 data is relevant to the interconnection of a qualifying facility on behalf of the customer. For
336.30 the purposes of this subdivision, "electricity usage data" includes but is not limited to: (1)
336.31 the total amount of electricity used by a customer monthly; (2) usage by time period if the
336.32 customer operates under a tariff where costs vary by time of use; and (3) usage data that is
336.33 used to calculate a customer's demand charge.

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

337.2 Sec. 14. Minnesota Statutes 2022, section 216B.1641, is amended to read:

337.3 **216B.1641 COMMUNITY SOLAR GARDEN.**

337.4 **Subdivision 1. Legacy program.** (a) The public utility subject to section 116C.779 shall
337.5 file by September 30, 2013, a plan with the commission to operate a community solar garden
337.6 program which shall begin operations within 90 days after commission approval of the plan.
337.7 Other public utilities may file an application at their election. The community solar garden
337.8 program must be designed to offset the energy use of not less than five subscribers in each
337.9 community solar garden facility of which no single subscriber has more than a 40 percent
337.10 interest. The owner of the community solar garden may be a public utility or any other entity
337.11 or organization that contracts to sell the output from the community solar garden to the
337.12 utility under section 216B.164. There shall be no limitation on the number or cumulative
337.13 generating capacity of community solar garden facilities other than the limitations imposed
337.14 under section 216B.164, subdivision 4c, or other limitations provided in law or regulations.

337.15 (b) A solar garden is a facility that generates electricity by means of a ground-mounted
337.16 or roof-mounted solar photovoltaic device whereby subscribers receive a bill credit for the
337.17 electricity generated in proportion to the size of their subscription. The solar garden must
337.18 have a nameplate capacity of no more than one megawatt. Each subscription shall be sized
337.19 to represent at least 200 watts of the community solar garden's generating capacity and to
337.20 supply, when combined with other distributed generation resources serving the premises,
337.21 no more than 120 percent of the average annual consumption of electricity by each subscriber
337.22 at the premises to which the subscription is attributed.

337.23 (c) The solar generation facility must be located in the service territory of the public
337.24 utility filing the plan. Subscribers must be retail customers of the public utility located in
337.25 the same county or a county contiguous to where the facility is located.

337.26 (d) The public utility must purchase from the community solar garden all energy generated
337.27 by the solar garden. The purchase shall be at the rate calculated under section 216B.164,
337.28 subdivision 10, or, until that rate for the public utility has been approved by the commission,
337.29 the applicable retail rate. A solar garden is eligible for any incentive programs offered under
337.30 section 116C.7792. A subscriber's portion of the purchase shall be provided by a credit on
337.31 the subscriber's bill.

337.32 (e) The commission may approve, disapprove, or modify a community solar garden
337.33 program. Any plan approved by the commission must:

338.1 (1) reasonably allow for the creation, financing, and accessibility of community solar
338.2 gardens;

338.3 (2) establish uniform standards, fees, and processes for the interconnection of community
338.4 solar garden facilities that allow the utility to recover reasonable interconnection costs for
338.5 each community solar garden;

338.6 (3) not apply different requirements to utility and nonutility community solar garden
338.7 facilities;

338.8 (4) be consistent with the public interest;

338.9 (5) identify the information that must be provided to potential subscribers to ensure fair
338.10 disclosure of future costs and benefits of subscriptions;

338.11 (6) include a program implementation schedule;

338.12 (7) identify all proposed rules, fees, and charges; and

338.13 (8) identify the means by which the program will be promoted.

338.14 (f) Notwithstanding any other law, neither the manager of nor the subscribers to a
338.15 community solar garden facility shall be considered a utility solely as a result of their
338.16 participation in the community solar garden facility.

338.17 (g) Within 180 days of commission approval of a plan under this section, a utility shall
338.18 begin crediting subscriber accounts for each community solar garden facility in its service
338.19 territory, and shall file with the commissioner of commerce a description of its crediting
338.20 system.

338.21 (h) For the purposes of this section, the following terms have the meanings given:

338.22 (1) "subscriber" means a retail customer of a utility who owns one or more subscriptions
338.23 of a community solar garden facility interconnected with that utility; and

338.24 (2) "subscription" means a contract between a subscriber and the owner of a solar garden.

338.25 (i) This subdivision applies to a community solar garden that was approved before
338.26 January 1, 2024.

338.27 Subd. 2. Definitions. (a) For purposes of subdivisions 3 to 14, the following terms have
338.28 the meanings given.

338.29 (b) "Backup subscriber" means an individual or entity that temporarily assumes all or a
338.30 portion of a community solar garden subscription in the event a subscriber exits the
338.31 community solar garden or is delinquent in paying the subscriber's utility bill.

339.1 (c) "Community solar garden" means a facility (1) that generates electricity by means
339.2 of a ground-mounted or roof-mounted solar photovoltaic device, (2) that is owned and
339.3 operated by a subscriber organization, and (3) for which subscribers receive a bill credit for
339.4 the electricity generated in proportion to the size of the subscriber's subscription.

339.5 (d) "Low- to moderate-income subscriber" or "LMI subscriber" means a subscriber that,
339.6 at the time the community solar garden subscription is executed, is: (1) a low-income
339.7 household, as defined under section 216B.2402, subdivision 16; or (2) a household whose
339.8 income is 150 percent or less of the area median household income.

339.9 (e) "Public interest subscriber" means a subscriber that demonstrates status as a public
339.10 or Tribal entity, school, nonprofit organization, house of worship, or social service provider.

339.11 (f) "Subscribed energy" means electricity generated by the community solar garden that
339.12 is attributable to a subscriber's subscription.

339.13 (g) "Subscriber" means a retail customer who owns one or more subscriptions of a
339.14 community solar garden interconnected with the retail customer's utility.

339.15 (h) "Subscriber organization" means a developer or owner of a community solar garden.

339.16 (i) "Subscription" means a contract between a subscriber and subscriber organization.

339.17 (j) "Utility" means the public utility subject to section 116C.779.

339.18 **Subd. 3. Applicability; scope; limitation.** (a) Subdivisions 2 to 13 apply to community
339.19 solar gardens approved for the program beginning January 1, 2024.

339.20 (b) Except as otherwise modified, replaced, or superseded by subdivisions 2 to 13, any
339.21 commission order that applies to the legacy program under subdivision 1 applies to
339.22 subdivisions 2 to 13.

339.23 (c) Notwithstanding any other law, a subscriber organization or a subscriber must not
339.24 be deemed a utility solely as a result of the subscriber organization's or subscriber's
339.25 participation in a community solar garden.

339.26 **Subd. 4. Community solar garden program administration.** (a) The commissioner
339.27 must administer the community garden program. The commissioner must:

339.28 (1) collect and evaluate community solar garden applications from subscriber
339.29 organizations;

339.30 (2) audit or verify that project eligibility criteria have been met, as necessary;

340.1 (3) pursuant to subdivision 7, allocate community solar garden capacity to approved
340.2 community solar gardens, subject to the annual capacity limit;

340.3 (4) develop procedures to carry out the duties under this section, including establishing
340.4 procedures and a timeline to allocate community solar garden capacity under subdivision
340.5 7; and

340.6 (5) enforce the consumer protections under subdivisions 9 to 11.

340.7 (b) The commissioner is authorized to access information regarding a subscriber's net
340.8 electricity bill savings or any charges that the subscriber pays.

340.9 Subd. 5. **Application; registration.** (a) A subscriber organization must submit an
340.10 application to the commissioner, on a form prescribed by the commissioner, to receive
340.11 approval for a proposed community solar garden project.

340.12 (b) A community solar garden application must contain, at a minimum:

340.13 (1) a copy of a signed interconnection agreement between the subscriber organization
340.14 and the utility, except that information that the subscriber organization cannot reasonably
340.15 determine without approval of the proposed community solar garden is not required;

340.16 (2) a copy of any required nonministerial permits that have been approved by the local
340.17 authority that has jurisdiction over the project;

340.18 (3) a copy of the community solar garden's subscription contract, including: (i) the
340.19 information provided to potential subscribers that discloses future costs and benefits of
340.20 subscriptions; and (ii) any rules, fees, and charges;

340.21 (4) information regarding the community solar garden's program design with respect to
340.22 potential subscribers, itemized by subscriber type;

340.23 (5) proof of legally binding site control of the community solar garden's proposed
340.24 location;

340.25 (6) any information necessary for the commissioner to allocate annual community solar
340.26 garden program capacity under subdivision 7, paragraph (b); and

340.27 (7) any other information the commissioner deems necessary to administer the community
340.28 solar garden program.

340.29 (c) The commissioner must approve a community solar garden that submits the
340.30 information required under paragraph (b), unless the total annual capacity threshold has
340.31 been met or the commissioner determines approving the community solar garden is not in
340.32 the public interest. An application that is deemed in the public interest, but not allocated

341.1 capacity in a particular program year, must be held in queue for the program year and
341.2 allocated capacity if any capacity becomes available during the program year.

341.3 Subd. 6. **Eligible project; other requirements.** (a) In order to be eligible for
341.4 compensation under subdivision 8, a community solar garden must: (1) be connected to the
341.5 utility's distribution system; (2) have a capacity, as defined under section 216B.164,
341.6 subdivision 2a, paragraph (c), of no more than five megawatts; and (3) have at least 25
341.7 individual subscribers per megawatt of generation capacity, provided that a single subscriber
341.8 does not possess more than a 40 percent interest in the community solar garden's total
341.9 capacity.

341.10 (b) A community solar garden subscriber must be located within the Minnesota service
341.11 territory of the utility.

341.12 (c) A contractor or subcontractor that constructs or installs a community solar garden
341.13 that has a capacity of at least 1 megawatt: (1) must pay no less than the prevailing wage
341.14 rate, as defined in section 177.42; and (2) is subject to the requirements and enforcement
341.15 provisions under sections 177.27, 177.30, 177.32, 177.41 to 177.435, and 177.45.

341.16 Subd. 7. **Annual capacity limit; allocation.** (a) Each program year the commissioner
341.17 must allocate the community solar garden program's annual new capacity to eligible
341.18 community solar gardens. The maximum cumulative annual capacity of new community
341.19 solar gardens approved each program year under this subdivision is:

341.20 (1) 100 megawatts in 2024, 2025, and 2026;

341.21 (2) 80 megawatts in 2027, 2028, 2029, and 2030; and

341.22 (3) 60 megawatts in 2031 and each year thereafter.

341.23 (b) When allocating capacity to eligible community solar gardens, the commissioner
341.24 must evaluate and prioritize capacity allocation to community solar garden applicants based
341.25 on information provided in the community solar garden application regarding:

341.26 (1) the degree to which subscribers, utility ratepayers, or the community surrounding
341.27 the project receive the financial benefit of tax benefits and other incentives resulting from
341.28 the community solar garden;

341.29 (2) the scale of financial benefits the community solar garden delivers to LMI subscribers,
341.30 affordable housing residents, and public interest subscribers, as well as the number of, and
341.31 project capacity attributable to, LMI subscribers, affordable housing residents, and public
341.32 interest subscribers;

342.1 (3) community solar garden project ownership and financing arrangements that deliver
342.2 benefits to public, nonprofit, cooperative, and Tribal entities;

342.3 (4) whether the community solar garden uses nongreenfield locations, especially rooftops,
342.4 carports, or sites that contain a hazardous substance, pollutant, or contaminant;

342.5 (5) whether the community solar garden provides workforce development and
342.6 apprenticeship opportunities, especially for workers who are Black, Indigenous, or Persons
342.7 of Color; and

342.8 (6) the resiliency benefits the community solar garden provides to the electrical grid or
342.9 the local community.

342.10 (c) The commissioner may allocate capacity to a community solar garden under this
342.11 subdivision only if the application includes a subscription plan that ensures:

342.12 (1) at least 30 percent of the community solar garden's capacity is subscribed to by LMI
342.13 subscribers; and

342.14 (2) at least 55 percent of the community solar garden's capacity is subscribed to by
342.15 subscribers that are:

342.16 (i) LMI subscribers;

342.17 (ii) public interest subscribers; or

342.18 (iii) an affordable housing provider, as determined by the commissioner.

342.19 (d) A backup subscriber may subscribe to and receive bill credits for up to 15 percent
342.20 of a community solar garden's annual capacity. In the event a community solar garden
342.21 subscriber exits the community solar garden or is delinquent on the subscriber's utility bill,
342.22 the backup subscriber may be automatically subscribed to up to 40 percent of the community
342.23 solar garden's capacity for up to one year at the rates provided under subdivision 8, paragraph
342.24 (b), clause (7).

342.25 **Subd. 8. Community solar garden compensation.** (a) A utility must purchase electricity
342.26 generated by a community solar garden approved for a period of 25 years from the date the
342.27 community solar garden begins operations. A utility must compensate a community solar
342.28 garden using a bill credit on each individual subscriber's bill, in an amount proportional to
342.29 the subscriber's share in the community solar garden.

342.30 (b) Beginning January 1, 2024, the utility must purchase energy generated by a
342.31 community solar garden at the following rates provided for each subscriber type, as
342.32 determined by the commission:

- 343.1 (1) for a LMI subscriber, the average retail rate for residential customers;
- 343.2 (2) for a residential subscriber that is not a LMI subscriber, 85 percent of the average
343.3 retail rate for the applicable residential class customers;
- 343.4 (3) for master-metered affordable housing, 80 percent of the average retail rate for
343.5 residential customers;
- 343.6 (4) for a public interest subscriber that is a small general commercial customer, 75
343.7 percent of the average retail rate for the customer's rate class;
- 343.8 (5) for a public interest subscriber that is a general service commercial customer, 100
343.9 percent of the average retail rate for the customer's rate class;
- 343.10 (6) for other commercial subscribers, 70 percent of the average retail rate for the
343.11 customer's rate class;
- 343.12 (7) for a community solar garden with at least 50 percent total capacity subscribed to
343.13 by LMI subscribers:
- 343.14 (i) up to one backup subscriber may receive 90 percent of the average retail rate for the
343.15 regular commercial subscriber's customer class, plus additional compensation for demand
343.16 charges based on 50 percent of the comparable photovoltaic demand credit rider; and
- 343.17 (ii) a backup subscriber that subscribes to more than 15 percent of a community solar
343.18 garden's total capacity for more than 12 consecutive months, the rate provided for other
343.19 commercial subscribers under clause (6); and
- 343.20 (8) for unsubscribed energy generated that is credited to the subscriber organization, the
343.21 utility's avoided cost.
- 343.22 **Subd. 9. Subscriber organizations; prohibitions; requirements.** (a) A subscriber
343.23 organization and a subscriber organization's marketing representatives are prohibited from,
343.24 with respect to a community solar garden:
- 343.25 (1) checking the credit score or credit history of a new or existing residential subscriber;
- 343.26 (2) charging an exit fee to a residential subscriber;
- 343.27 (3) enrolling a subscriber without the subscriber's prior, voluntary consent;
- 343.28 (4) engaging in misleading or deceptive conduct; and
- 343.29 (5) making false or misleading representations.
- 343.30 (b) A subscriber organization must preserve the privacy of subscribers. Except as
343.31 otherwise authorized under subdivision 4, paragraph (b), a subscriber organization must

344.1 not publicly disclose a subscriber's account information, energy usage, energy data, or bill
344.2 credits, unless (1) the subscriber provides express, written, informed consent that authorizes
344.3 disclosure of the subscriber's information, or (2) the subscription contract otherwise
344.4 authorizes disclosure of the information.

344.5 (c) A subscriber organization and a subscriber organization's marketing representatives
344.6 must make reasonable efforts to provide subscribers with timely and accurate information
344.7 regarding the community solar garden. The information must be provided in writing and in
344.8 plain language, and must include but is not limited to information regarding rates, contract
344.9 terms, termination fees, and the right to cancel a community solar garden subscription.

344.10 (d) Beginning one year after a community solar garden begins operations and annually
344.11 thereafter, a subscriber organization must publish a signed and notarized report that details
344.12 the community solar garden's operations for the previous 12-month period. The report must
344.13 contain, at a minimum: (1) the energy produced by the community solar garden; (2) financial
344.14 statements, including a balance sheet, income statement, and a sources and uses of funds
344.15 statement; and (3) a list of the individuals that currently own and manage the subscriber
344.16 organization. The report under this paragraph must be provided to the commissioner, on a
344.17 form prescribed by the commissioner, and to each of the community solar garden's
344.18 subscribers.

344.19 (e) A subscriber organization must annually publish a signed and notarized report that
344.20 details the community solar garden's capacity allocated to relevant subscriber categories,
344.21 including but not limited to: (1) LMI subscribers; (2) other residential subscribers; (3)
344.22 affordable housing providers; (4) public interest subscribers, by type; (5) small subscriptions
344.23 of up to 25 kilowatts; and (6) other subscribers, by type.

344.24 Subd. 10. **Subscriber protections.** (a) A community solar garden subscription is
344.25 transferable and portable, but only within the utility's Minnesota service territory.

344.26 (b) The cost of a subscriber's community solar garden subscription must not exceed the
344.27 value of the subscriber's community solar garden bill credit. For a LMI subscriber, the cost
344.28 of the community solar garden subscription must not exceed 90 percent of the LMI
344.29 subscriber's community solar garden bill credit and must not include any fees at the time
344.30 the subscription is executed.

344.31 (c) A utility must offer consolidated billing for community solar garden subscribers so
344.32 that a subscriber receives only one bill for both the subscribers's monthly electric service
344.33 and the community solar garden subscription. A utility must offer consolidated billing under
344.34 this paragraph for community solar garden subscribers no later than January 1, 2024. The

345.1 commission may modify the date required by this paragraph if the utility demonstrates to
345.2 the commission that implementing consolidated billing by January 1, 2024, is unreasonably
345.3 burdensome. A subscriber may elect, but is not required, to use consolidated billing under
345.4 this paragraph.

345.5 (d) A subscriber must be provided an opportunity to submit comments to the subscriber
345.6 organization regarding the annual report submitted under subdivision 9, paragraph (d),
345.7 regarding the accuracy and completeness of the report.

345.8 Subd. 11. **Nonsubscriber protections.** (a) A utility must exclude from the fuel adjustment
345.9 charged to a utility customer the net cost of community solar garden generation under this
345.10 section if the utility customer (1) receives or is eligible for bill payment assistance, and (2)
345.11 does not subscribe to a community solar garden under this section.

345.12 (b) The commission must determine the net cost of community solar garden generation
345.13 under this section for purposes of paragraph (a).

345.14 Subd. 12. **Noncompliance.** A community solar garden that has begun commercial
345.15 operation must notify the commissioner in writing within 30 days if the community solar
345.16 garden is not in compliance with subdivision 6, 7, 9 or 10, and must comply within 12
345.17 months or the commissioner must revoke the solar garden's participation in the program.
345.18 Nothing in this subdivision prevents a subscriber organization from reapplying to participate
345.19 in the program after revocation.

345.20 Subd. 13. **Report.** No later than January 31 each year beginning in 2025, the
345.21 commissioner must prepare and submit to the legislative committees having primary
345.22 jurisdiction over energy and climate policy a report that aggregates the information received
345.23 in the reports under subdivision 9, paragraphs (d) and (e).

345.24 Subd. 14. **Transition from legacy program.** (a) From the effective date of this section
345.25 to the date the commissioner begins allocating capacity under subdivision 7, but no later
345.26 than December 31, 2023, a subscriber organization may submit a community solar garden
345.27 project application to the utility for the legacy program under subdivision 1 or to the
345.28 commissioner for the program under subdivisions 3 to 12.

345.29 (b) The utility administering the legacy program under subdivision 1 must act in good
345.30 faith to continue processing applications for the legacy program until December 31, 2023.
345.31 An application for the legacy program that is approved on or before December 31, 2023, is
345.32 eligible to become a community solar garden under subdivisions 3 to 12, provided the
345.33 proposed community solar garden complies with subdivisions 3 to 12.

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

346.2 Sec. 15. Minnesota Statutes 2022, section 216B.1645, subdivision 4, is amended to read:

346.3 Subd. 4. ~~Settlement with Mdwakanton Dakota Tribal Council at~~ Payments to the

346.4 Prairie Island Indian Community. (a) The commission shall approve a rate schedule

346.5 providing for the automatic adjustment of charges to recover the costs or expenses of a

346.6 settlement between the public utility that owns the Prairie Island nuclear generation facility

346.7 and the ~~Mdwakanton Dakota Tribal Council~~ Prairie Island Indian Community at Prairie

346.8 Island, resolving outstanding disputes regarding the provisions of Laws 1994, chapter 641,

346.9 article 1, section 4. The settlement must provide for annual payments, not to exceed

346.10 \$2,500,000 annually, by the public utility to the Prairie Island Indian Community, to be

346.11 used for, among other purposes, acquiring ~~up to 1,500 contiguous or noncontiguous acres~~

346.12 ~~of~~ land in Minnesota within 50 miles of the tribal community's reservation at Prairie Island

346.13 to be taken into trust by the federal government for the benefit of the tribal community ~~for~~

346.14 ~~housing and other residential purposes.~~ The legislature acknowledges that the intent to

346.15 purchase land by the tribe for relocation purposes is part of the settlement agreement and

346.16 Laws 2003, First Special Session chapter 11. However, the state, through the governor,

346.17 reserves the right to support or oppose any particular application to place land in trust status.

346.18 (b) In addition to payments required under paragraph (a), the public utility that owns

346.19 the Prairie Island nuclear generating facility must make the following annual payments to

346.20 the Prairie Island Indian Community:

346.21 (1) \$7,500,000 for each year the Prairie Island nuclear generating facility is in licensed

346.22 operation; and

346.23 (2) \$50,000 for each dry cask or container containing spent fuel that is located at the

346.24 Prairie Island nuclear generating facility, whether or not the plant is in licensed operation.

346.25 (c) The commission shall approve a rate schedule providing for the automatic adjustment

346.26 of charges to retail electricity customers of the public utility that owns the Prairie Island

346.27 nuclear generating facility to recover the amounts in paragraph (b), clauses (1) and (2).

346.28 (d) Paragraphs (b) and (c) apply only if the public utility that owns the Prairie Island

346.29 nuclear generation facility enters into a new or amended settlement agreement with the

346.30 Prairie Island Indian Community.

346.31 (e) Payments made under this subdivision may be used by the Prairie Island Indian

346.32 Community for any purpose benefitting the Prairie Island Indian Community. Payments

346.33 made under this subdivision shall constitute prudent operating expenses for the public utility

347.1 that owns the Prairie Island nuclear generation facility, and shall constitute consideration
347.2 for any amended settlement agreement entered into between the public utility and the Prairie
347.3 Island Indian Community. This subdivision is intended to apply to any successors in interest
347.4 or assignees of the Prairie Island nuclear generation facility and Prairie Island Independent
347.5 Spent Fuel Storage Installation.

347.6 (f) The commission's approval of a certificate of need under section 216B.243 allowing
347.7 for the additional storage of spent nuclear fuel necessary for the extended operation of the
347.8 Prairie Island nuclear plant is effective only if the governor, on behalf of the state, and the
347.9 public utility operating the Prairie Island nuclear generating plant enter into an agreement
347.10 binding the parties to the required payments and payment recovery terms of paragraphs (b)
347.11 and (c). The Prairie Island Indian Community is an intended beneficiary of this agreement
347.12 and has standing to enforce the agreement.

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

347.14 Sec. 16. Minnesota Statutes 2022, section 216B.1691, is amended by adding a subdivision
347.15 to read:

347.16 Subd. 2h. **Distributed solar energy standard.** (a) For the purposes of this subdivision,
347.17 the following terms have the meanings given:

347.18 (1) "capacity" has the meaning given in section 216B.164, subdivision 2a;

347.19 (2) "industrial customer" means a retail electricity customer:

347.20 (i) whose numerical classification under the North American Industry Classification
347.21 System begins with the numbers 31, 32, or 33;

347.22 (ii) that is a pipeline, as defined in section 216G.01, subdivision 3; or

347.23 (iii) that is an iron mining extraction and processing facility, including a scam mining
347.24 facility, as defined in Minnesota Rules, part 6130.0100, subpart 16; and

347.25 (3) "solar energy generating system" has the meaning given in section 216E.01,
347.26 subdivision 9a.

347.27 (b) In addition to the other requirements of this section, by the end of 2030, the following
347.28 proportions of a public utility's total retail electric sales in Minnesota must be generated
347.29 from solar energy generating systems:

347.30 (1) for a public utility with at least 200,000 retail electric customers in Minnesota, at
347.31 least three percent;

348.1 (2) for a public utility with at least 100,000 but fewer than 200,000 retail electric
348.2 customers in Minnesota, at least three percent; and

348.3 (3) for a public utility with fewer than 100,000 retail electric customers in Minnesota,
348.4 at least one percent.

348.5 For a public utility subject to clause (2) or (3), sales to industrial customers in Minnesota
348.6 must be subtracted from the utility's total retail electric sales for the purpose of calculating
348.7 total retail electric sales in Minnesota.

348.8 (c) To be counted toward a public utility's standard established in paragraph (a), a solar
348.9 energy generating system must:

348.10 (1) have a capacity of ten megawatts or less;

348.11 (2) be connected to the public utility's distribution system;

348.12 (3) be located in the Minnesota service territory of the public utility; and

348.13 (4) be constructed or procured after August 1, 2023.

348.14 (d) A solar energy generating system with a capacity of 100 kilowatts or more does not
348.15 count toward compliance with the standard established in paragraph (a) unless the public
348.16 utility verifies that construction trades workers who constructed the solar energy generating
348.17 system were all paid no less than the prevailing wage rate, as defined in section 177.42, and
348.18 whose employer participated in an apprenticeship program that is registered under chapter
348.19 178 or Code of Federal Regulations, title 29, part 29.

348.20 (e) A public utility shall select projects to satisfy the standard established under this
348.21 subdivision through a competitive bidding process approved by the commission.

348.22 (f) The commission may modify or delay the implementation of the standard established
348.23 under this subdivision in accordance with the provisions of subdivision 2b.

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

348.25 Sec. 17. Minnesota Statutes 2022, section 216B.17, subdivision 1, is amended to read:

348.26 Subdivision 1. **Investigation.** On ~~its~~ the commission's own motion or upon a complaint
348.27 made against any public utility; by the governing body of any political subdivision, by
348.28 another public utility, by the department, ~~or~~ by any 50 consumers of ~~the~~ a particular utility,
348.29 or by a complainant under section 216B.172 that any of the rates, tolls, tariffs, charges, or
348.30 schedules or any joint rate or any regulation, measurement, practice, act, or omission affecting
348.31 or relating to the production, transmission, delivery, or furnishing of natural gas or electricity

349.1 or any service in connection therewith is in any respect unreasonable, insufficient, or unjustly
349.2 discriminatory, or that any service is inadequate or cannot be obtained, the commission
349.3 shall proceed, with notice, to make such investigation as it may deem necessary. The
349.4 commission may dismiss any complaint without a hearing if in its opinion a hearing is not
349.5 in the public interest.

349.6 EFFECTIVE DATE. This section is effective the day following final enactment and
349.7 applies to any complaint filed with the commission on or after that date.

349.8 Sec. 18. [216B.172] CONSUMER DISPUTES.

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

349.11 (b) "Appeal" means a request a complainant files with the commission to review and
349.12 make a final decision regarding the resolution of the complainant's complaint by the consumer
349.13 affairs office.

349.14 (c) "Complainant" means an individual residential customer who files with the consumer
349.15 affairs office a complaint against a public utility.

349.16 (d) "Complaint" means an allegation submitted to the consumer affairs office by a
349.17 complainant that a public utility's action or practice regarding billing or terms and conditions
349.18 of service:

349.19 (1) violates a statute, rule, tariff, service contract, or other provision of law;

349.20 (2) is unreasonable; or

349.21 (3) has harmed or, if not addressed, harms a complainant.

349.22 Complaint does not include an objection to or a request to modify any natural gas or
349.23 electricity rate contained in a tariff that has been approved by the commission. A complaint
349.24 under this section is an informal complaint under Minnesota Rules, chapter 7829.

349.25 (e) "Consumer affairs office" means the staff unit of the commission that is organized
349.26 to receive and respond to complaints.

349.27 (f) "Informal proceeding" has the meaning given in Minnesota Rules, part 7829.0100,
349.28 subpart 8.

349.29 (g) "Public assistance" has the meaning given in section 550.37, subdivision 14.

349.30 (h) "Public utility" has the meaning given in section 216B.02, subdivision 4.

350.1 Subd. 2. **Complaint resolution procedure.** A complainant must first attempt to resolve
350.2 a dispute with a public utility by filing a complaint with the consumer affairs office. The
350.3 consumer affairs office must: (1) notify the complainant of the resolution of the complaint;
350.4 and (2) provide written notice of (i) the complainant's right to appeal the resolution to the
350.5 commission, and (ii) the steps the complainant may take to appeal the resolution. Upon
350.6 request, the consumer affairs office must provide to the complainant a written notice
350.7 containing the substance of and basis for the resolution. Nothing in this section affects any
350.8 other rights existing under this chapter or other law.

350.9 Subd. 3. **Appeal; final commission decision.** (a) If a complainant is not satisfied with
350.10 the resolution of a complaint by the consumer affairs office, the complainant may file an
350.11 appeal with the commission requesting that the commission make a final decision on the
350.12 complaint. The commission's response to an appeal filed under this subdivision must comply
350.13 with the notice requirements under section 216B.17, subdivisions 2 to 5.

350.14 (b) Upon the commission's receipt of an appeal filed under paragraph (a), the chair of
350.15 the commission or a subcommittee delegated under section 216A.03, subdivision 8, to
350.16 review the resolution of the complaint must decide whether the complaint be:

350.17 (1) dismissed because there is no reasonable basis on which to proceed;

350.18 (2) resolved through an informal commission proceeding; or

350.19 (3) referred to the Office of Administrative Hearings for a contested case proceeding
350.20 under chapter 14.

350.21 A decision made under this paragraph must be provided in writing to the complainant and
350.22 the public utility.

350.23 (c) If the commission decides that the complaint be resolved through an informal
350.24 proceeding before the commission or referred to the Office of Administrative Hearings for
350.25 a contested case proceeding, the executive secretary must issue any procedural schedules,
350.26 notices, or orders required to initiate an informal proceeding or a contested case.

350.27 (d) The commission's dismissal of an appeal request or a decision rendered after
350.28 conducting an informal proceeding is a final decision constituting an order or determination
350.29 of the commission.

350.30 Subd. 4. **Judicial review.** Notwithstanding section 216B.27, a complainant may seek
350.31 judicial review in district court of an adverse final decision under subdivision 3, paragraph
350.32 (b), clause (1) or (2). Judicial review of the commission's decision in a contested case referred
350.33 under subdivision 3, paragraph (b), clause (3), is governed by chapter 14.

351.1 Subd. 5. **Right to service during pendency of dispute.** A public utility must continue
351.2 or promptly restore service to a complainant during the pendency of an administrative or
351.3 judicial procedure pursued by a complainant under this section, provided that the
351.4 complainant:

351.5 (1) agrees to enter into a payment agreement under section 216B.098, subdivision 3;

351.6 (2) posts the full disputed payment in escrow;

351.7 (3) demonstrates receipt of public assistance or eligibility for legal aid services; or

351.8 (4) demonstrates the complainant's household income is at or below 50 percent of the
351.9 median income in Minnesota.

351.10 Subd. 6. **Rulemaking authority.** The commission may adopt rules to carry out the
351.11 purposes of this section.

351.12 **EFFECTIVE DATE.** This section is effective the day following final enactment and
351.13 applies to any complaint filed with the commission on or after that date.

351.14 Sec. 19. Minnesota Statutes 2022, section 216B.2402, subdivision 16, is amended to read:

351.15 Subd. 16. **Low-income household.** "Low-income household" means a household whose
351.16 household income:

351.17 (1) is ~~60~~ 80 percent or less of the state area median household income; for the geographic
351.18 area in which the low-income household is located, as calculated by the United States
351.19 Department of Housing and Urban Development; or

351.20 (2) meets the income eligibility standards, as determined by the commissioner, required
351.21 for a household to receive financial assistance from a federal, state, municipal, or utility
351.22 program administered or approved by the department.

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

351.24 Sec. 20. Minnesota Statutes 2022, section 216B.2425, subdivision 3, is amended to read:

351.25 Subd. 3. **Commission approval.** (a) By June 1 of each even-numbered year, the
351.26 commission shall adopt a state transmission project list and shall certify, certify as modified,
351.27 or deny certification of the transmission and distribution projects proposed under subdivision
351.28 2. Except as provided in paragraph (b), the commission may only certify a project that is a
351.29 high-voltage transmission line as defined in section 216B.2421, subdivision 2, that the
351.30 commission finds is:

352.1 (1) necessary to maintain or enhance the reliability of electric service to Minnesota
352.2 consumers;

352.3 (2) needed, applying the criteria in section 216B.243, subdivision 3; and

352.4 (3) in the public interest, taking into account electric energy system needs and economic,
352.5 environmental, and social interests affected by the project.

352.6 (b) The commission may certify a project proposed under subdivision 2, paragraph (e),
352.7 only if the commission finds the proposed project is in the public interest.

352.8 Sec. 21. Minnesota Statutes 2022, section 216B.2425, is amended by adding a subdivision
352.9 to read:

352.10 Subd. 9. **Integrated distribution plan; contents.** The public utility that owns a nuclear
352.11 generating plant must include the following information in the public utility's annual
352.12 integrated distribution plan filed with the commission, beginning with the plan due November
352.13 1, 2023:

352.14 (1) a forecast of distribution system upgrades necessary to accommodate the
352.15 interconnection of distributed generation resulting from the utility's compliance with sections
352.16 216B.1641 and 216B.1691, subdivision 2h, and other customer-sited projects, including
352.17 energy storage systems;

352.18 (2) an evaluation of measures that can reduce the need for or cost of distribution system
352.19 upgrades to enable the interconnection of distributed generation resources, including but
352.20 not limited to the employment of smart inverters, grid management tools, distributed energy
352.21 resources management tools, and energy export tariffs; and

352.22 (3) a discussion of alternative methods to allocate costs of distribution system upgrades
352.23 among distributed generation owners or developers and ratepayers.

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

352.25 Sec. 22. Minnesota Statutes 2022, section 216B.243, subdivision 8, as amended by Laws
352.26 2023, chapter 7, section 23, is amended to read:

352.27 Subd. 8. **Exemptions.** (a) This section does not apply to:

352.28 (1) cogeneration or small power production facilities as defined in the Federal Power
352.29 Act, United States Code, title 16, section 796, paragraph (17), subparagraph (A), and
352.30 paragraph (18), subparagraph (A), and having a combined capacity at a single site of less
352.31 than 80,000 kilowatts; plants or facilities for the production of ethanol or fuel alcohol; or

353.1 any case where the commission has determined after being advised by the attorney general
353.2 that its application has been preempted by federal law;

353.3 (2) a high-voltage transmission line proposed primarily to distribute electricity to serve
353.4 the demand of a single customer at a single location, unless the applicant opts to request
353.5 that the commission determine need under this section or section 216B.2425;

353.6 (3) the upgrade to a higher voltage of an existing transmission line that serves the demand
353.7 of a single customer that primarily uses existing rights-of-way, unless the applicant opts to
353.8 request that the commission determine need under this section or section 216B.2425;

353.9 (4) a high-voltage transmission line of one mile or less required to connect a new or
353.10 upgraded substation to an existing, new, or upgraded high-voltage transmission line;

353.11 (5) conversion of the fuel source of an existing electric generating plant to using natural
353.12 gas;

353.13 (6) the modification of an existing electric generating plant to increase efficiency, as
353.14 long as the capacity of the plant is not increased more than ten percent or more than 100
353.15 megawatts, whichever is greater;

353.16 (7) a large wind energy conversion system, as defined in section 216F.01, subdivision
353.17 2, or a solar energy generating system, as defined in section 216E.01, subdivision 9a, ~~if the~~
353.18 ~~system is owned and operated by an independent power producer and the electric output of~~
353.19 ~~the system;~~ for which a site permit application is submitted by an independent power producer
353.20 under chapter 216E or 216F; or

353.21 ~~(i) is not sold to an entity that provides retail service in Minnesota or wholesale electric~~
353.22 ~~service to another entity in Minnesota other than an entity that is a federally recognized~~
353.23 ~~regional transmission organization or independent system operator; or~~

353.24 ~~(ii) is sold to an entity that provides retail service in Minnesota or wholesale electric~~
353.25 ~~service to another entity in Minnesota other than an entity that is a federally recognized~~
353.26 ~~regional transmission organization or independent system operator, provided that the system~~
353.27 ~~represents solar or wind capacity that the entity purchasing the system's electric output was~~
353.28 ~~ordered by the commission to develop in the entity's most recent integrated resource plan~~
353.29 ~~approved under section 216B.2422; or~~

353.30 (8) a large wind energy conversion system, as defined in section 216F.01, subdivision
353.31 2, or a solar energy generating system that is a large energy facility, as defined in section
353.32 216B.2421, subdivision 2, engaging in a repowering project that:

354.1 (i) will not result in the system exceeding the nameplate capacity under its most recent
354.2 interconnection agreement; or

354.3 (ii) will result in the system exceeding the nameplate capacity under its most recent
354.4 interconnection agreement, provided that the Midcontinent Independent System Operator
354.5 has provided a signed generator interconnection agreement that reflects the expected net
354.6 power increase.

354.7 (b) For the purpose of this subdivision, "repowering project" means:

354.8 (1) modifying a large wind energy conversion system or a solar energy generating system
354.9 that is a large energy facility to increase its efficiency without increasing its nameplate
354.10 capacity;

354.11 (2) replacing turbines in a large wind energy conversion system without increasing the
354.12 nameplate capacity of the system; or

354.13 (3) increasing the nameplate capacity of a large wind energy conversion system.

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

354.15 Sec. 23. Minnesota Statutes 2022, section 216B.50, subdivision 1, is amended to read:

354.16 Subdivision 1. **Commission approval required.** No public utility shall sell, acquire,
354.17 lease, or rent any plant as an operating unit or system in this state for a total consideration
354.18 in excess of ~~\$100,000~~ \$1,000,000, or merge or consolidate with another public utility or
354.19 transmission company operating in this state, without first being authorized so to do by the
354.20 commission. Upon the filing of an application for the approval and consent of the
354.21 commission, the commission shall investigate, with or without public hearing. The
354.22 commission shall hold a public hearing, upon such notice as the commission may require.
354.23 If the commission finds that the proposed action is consistent with the public interest, it
354.24 shall give its consent and approval by order in writing. In reaching its determination, the
354.25 commission shall take into consideration the reasonable value of the property, plant, or
354.26 securities to be acquired or disposed of, or merged and consolidated.

354.27 This section does not apply to the purchase of property to replace or add to the plant of
354.28 the public utility by construction.

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

355.1 Sec. 24. Minnesota Statutes 2022, section 216B.62, subdivision 3b, is amended to read:

355.2 Subd. 3b. **Assessment for department regional and national duties.** ~~(a)~~ In addition
355.3 to other assessments in subdivision 3, the department may assess up to ~~\$500,000~~ \$1,000,000
355.4 per fiscal year to perform the duties under section 216A.07, subdivision 3a, and to conduct
355.5 analysis that assesses energy grid reliability at state, regional, and national levels. The
355.6 amount in this subdivision shall be assessed to energy utilities in proportion to their respective
355.7 gross operating revenues from retail sales of gas or electric service within the state during
355.8 the last calendar year and shall be deposited into an account in the special revenue fund and
355.9 is appropriated to the commissioner of commerce for the purposes of section 216A.07,
355.10 subdivision 3a. An assessment made under this subdivision is not subject to the cap on
355.11 assessments provided in subdivision 3 or any other law. For the purpose of this subdivision,
355.12 an "energy utility" means public utilities, generation and transmission cooperative electric
355.13 associations, and municipal power agencies providing natural gas or electric service in the
355.14 state.

355.15 ~~(b) By February 1, 2023, the commissioner of commerce must submit a written report~~
355.16 ~~to the chairs and ranking minority members of the legislative committees with primary~~
355.17 ~~jurisdiction over energy policy. The report must describe how the department has used~~
355.18 ~~utility grid assessment funding under paragraph (a) and must explain the impact the grid~~
355.19 ~~assessment funding has had on grid reliability in Minnesota.~~

355.20 ~~(c) This subdivision expires June 30, 2023.~~

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

355.22 Sec. 25. **[216B.631] COMPENSATION FOR PARTICIPANTS IN PROCEEDINGS.**

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

355.25 (b) "Participant" means a person who files comments or appears in a commission
355.26 proceeding concerning one or more public utilities, excluding public hearings held in
355.27 contested cases and commission proceedings conducted to receive general public comments.

355.28 (c) "Party" means a person by or against whom a proceeding before the commission is
355.29 commenced or a person permitted to intervene in a proceeding, other than public hearings,
355.30 concerning one or more public utilities.

355.31 (d) "Proceeding" means:

356.1 (1) a rate change proceeding under section 216B.16, including a request to withdraw,
356.2 defer, or modify a petition to change rates;

356.3 (2) a proceeding in which the commission considers a utility request for cost recovery
356.4 through general rates or riders;

356.5 (3) a proceeding in which the commission considers a determination related to ratepayer
356.6 protections, service quality, or disconnection policies and practices, including but not limited
356.7 to utility compliance with the requirements of sections 216B.091 to 216B.0993;

356.8 (4) a proceeding in which the commission considers determinations directly related to
356.9 low-income affordability programs, including but not limited to utility compliance with the
356.10 requirements of section 216B.16, subdivisions 14, 15, and 19, paragraph (a), clause (3);

356.11 (5) a proceeding related to the design or approval of utility tariffs or rates;

356.12 (6) a proceeding related to utility performance measures or incentives, including but not
356.13 limited to proceedings under sections 216B.16, subdivision 19, paragraph (h); 216B.167;
356.14 and 216B.1675;

356.15 (7) proceedings related to distribution system planning and grid modernization, including
356.16 but not limited to proceedings in compliance with the requirements in section 216B.2425,
356.17 subdivision 2, paragraph (e);

356.18 (8) investigations or inquiries initiated by the commission or the Department of
356.19 Commerce; or

356.20 (9) proceedings related to utility pilot programs in which the commission considers a
356.21 proposal with a proposed cost of at least \$5,000,000.

356.22 (e) "Public utility" has the meaning given in section 216B.02, subdivision 4.

356.23 Subd. 2. **Participants; eligibility.** Any of the following participants is eligible to receive
356.24 compensation under this section:

356.25 (1) a nonprofit organization that:

356.26 (i) is exempt from taxation under section 501(c)(3) of the Internal Revenue Code;

356.27 (ii) is incorporated or organized in Minnesota;

356.28 (iii) is governed under chapter 317A or section 322C.1101; and

356.29 (iv) the commission determines under subdivision 3, paragraph (c), would suffer financial
356.30 hardship if not compensated for the nonprofit organization's participation in the applicable
356.31 proceeding; or

357.1 (2) a Tribal government of a federally recognized Indian Tribe that is located in
357.2 Minnesota.

357.3 Subd. 3. **Compensation; conditions.** (a) The commission may order a public utility to
357.4 compensate all or part of a participant's reasonable costs incurred to participate in a
357.5 proceeding before the commission if the participant is eligible under subdivision 2 and the
357.6 commission finds:

357.7 (1) that the participant has materially assisted the commission's deliberation; and

357.8 (2) if the participant is a nonprofit organization, that the participant would suffer financial
357.9 hardship if the nonprofit organization's participation in the proceeding was not compensated.

357.10 (b) In determining whether a participant has materially assisted the commission's
357.11 deliberation, the commission must find that:

357.12 (1) the participant made a unique contribution to the record and represented an interest
357.13 that would not otherwise have been adequately represented;

357.14 (2) the evidence or arguments presented or the positions taken by the participant were
357.15 an important factor in producing a fair decision;

357.16 (3) the participant's position promoted a public purpose or policy;

357.17 (4) the evidence presented, arguments made, issues raised, or positions taken by the
357.18 participant would not otherwise have been part of the record;

357.19 (5) the participant was active in any stakeholder process included in the proceeding; and

357.20 (6) the proceeding resulted in a commission order that adopted, in whole or in part, a
357.21 position advocated by the participant.

357.22 (c) In determining whether a nonprofit participant has demonstrated that a lack of
357.23 compensation would present financial hardship, the commission must find that the nonprofit
357.24 participant:

357.25 (1) had an average annual payroll expense less than \$600,000 for participation in
357.26 commission proceedings over the previous three years; and

357.27 (2) has fewer than 30 full-time equivalent employees.

357.28 (d) In reviewing a compensation request, the commission must consider whether the
357.29 costs presented in the participant's claim are reasonable. If the commission determines that
357.30 an eligible participant materially assisted the commission's deliberation, the commission

358.1 shall award all or part of the requested compensation, up to the maximum amounts provided
358.2 under subdivision 4.

358.3 Subd. 4. **Compensation; amount.** (a) Compensation must not exceed \$50,000 for a
358.4 single participant in any proceeding, except that:

358.5 (1) if a proceeding extends longer than 12 months, a participant may request and be
358.6 awarded compensation of up to \$50,000 for costs incurred in each calendar year; and

358.7 (2) for a contested case proceeding, a participant may request and be awarded up to
358.8 \$75,000.

358.9 (b) No single participant may be awarded more than \$200,000 under this section in a
358.10 single calendar year.

358.11 (c) Compensation requests from joint participants must be presented as a single request.

358.12 (d) Notwithstanding paragraphs (a) and (b), the commission must not, in any calendar
358.13 year, require a single public utility to pay aggregate compensation under this section that
358.14 exceeds the following amounts:

358.15 (1) \$100,000, for a public utility with up to \$300,000,000 annual gross operating revenue
358.16 in Minnesota;

358.17 (2) \$275,000, for a public utility with at least \$300,000,000 but less than \$900,000,000
358.18 annual gross operating revenue in Minnesota;

358.19 (3) \$375,000, for a public utility with at least \$900,000,000 but less than \$2,000,000,000
358.20 annual gross operating revenue in Minnesota; and

358.21 (4) \$1,250,000, for a public utility with \$2,000,000,000 or more annual gross operating
358.22 revenue in Minnesota.

358.23 (e) When requests for compensation from any public utility approach the limits established
358.24 in paragraph (d), the commission may give priority to requests from participants that received
358.25 less than \$150,000 in total compensation during the previous two years and from participants
358.26 who represent residential ratepayers, particularly those residential ratepayers who the
358.27 participant can demonstrate have been underrepresented in past commission proceedings.

358.28 Subd. 5. **Compensation; process.** (a) A participant seeking compensation must file a
358.29 request and an affidavit of service with the commission, and serve a copy of the request on
358.30 each party to the proceeding. The request must be filed no more than 30 days after the later
358.31 of:

359.1 (1) the expiration of the period within which a petition for rehearing, amendment,
359.2 vacation, reconsideration, or reargument must be filed; or

359.3 (2) the date the commission issues an order following rehearing, amendment, vacation,
359.4 reconsideration, or reargument.

359.5 (b) A compensation request must include:

359.6 (1) the name and address of the participant or nonprofit organization the participant is
359.7 representing;

359.8 (2) evidence of the organization's nonprofit, tax-exempt status, if applicable;

359.9 (3) the name and docket number of the proceeding for which compensation is requested;

359.10 (4) for a nonprofit participant, evidence supporting the nonprofit organization's eligibility
359.11 for compensation under the financial hardship test under subdivision 3, paragraph (c);

359.12 (5) amounts of compensation awarded to the participant under this section during the
359.13 current year and any pending requests for compensation, itemized by docket;

359.14 (6) an itemization of the participant's costs, not including overhead costs;

359.15 (7) participant revenues dedicated to the proceeding;

359.16 (8) the total compensation request; and

359.17 (9) a narrative describing the unique contribution made to the proceeding by the
359.18 participant.

359.19 (c) A participant must comply with reasonable requests for information by the commission
359.20 and other parties or participants. A participant must reply to information requests within
359.21 ten calendar days of the date the request is received, unless doing so would place an extreme
359.22 hardship upon the replying participant. The replying participant must provide a copy of the
359.23 information to any other participant or interested person upon request. Disputes regarding
359.24 information requests may be resolved by the commission.

359.25 (d) A party or participant objecting to a request for compensation must, within 30 days
359.26 after service of the request for compensation, file a response and an affidavit of service with
359.27 the commission. A copy of the response must be served on the requesting participant and
359.28 all other parties to the proceeding.

359.29 (e) The requesting participant may file a reply with the commission within 15 days after
359.30 a response is filed under paragraph (d). A copy of the reply and an affidavit of service must
359.31 be served on all other parties to the proceeding.

360.1 (f) If additional costs are incurred by a participant as a result of additional proceedings
360.2 following the commission's initial order, the participant may file an amended request within
360.3 30 days after the commission issues an amended order. Paragraphs (b) to (e) apply to an
360.4 amended request.

360.5 (g) The commission must issue a decision on participant compensation within 120 days
360.6 of the date a request for compensation is filed by a participant.

360.7 (h) The commission may extend the deadlines in paragraphs (d), (e), and (g) for up to
360.8 30 days upon the request of a participant or on the commission's own initiative.

360.9 (i) A participant may request reconsideration of the commission's compensation decision
360.10 within 30 days of the decision date.

360.11 Subd. 6. **Compensation; orders.** (a) If the commission issues an order requiring payment
360.12 of participant compensation, the public utility that was the subject of the proceeding must
360.13 pay the full compensation to the participant and file proof of payment with the commission
360.14 within 30 days after the later of:

360.15 (1) the expiration of the period within which a petition for reconsideration of the
360.16 commission's compensation decision must be filed; or

360.17 (2) the date the commission issues an order following reconsideration of the commission's
360.18 order on participant compensation.

360.19 (b) If the commission issues an order requiring payment of participant compensation in
360.20 a proceeding involving multiple public utilities, the commission must apportion costs among
360.21 the public utilities in proportion to each public utility's annual revenue.

360.22 (c) The commission may issue orders necessary to allow a public utility to recover the
360.23 costs of participant compensation on a timely basis.

360.24 Subd. 7. **Report.** By July 1, 2026, the commission must report to the chairs and ranking
360.25 minority members of the legislative committees with primary jurisdiction over energy policy
360.26 on the operation of this section. The report must include but is not limited to:

360.27 (1) the amount of compensation paid each year by each utility;

360.28 (2) each recipient of compensation, the commission dockets in which compensation was
360.29 awarded, and the compensation amounts; and

360.30 (3) the impact of the participation of compensated participants.

360.31 Subd. 8. **Sunset.** This section expires July 1, 2031.

361.1 **EFFECTIVE DATE.** This section is effective the day following final enactment and
361.2 applies to any proceeding in which the commission has not issued a final order as of that
361.3 date.

361.4 Sec. 26. Minnesota Statutes 2022, section 216C.08, is amended to read:

361.5 **216C.08 JURISDICTION.**

361.6 The commissioner has sole authority and responsibility for the administration of sections
361.7 216C.05 to 216C.30 and 216C.375. Other laws notwithstanding, the authority granted the
361.8 commissioner shall supersede the authority given any other agency whenever overlapping,
361.9 duplication, or additional administrative or legal procedures might occur in the administration
361.10 of sections 216C.05 to 216C.30 and 216C.375. The commissioner shall consult with other
361.11 state departments or agencies in matters related to energy and shall contract with them to
361.12 provide appropriate services to effectuate the purposes of sections 216C.05 to 216C.30 and
361.13 216C.375. Any other department, agency, or official of this state or political subdivision
361.14 thereof which would in any way affect the administration or enforcement of sections 216C.05
361.15 to 216C.30 and 216C.375 shall cooperate and coordinate all activities with the commissioner
361.16 to assure orderly and efficient administration and enforcement of sections 216C.05 to
361.17 216C.30 and 216C.375.

361.18 The commissioner shall designate a liaison officer whose duty shall be to insure the
361.19 maximum possible consistency in procedures and to eliminate duplication between the
361.20 commissioner and the other agencies that may be involved in energy.

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

361.22 Sec. 27. Minnesota Statutes 2022, section 216C.09, is amended to read:

361.23 **216C.09 COMMISSIONER DUTIES.**

361.24 (a) The commissioner shall:

361.25 (1) manage the department as the central repository within the state government for the
361.26 collection of data on energy;

361.27 (2) prepare and adopt an emergency allocation plan specifying actions to be taken in the
361.28 event of an impending serious shortage of energy, or a threat to public health, safety, or
361.29 welfare;

361.30 (3) undertake a continuing assessment of trends in the consumption of all forms of energy
361.31 and analyze the social, economic, and environmental consequences of these trends;

362.1 (4) carry out energy conservation measures as specified by the legislature and recommend
362.2 to the governor and the legislature additional energy policies and conservation measures as
362.3 required to meet the objectives of sections 216C.05 to 216C.30 and 216C.375;

362.4 (5) collect and analyze data relating to present and future demands and resources for all
362.5 sources of energy;

362.6 (6) evaluate policies governing the establishment of rates and prices for energy as related
362.7 to energy conservation, and other goals and policies of sections 216C.05 to 216C.30 and
362.8 216C.375, and make recommendations for changes in energy pricing policies and rate
362.9 schedules;

362.10 (7) study the impact and relationship of the state energy policies to international, national,
362.11 and regional energy policies;

362.12 (8) design and implement a state program for the conservation of energy; this program
362.13 shall include but not be limited to, general commercial, industrial, and residential, and
362.14 transportation areas; such program shall also provide for the evaluation of energy systems
362.15 as they relate to lighting, heating, refrigeration, air conditioning, building design and
362.16 operation, and appliance manufacturing and operation;

362.17 (9) inform and educate the public about the sources and uses of energy and the ways in
362.18 which persons can conserve energy;

362.19 (10) dispense funds made available for the purpose of research studies and projects of
362.20 professional and civic orientation, which are related to either energy conservation, resource
362.21 recovery, or the development of alternative energy technologies which conserve
362.22 nonrenewable energy resources while creating minimum environmental impact;

362.23 (11) charge other governmental departments and agencies involved in energy-related
362.24 activities with specific information gathering goals and require that those goals be met;

362.25 (12) design a comprehensive program for the development of indigenous energy
362.26 resources. The program shall include, but not be limited to, providing technical,
362.27 informational, educational, and financial services and materials to persons, businesses,
362.28 municipalities, and organizations involved in the development of solar, wind, hydropower,
362.29 peat, fiber fuels, biomass, and other alternative energy resources. The program shall be
362.30 evaluated by the alternative energy technical activity; and

362.31 (13) dispense loans, grants, or other financial aid from money received from litigation
362.32 or settlement of alleged violations of federal petroleum-pricing regulations made available
362.33 to the department for that purpose.

363.1 (b) Further, the commissioner may participate fully in hearings before the Public Utilities
363.2 Commission on matters pertaining to rate design, cost allocation, efficient resource utilization,
363.3 utility conservation investments, small power production, cogeneration, and other rate issues.
363.4 The commissioner shall support the policies stated in section 216C.05 and shall prepare
363.5 and defend testimony proposed to encourage energy conservation improvements as defined
363.6 in section 216B.241.

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

363.8 Sec. 28. Minnesota Statutes 2022, section 216C.264, is amended by adding a subdivision
363.9 to read:

363.10 Subd. 1a. **Definitions.** (a) For purposes of this section, the following terms have the
363.11 meanings given.

363.12 (b) "Low-income conservation program" means a utility program that offers energy
363.13 conservation services to low-income households under sections 216B.2403, subdivision 5,
363.14 and 216B.241, subdivision 7.

363.15 (c) "Preweatherization measure" has the meaning given in section 216B.2402, subdivision
363.16 20.

363.17 (d) "Weatherization assistance program" means the federal program described in Code
363.18 of Federal Regulations, title 10, part 440 et seq., designed to assist low-income households
363.19 reduce energy use.

363.20 (e) "Weatherization assistance services" means the energy measures installed in
363.21 households under the weatherization assistance program.

363.22 Sec. 29. Minnesota Statutes 2022, section 216C.264, is amended by adding a subdivision
363.23 to read:

363.24 Subd. 1b. **Establishment; purpose.** A preweatherization program is established in the
363.25 department. The purpose of the program is to provide grants for preweatherization services,
363.26 as defined under section 216B.2402, subdivision 20, in order to expand the breadth and
363.27 depth of services provided to income-eligible households in Minnesota.

363.28 Sec. 30. Minnesota Statutes 2022, section 216C.264, is amended by adding a subdivision
363.29 to read:

363.30 Subd. 1c. **Preweatherization account.** (a) A preweatherization account is created as a
363.31 separate account in the special revenue fund of the state treasury. The account consists of

364.1 money provided by law, donated, allotted, transferred, or otherwise provided to the account.
364.2 Earnings, including interest, dividends, and any other earnings arising from assets of the
364.3 account, must be credited to the account. Money remaining in the account at the end of a
364.4 fiscal year does not cancel to the general fund and remains in the account until expended.
364.5 The commissioner must manage the account.

364.6 (b) Money in the account is appropriated to the commissioner to pay for (1) grants issued
364.7 under the program, and (2) the reasonable costs incurred by the commissioner to administer
364.8 the program.

364.9 Sec. 31. Minnesota Statutes 2022, section 216C.264, subdivision 5, is amended to read:

364.10 Subd. 5. **Grant allocation.** (a) The commissioner must distribute supplementary state
364.11 grants in a manner consistent with the goal of producing the maximum number of weatherized
364.12 units. Supplementary state grants are provided primarily for the payment of additional labor
364.13 costs for the federal weatherization program, and as an incentive for the increased production
364.14 of weatherized units. to pay for and may be used to:

364.15 (1) address physical deficiencies in a residence that increase heat loss, including
364.16 deficiencies that prohibit the residence from being eligible to receive federal weatherization
364.17 assistance;

364.18 (2) install eligible preweatherization measures established by the commissioner, as
364.19 required under section 216B.241, subdivision 7, paragraph (g);

364.20 (3) increase the number of weatherized residences;

364.21 (4) conduct outreach activities to make income-eligible households aware of available
364.22 weatherization services, to assist applicants in filling out applications for weatherization
364.23 assistance, and to provide translation services when necessary;

364.24 (5) enable projects in multifamily buildings to proceed even if the project cannot comply
364.25 with the federal requirement that projects must be completed within the same federal fiscal
364.26 year in which the project is begun;

364.27 (6) expand weatherization training opportunities in existing and new training programs;

364.28 (7) pay additional labor costs for the federal weatherization program; and

364.29 (8) provide an incentive for the increased production of weatherized units.

364.30 (b) Criteria for the allocation of used to allocate state grants to local agencies include
364.31 existing local agency production levels, emergency needs, and the potential for maintaining
364.32 to maintain or increasing increase acceptable levels of production in the area.

365.1 (c) An eligible local agency may receive advance funding for 90 days' production, but
365.2 thereafter must receive grants solely on the basis of the program criteria under this
365.3 subdivision.

365.4 Sec. 32. Minnesota Statutes 2022, section 216C.264, is amended by adding a subdivision
365.5 to read:

365.6 Subd. 7. **Supplemental preweatherization assistance program.** The commissioner
365.7 must provide grants to weatherization service providers to address physical deficiencies
365.8 and install weatherization and preweatherization measures in residential buildings occupied
365.9 by eligible low-income households.

365.10 Sec. 33. **[216C.2641] WEATHERIZATION TRAINING GRANT PROGRAM.**

365.11 Subdivision 1. **Establishment.** The commissioner of commerce must establish a
365.12 weatherization training grant program to award grants to train workers for careers in the
365.13 weatherization industry.

365.14 Subd. 2. **Grants.** (a) The commissioner must award grants through a competitive grant
365.15 process.

365.16 (b) An eligible entity under paragraph (c) seeking a grant under this section must submit
365.17 a written application to the commissioner using a form developed by the commissioner.

365.18 (c) The commissioner may award grants under this section only to:

365.19 (1) a nonprofit organization exempt from taxation under section 501(c)(3) of the United
365.20 States Internal Revenue Code;

365.21 (2) a labor organization, as defined in section 179.01, subdivision 6; or

365.22 (3) a job training center or educational institution that the commissioner of commerce
365.23 determines has the ability to train workers for weatherization careers.

365.24 (d) Grant funds must be used to pay costs associated with training workers for careers
365.25 in the weatherization industry, including related supplies, materials, instruction, and
365.26 infrastructure.

365.27 (e) When awarding grants under this section, the commissioner must give priority to
365.28 applications that provide the highest quality training to prepare trainees for weatherization
365.29 employment opportunities that meet technical standards and certifications developed by the
365.30 Building Performance Institute, Inc., or the Standard Work Specifications developed by the
365.31 United States Department of Energy for the federal Weatherization Assistance Program.

366.1 Subd. 3. **Reports.** By January 15, 2025, and each January 15 thereafter, the commissioner
366.2 must submit a report to the chairs and ranking minority members of the senate and house
366.3 of representatives committees with jurisdiction over energy policy. The report must detail
366.4 the use of grant funds under this section, including data on the number of trainees trained
366.5 and the career progress of trainees supported by prior grants.

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

366.7 Sec. 34. **[216C.331] ENERGY BENCHMARKING.**

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

366.10 (b) "Aggregated customer energy use data" means customer energy use data that is
366.11 combined into one collective data point per time interval. Aggregated customer energy use
366.12 data is data with any unique identifiers or other personal information removed that a
366.13 qualifying utility collects and aggregates in at least monthly intervals for an entire building
366.14 on a covered property.

366.15 (c) "Benchmark" means to electronically input into a benchmarking tool the total energy
366.16 use data and other descriptive information about a building that is required by a benchmarking
366.17 tool.

366.18 (d) "Benchmarking information" means data related to a building's energy use generated
366.19 by a benchmarking tool, and other information about the building's physical and operational
366.20 characteristics. Benchmarking information includes but is not limited to the building's:

366.21 (1) address;

366.22 (2) owner and, if applicable, the building manager responsible for operating the building's
366.23 physical systems;

366.24 (3) total floor area, expressed in square feet;

366.25 (4) energy use intensity;

366.26 (5) greenhouse gas emissions; and

366.27 (6) energy performance score comparing the building's energy use with that of similar
366.28 buildings.

366.29 (e) "Benchmarking tool" means the United States Environmental Protection Agency's
366.30 Energy Star Portfolio Manager tool or an equivalent tool determined by the commissioner.

367.1 (f) "Covered property" means any property that is served by an investor-owned utility
367.2 in Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, or Washington County, or in any city
367.3 outside the metropolitan area with a population of over 50,000 residents served by a
367.4 municipal energy utility or investor-owned utility, and that has one or more buildings
367.5 containing in sum 50,000 gross square feet or greater. Covered property does not include:

367.6 (1) a residential property containing fewer than five dwelling units;

367.7 (2) a property that is: (i) classified as manufacturing under the North American Industrial
367.8 Classification System; (ii) an energy-intensive trade-exposed customer, as defined in section
367.9 216B.1696; (iii) an electric power generation facility; (iv) a mining facility; or (v) an
367.10 industrial building otherwise incompatible with benchmarking in the benchmarking tool,
367.11 as determined by the commissioner;

367.12 (3) an agricultural building;

367.13 (4) a multitenant building that is served by a utility that cannot supply aggregated
367.14 customer usage data; or

367.15 (5) other property types that do not meet the purposes of this section, as determined by
367.16 the commissioner.

367.17 (g) "Customer energy use data" means data collected from utility customer meters that
367.18 reflect the quantity, quality, or timing of customers' energy use.

367.19 (h) "Energy" means electricity, natural gas, steam, or another product used to: (1) provide
367.20 heating, cooling, lighting, or water heating; or (2) power other end uses in a building.

367.21 (i) "Energy performance score" means a numerical value from one to 100 that the Energy
367.22 Star Portfolio Manager tool calculates to rate a building's energy efficiency against that of
367.23 comparable buildings nationwide.

367.24 (j) "Energy Star Portfolio Manager" means an interactive resource management tool
367.25 developed by the United States Environmental Protection Agency that (1) enables the
367.26 periodic entry of a building's energy use data and other descriptive information about a
367.27 building, and (2) rates a building's energy efficiency against that of comparable buildings
367.28 nationwide.

367.29 (k) "Energy use intensity" means the total annual energy consumed in a building divided
367.30 by the building's total floor area.

367.31 (l) "Financial distress" means a covered property that, at the time benchmarking is
367.32 conducted:

368.1 (1) is the subject of a qualified tax lien sale or public auction due to property tax
368.2 arrearages;

368.3 (2) is controlled by a court-appointed receiver based on financial distress;

368.4 (3) is owned by a financial institution through default by the borrower;

368.5 (4) has been acquired by deed in lieu of foreclosure; or

368.6 (5) has a senior mortgage that is subject to a notice of default.

368.7 (m) "Local government" means a statutory or home rule municipality or county.

368.8 (n) "Owner" means:

368.9 (1) an individual or entity that possesses title to a covered property; or

368.10 (2) an agent authorized to act on behalf of the covered property owner.

368.11 (o) "Qualifying utility" means a utility serving the covered property, including:

368.12 (1) an electric or gas utility, including:

368.13 (i) an investor-owned electric or gas utility; or

368.14 (ii) a municipally owned electric or gas utility;

368.15 (2) a natural gas supplier with five or more active commercial connections, accounts,
368.16 or customers in the state; or

368.17 (3) a district steam, hot water, or chilled water provider.

368.18 (p) "Tenant" means a person that occupies or holds possession of a building or part of
368.19 a building or premises pursuant to a lease agreement.

368.20 (q) "Total floor area" means the sum of gross square footage inside a building's envelope,
368.21 measured between the outside exterior walls of the building. Total floor area includes covered
368.22 parking structures.

368.23 (r) "Utility customer" means the building owner or tenant listed on the utility's records
368.24 as the customer liable for payment of the utility service or additional charges assessed on
368.25 the utility account.

368.26 Subd. 2. **Establishment.** The commissioner must establish and maintain a building
368.27 energy benchmarking program. The purpose of the program is to:

368.28 (1) make a building's owners, tenants, and potential tenants aware of (i) the building's
368.29 energy consumption levels and patterns, and (ii) how the building's energy use compares
368.30 with that of similar buildings nationwide; and

369.1 (2) enhance the likelihood that an owner adopts energy conservation measures in the
 369.2 owner's building as a way to reduce energy use, operating costs, and greenhouse gas
 369.3 emissions.

369.4 Subd. 3. Classification of covered properties. For the purposes of this section, a covered
 369.5 property is classified as follows:

369.6	<u>Class</u>	<u>Total Floor Area (square feet)</u>
369.7	<u>1</u>	<u>100,000 or more</u>
369.8	<u>2</u>	<u>50,000 to 99,999</u>

369.9 Subd. 4. Benchmarking requirement. (a) An owner must annually benchmark all
 369.10 covered property owned as of December 31 in conformity with the schedule in subdivision
 369.11 7. Energy use data must be compiled by:

- 369.12 (1) obtaining the data from the utility providing the energy; or
- 369.13 (2) reading a master meter.

369.14 (b) Before entering information in a benchmarking tool, an owner must run all automated
 369.15 data quality assurance functions available within the benchmarking tool and must correct
 369.16 all data identified as missing or incorrect.

369.17 (c) An owner who becomes aware that any information entered into a benchmarking
 369.18 tool is inaccurate or incomplete must amend the information in the benchmarking tool within
 369.19 30 days of the date the owner learned of the inaccuracy.

369.20 (d) Nothing in this subdivision prohibits an owner of property that is not a covered
 369.21 property from voluntarily benchmarking a property under this section.

369.22 Subd. 5. Exemption for individual building. (a) The commissioner may exempt an
 369.23 owner of a specific covered property from the requirements of subdivision 4 if the owner
 369.24 provides evidence satisfactory to the commissioner that the covered property for which the
 369.25 owner is seeking an exemption:

- 369.26 (1) is presently experiencing financial distress;
- 369.27 (2) has been less than 50 percent occupied during the previous calendar year;
- 369.28 (3) does not have a certificate of occupancy or temporary certificate of occupancy for
 369.29 the full previous calendar year;
- 369.30 (4) was issued a demolition permit during the previous calendar year that remains current;
- 369.31 or
- 369.32 (5) received no energy services for at least 30 days during the previous calendar year.

370.1 (b) An exemption granted under this subdivision applies only to a single calendar year.
370.2 An owner must reapply to the commissioner each year an extension is sought.

370.3 (c) Within 30 days of the date an owner makes a request under this paragraph, a tenant
370.4 of a covered property subject to this section must provide the owner with any information
370.5 regarding energy use of the tenant's rental unit that the property owner cannot otherwise
370.6 obtain and that is needed by the owner to comply with this section. The tenant must provide
370.7 the information required under this paragraph in a format approved by the commissioner.

370.8 Subd. 6. **Exemption by other government benchmarking program.** An owner is
370.9 exempt from the requirements of subdivision 4 for a covered property if the property is
370.10 subject to a benchmarking requirement by the state, a city, or other political subdivision
370.11 with a benchmarking requirement that the commissioner determines is equivalent or more
370.12 stringent, as determined under subdivision 11, paragraph (b), than the benchmarking
370.13 requirement established in this section. The exemption under this subdivision applies in
370.14 perpetuity unless or until the benchmarking requirement is changed or revoked and the
370.15 commissioner determines the benchmarking requirement is no longer equivalent nor more
370.16 stringent.

370.17 Subd. 7. **Benchmarking schedule.** (a) An owner must annually benchmark each covered
370.18 property for the previous calendar year according to the following schedule:

370.19 (1) all Class 1 properties by June 1, 2025, and by every June 1 thereafter; and

370.20 (2) all Class 2 properties by June 1, 2026, and by every June 1 thereafter.

370.21 (b) Beginning June 1, 2025, for Class 1 properties, and June 1, 2026, for Class 2
370.22 properties, an owner who is selling a covered property must provide the following to the
370.23 new owner at the time of sale:

370.24 (1) benchmarking information for the most recent 12-month period, including monthly
370.25 energy use by source; or

370.26 (2) ownership of the digital property record in the benchmarking tool through an online
370.27 transfer.

370.28 Subd. 8. **Utility data requirements.** (a) In implementing this section, a qualifying utility
370.29 shall only aggregate customer energy use data of covered properties, and on or before
370.30 January 1, 2025, a qualifying utility shall:

370.31 (1) establish an aggregation standard whereby:

371.1 (i) an aggregated customer energy use data set may include customer energy use data
371.2 from no fewer than four customers. A single customer's energy use must not constitute more
371.3 than 50 percent of total energy consumption for the requested data set; and

371.4 (ii) customer energy use data sets containing three or fewer customers or with a single
371.5 customer's energy use constituting more than 50 percent of total energy consumption may
371.6 be provided upon the written consent of:

371.7 (A) all customers included in the requested data set, in cases of three or fewer customers;
371.8 or

371.9 (B) any customer constituting more than 50 percent of total energy consumption for the
371.10 requested data set; and

371.11 (2) prepare and make available customer energy use data and aggregated customer energy
371.12 use data upon the request of an owner.

371.13 (b) Customer energy use data that a qualifying utility provides an owner pursuant to this
371.14 subdivision must be:

371.15 (1) available on, or able to be requested through, an easily navigable web portal or online
371.16 request form using up-to-date standards for digital authentication;

371.17 (2) provided to the owner within 30 days after receiving the owner's valid written or
371.18 electronic request;

371.19 (3) provided for at least 24 consecutive months of energy consumption or as many
371.20 months of consumption data that are available if the owner has owned the building for less
371.21 than 24 months;

371.22 (4) directly uploaded to the owner's benchmarking tool account, delivered in the
371.23 spreadsheet template specified by the benchmarking tool, or delivered in another format
371.24 approved by the commissioner;

371.25 (5) provided to the owner on at least an annual basis until the owner revokes the request
371.26 for energy use data or sells the covered property; and

371.27 (6) provided in monthly intervals, or the shortest available intervals based in billing.

371.28 (c) Data necessary to establish, utilize, or maintain information in the benchmarking
371.29 tool under this section may be collected or shared as provided by this section and are
371.30 considered public data whether or not the data have been aggregated.

371.31 (d) Notwithstanding any other provision of law, a qualifying utility shall not aggregate
371.32 or anonymize customer energy use data of any customer exempted by the commissioner

372.1 under section 216B.241 from contributing to investments and expenditures made by a
372.2 qualifying utility under an energy and conservation optimization plan, unless the customer
372.3 provides written consent to the qualifying utility.

372.4 (e) Except as provided in paragraph (d), qualifying utilities may aggregate the customer
372.5 energy use data of properties with a total floor area of less than 50,000 square feet if the
372.6 property otherwise meets the definition of a covered property.

372.7 **Subd. 9. Data collection and management.** (a) The commissioner must:

372.8 (1) collect benchmarking information generated by a benchmarking tool and other related
372.9 information for each covered property;

372.10 (2) provide technical assistance to owners entering data into a benchmarking tool;

372.11 (3) collaborate with the Department of Revenue to collect the data necessary for
372.12 establishing the covered property list annually; and

372.13 (4) provide technical guidance to utilities in the establishment of data aggregation and
372.14 access tools.

372.15 (b) Upon request of the commissioner, a county assessor shall provide by January 15
372.16 annually readily available property data necessary for the development of the covered
372.17 property list, including but not limited to gross floor area, property type, and owner
372.18 information.

372.19 (c) The commissioner must:

372.20 (1) rank benchmarked covered properties in each property class from highest to lowest
372.21 performance score or, if a performance score is unavailable for a covered property, from
372.22 lowest to highest energy use intensity;

372.23 (2) divide covered properties in each property class into four quartiles based on the
372.24 applicable measure in clause (1);

372.25 (3) assign four stars to each covered property in the quartile of each property class with
372.26 the highest performance scores or lowest energy use intensities, as applicable;

372.27 (4) assign three stars to each covered property in the quartile of each property class with
372.28 the second highest performance scores or second lowest energy use intensities, as applicable;

372.29 (5) assign two stars to each covered property in the quartile of each property class with
372.30 the third highest performance scores or third lowest energy use intensities, as applicable;

373.1 (6) assign one star to each covered property in the quartile of each property class with
373.2 the lowest performance scores or highest energy use intensities, as applicable; and

373.3 (7) serve notice in writing to each owner identifying the number of stars assigned by the
373.4 commissioner to each of the owner's covered properties.

373.5 Subd. 10. **Data disclosure to public.** (a) The commissioner must post on the department's
373.6 website and update by December 1 annually the following information for the previous
373.7 calendar year:

373.8 (1) annual summary statistics on energy use for all covered properties;

373.9 (2) annual summary statistics on energy use for all covered properties, aggregated by
373.10 covered property class, as defined in subdivision 3, city, and county;

373.11 (3) the percentage of covered properties in each building class listed in subdivision 3
373.12 that are in compliance with the benchmarking requirements under subdivisions 4 to 7; and

373.13 (4) for each covered property, at a minimum, the address, the total energy use, energy
373.14 use intensity, annual greenhouse gas emissions, and an energy performance score, if available.

373.15 (b) The commissioner must post the information required under this subdivision for:

373.16 (1) all Class 1 properties by December 1, 2025, and by every December 1 thereafter;

373.17 and

373.18 (2) all Class 2 properties by December 1, 2026, and by every December 1 thereafter.

373.19 Subd. 11. **Coordination with other benchmarking programs.** (a) The commissioner
373.20 shall coordinate with any state agency or local government that implements an energy
373.21 benchmarking program, including with respect to reporting requirements.

373.22 (b) This section does not restrict a local government from adopting or implementing an
373.23 ordinance or resolution that imposes more stringent benchmarking requirements. For purposes
373.24 of this section, a local government benchmarking program is more stringent if the program
373.25 requires:

373.26 (1) buildings to be benchmarked that are not required to be benchmarked under this
373.27 section; or

373.28 (2) benchmarking of information that is not required to be benchmarked under this
373.29 section.

373.30 (c) Benchmarking program requirements of local governments must:

374.1 (1) be at least as comprehensive in scope and application as the program operated under
374.2 this section; and

374.3 (2) include annual enforcement of a penalty on covered properties that do not comply
374.4 with the local government's benchmarking ordinance.

374.5 (d) Local governments must notify the commissioner of the local government's existing
374.6 benchmarking ordinance requirements and of new, changed, or revoked ordinance
374.7 requirements that would apply to the benchmarking schedule for the following year.

374.8 (e) The commissioner must make available to local governments upon request all
374.9 benchmarking data for covered properties within the local government's jurisdiction annually
374.10 by December 1.

374.11 Subd. 12. **Building performance disclosure to occupants.** The commissioner must
374.12 provide disclosure materials for public display within a building to building owners, so that
374.13 owners can prominently display the performance of the building. The materials must include
374.14 the number of stars assigned to the building by the commissioner under subdivision 9,
374.15 paragraph (c), and a relevant explanation of the rating.

374.16 Subd. 13. **Notifications.** By March 1 each year, the commissioner must notify the owner
374.17 of each covered property required to benchmark for the previous calendar year of the
374.18 requirement to benchmark by June 1 of the current year.

374.19 Subd. 14. **Program implementation.** The commissioner may contract with an
374.20 independent third party to implement any or all of the commissioner's duties required under
374.21 this section. The commissioner must assist owners to increase energy efficiency and reduce
374.22 greenhouse gas emissions from the owners' covered properties, including by providing
374.23 outreach, training, and technical assistance to owners to help owners' covered properties
374.24 comply with the benchmarking program.

374.25 Subd. 15. **Account established; appropriation.** (a) An energy benchmarking program
374.26 account is established as a separate account in the special revenue fund in the state treasury.
374.27 The commissioner shall credit to the account appropriations and transfers to the account.
374.28 Earnings, including interest, dividends, and any other earnings arising from assets of the
374.29 account, must be credited to the account. Money in the account at the end of a fiscal year
374.30 does not cancel to the general fund but remains available in the account until expended.
374.31 The commissioner shall manage the account.

374.32 (b) Money in the account is appropriated to the commissioner to pay the reasonable
374.33 costs of the department to administer this section.

375.1 Subd. 16. **Enforcement.** By June 15 each year, the commissioner must notify the owner
375.2 of each covered property that has failed to comply with this section that the owner has until
375.3 July 15 to bring the covered property into compliance, unless the owner requests and receives
375.4 an extension until August 15. If an owner fails to comply with the requirements of this
375.5 section by July 15 and fails to request an extension by that date, or is given an extension
375.6 and fails to comply by August 15, the commissioner may impose a civil fine of \$1,000 on
375.7 the owner. The commissioner may by rule increase the civil fine to adjust for inflation.

375.8 Subd. 17. **Recovery of expenses.** The commission shall allow a public utility to recover
375.9 reasonable and prudent expenses of implementing this section under section 216B.16,
375.10 subdivision 6b. The costs and benefits associated with implementing this section may, at
375.11 the discretion of the utility, be excluded from the calculation of net economic benefits for
375.12 purposes of calculating the financial incentive to the public utility under section 216B.16,
375.13 subdivision 6c. The energy and demand savings may, at the discretion of the public utility,
375.14 be applied toward the calculation of overall portfolio energy and demand savings for purposes
375.15 of determining progress toward annual goals under section 216B.241, subdivision 1c, and
375.16 in the financial incentive mechanism under section 216B.16, subdivision 6c.

375.17 **EFFECTIVE DATE.** This section is effective the day following final enactment, except
375.18 that subdivision 15 is effective June 15, 2026.

375.19 **Sec. 35. [216C.374] ELECTRIC SCHOOL BUS DEPLOYMENT PROGRAM.**

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

375.22 (b) "Battery exchange station" means a physical location deploying equipment that
375.23 enables a used electric vehicle battery to be removed and exchanged for a fully charged
375.24 electric vehicle battery.

375.25 (c) "Electric school bus" means an electric vehicle: (1) designed to carry a driver and
375.26 more than ten passengers; and (2) primarily used to transport preprimary, primary, and
375.27 secondary students.

375.28 (d) "Electric utility" means any utility that provides wholesale or retail electric service
375.29 to customers in Minnesota.

375.30 (e) "Electric vehicle" has the meaning given in section 169.011, subdivision 26a.

375.31 (f) "Electric vehicle charging station" means a physical location deploying equipment
375.32 that provides electricity to charge a battery in an electric vehicle.

376.1 (g) "Electric vehicle infrastructure" means electric vehicle charging stations and any
376.2 associated electric panels, machinery, equipment, and infrastructure necessary for an electric
376.3 utility to supply electricity to an electric vehicle charging station and to support electric
376.4 vehicle operation.

376.5 (h) "Electric vehicle service provider" means an organization that installs, maintains, or
376.6 otherwise services a battery exchange station, electric vehicle infrastructure, or electric
376.7 vehicle charging stations.

376.8 (i) "Eligible applicant" means a school district or an electric utility, electric vehicle
376.9 service provider, or transportation service provider applying for a grant under this section
376.10 on behalf of a school district.

376.11 (j) "Federal vehicle electrification grants" means grants that fund electric school buses
376.12 or electric vehicle infrastructure under the federal Infrastructure Investment and Jobs Act,
376.13 Public Law 117-58, or the Inflation Reduction Act of 2022, Public Law 117-169.

376.14 (k) "Poor air quality" means:

376.15 (1) ambient air levels that air monitoring data reveals approach or exceed state or federal
376.16 air quality standards or chronic health inhalation risk benchmarks for total suspended
376.17 particulates, particulate matter less than ten microns wide (PM-10), particulate matter less
376.18 than 2.5 microns wide (PM-2.5), sulfur dioxide, or nitrogen dioxide; or

376.19 (2) areas in which levels of asthma among children significantly exceed the statewide
376.20 average.

376.21 (l) "Prioritized school district" means:

376.22 (1) a school district listed in the Small Area Income and Poverty Estimates School
376.23 District Estimates as having 7.5 percent or more students living in poverty based on the
376.24 most recent decennial U.S. census;

376.25 (2) a school district identified with locale codes "43-Rural: Remote" and "42-Rural:
376.26 Distant" by the National Center for Education Statistics;

376.27 (3) a school district funded by the Bureau of Indian Affairs; or

376.28 (4) a school district that receives basic support payments under United States Code, title
376.29 20, section 7703(b)(1), for children who reside on Indian land.

376.30 (m) "School" means a school that operates as part of an independent or special school
376.31 district.

376.32 (n) "School bus" has the meaning given in section 169.011, subdivision 71.

377.1 (o) "School district" means:

377.2 (1) an independent school district, as defined in section 120A.05, subdivision 10; or

377.3 (2) a special school district, as defined in section 120A.05, subdivision 14.

377.4 (p) "Transportation service provider" means a person that has a contract with a school
377.5 district to transport students to and from school.

377.6 Subd. 2. **Establishment; purpose.** An electric school bus deployment program is
377.7 established in the department. The purpose of the program is to provide grants to accelerate
377.8 the deployment of electric school buses by school districts and to encourage schools to use
377.9 vehicle electrification as a teaching tool that can be integrated into the school's curriculum.

377.10 Subd. 3. **Establishment of account.** An electric school bus program account is established
377.11 as a separate account in the special revenue fund in the state treasury. The commissioner
377.12 shall credit to the account appropriations and transfers to the account. Earnings, including
377.13 interest, dividends, and any other earnings arising from assets of the account, must be
377.14 credited to the account. Money in the account at the end of a fiscal year does not cancel to
377.15 the general fund but remains available in the account until June 30, 2027. The commissioner
377.16 shall manage the account.

377.17 Subd. 4. **Appropriation; expenditures.** Money in the account is appropriated to the
377.18 commissioner and must be used only:

377.19 (1) for grant awards made under this section; and

377.20 (2) to pay the reasonable costs incurred by the department to administer this section,
377.21 including the cost of providing technical assistance to eligible applicants, including but not
377.22 limited to grant writing assistance for applications for federal vehicle electrification grants
377.23 under subdivision 6, paragraph (c).

377.24 Subd. 5. **Eligible grant expenditures.** A grant awarded under this section may be used
377.25 only to pay:

377.26 (1) a school district or transportation service provider to purchase one or more electric
377.27 school buses, or convert or repower fossil-fuel-powered school buses to be powered by
377.28 electricity;

377.29 (2) up to 75 percent of the cost a school district or transportation service provider incurs
377.30 to purchase one or more electric school buses, or to convert or repower fossil-fuel-powered
377.31 school buses to be powered by electricity;

378.1 (3) for prioritized school districts, up to 95 percent of the cost a school district or
378.2 transportation service provider incurs to purchase one or more electric school buses, or to
378.3 convert or repower fossil-fuel-powered school buses to be powered by electricity;

378.4 (4) up to 75 percent of the cost of deploying, on the school district or transportation
378.5 service provider's real property, infrastructure required to operate electric school buses,
378.6 including but not limited to battery exchange stations, electric vehicle infrastructure, or
378.7 electric vehicle charging stations;

378.8 (5) for prioritized school districts, up to 95 percent of the cost of deploying, on the school
378.9 district or transportation service provider's real property, infrastructure required to operate
378.10 electric school buses, including but not limited to battery exchange stations, electric vehicle
378.11 infrastructure, or electric vehicle charging stations; and

378.12 (6) the reasonable costs of technical assistance related to electric school bus deployment
378.13 program planning and to prepare grant applications for federal vehicle electrification grants.

378.14 Subd. 6. **Application process.** (a) The commissioner must develop administrative
378.15 procedures governing the application and grant award process.

378.16 (b) The commissioner must issue a request for proposals to eligible applicants who may
378.17 wish to apply for a grant under this section on behalf of a school.

378.18 (c) An eligible applicant must submit an application for an electric school bus deployment
378.19 grant to the commissioner on a form prescribed by the commissioner. The form must require
378.20 an applicant to supply, at a minimum, the following information:

378.21 (1) the number of and a description of the electric school buses the school district or
378.22 transportation service provider intends to purchase;

378.23 (2) the total cost to purchase the electric school buses and the incremental cost, if any,
378.24 of the electric school buses when compared with fossil-fuel-powered school buses;

378.25 (3) a copy of the proposed contract agreement between the school district, the electric
378.26 utility, the electric vehicle service provider, or the transportation service provider that
378.27 includes provisions addressing responsibility for maintenance of the electric school buses
378.28 and related electric vehicle infrastructure and battery exchange stations;

378.29 (4) whether the school district is a prioritized school district;

378.30 (5) areas of the school district that serve significant numbers of students eligible for free
378.31 and reduced-price school meals, and areas that disproportionately experience poor air quality,
378.32 as measured by indicators such as the Minnesota Pollution Control Agency's air quality

379.1 monitoring network, the Minnesota Department of Health's air quality and health monitoring,
379.2 or other relevant indicators;

379.3 (6) the school district's plan to prioritize the deployment of electric school buses in areas
379.4 of the school district that:

379.5 (i) serve students eligible for free and reduced-price school meals;

379.6 (ii) experience disproportionately poor air quality; or

379.7 (iii) are located within environmental justice areas, as defined in section 216B.1691,
379.8 subdivision 1, paragraph (e);

379.9 (7) the school district's plan, if any, to make the electric school buses serve as a visible
379.10 learning tool for students, teachers, and visitors to the school, including how vehicle
379.11 electrification may be integrated into the school district's curriculum;

379.12 (8) information that demonstrates the school district's level of need for financial assistance
379.13 available under this section;

379.14 (9) any federal vehicle electrification grants awarded to or applied for by the eligible
379.15 applicant for the same electric school buses or electric vehicle infrastructure proposed by
379.16 the eligible applicant in a grant application made under this section;

379.17 (10) information that demonstrates the school district's readiness to implement the project
379.18 and to operate the electric school buses for no less than five years;

379.19 (11) whether the electric utility or electric vehicle service provider will deploy electric
379.20 vehicle infrastructure on the school district's or transportation service provider's property,
379.21 and if so, the willingness and ability of the electric vehicle service provider or the electric
379.22 utility to:

379.23 (i) pay employees and contractors a prevailing wage rate, as defined in section 177.42,
379.24 subdivision 6; and

379.25 (ii) comply with section 177.43; and

379.26 (12) any other information deemed relevant by the commissioner.

379.27 (d) An eligible applicant may seek a technical assistance grant under this section to assist
379.28 the eligible applicant apply for federal vehicle electrification grants. An eligible applicant
379.29 seeking a technical assistance grant under this section must submit an application to the
379.30 commissioner on behalf of a school district on a form prescribed by the commissioner. The
379.31 form must include, at a minimum, the following information:

380.1 (1) the names of the federal programs to which the applicant intends to apply;

380.2 (2) a description of the technical assistance the applicants need in order to complete the
380.3 federal application; and

380.4 (3) any other information deemed relevant by the commissioner.

380.5 (e) The commissioner must administer an open application process under this section
380.6 at least twice annually.

380.7 Subd. 7. **Technical assistance.** The department must provide technical assistance to
380.8 school districts to develop and execute projects applied for or funded by grants awarded
380.9 under this section.

380.10 Subd. 8. **Grant awards.** (a) In awarding grants under this section, the commissioner
380.11 must give priority to applications from or on behalf of prioritized school districts, and must
380.12 endeavor to award no less than 40 percent of the total amount of grants awarded under this
380.13 section to prioritized school districts.

380.14 (b) In making grant awards under this section, the amount of the grant must be based
380.15 on the commissioner's assessment of the school district's need for financial assistance.

380.16 (c) A grant awarded under this section, when combined with any federal vehicle
380.17 electrification grants obtained by an eligible applicant for the same electric school buses or
380.18 electric vehicle infrastructure as proposed by the eligible applicant in a grant application
380.19 made under this section, must not exceed the total cost of the electric school buses or electric
380.20 vehicle infrastructure funded by the grant.

380.21 Subd. 9. **Application deadline.** No application may be submitted under this section
380.22 after December 31, 2026.

380.23 Subd. 10. **Reporting.** Beginning January 15, 2024, and each year thereafter until January
380.24 15, 2028, the commissioner must report to the chairs and ranking minority members of the
380.25 legislative committees with jurisdiction over energy regarding:

380.26 (1) grants and amounts awarded to school districts under this section during the previous
380.27 year; and

380.28 (2) any remaining balance available in the electric school bus program account.

380.29 Subd. 11. **Cost recovery.** (a) A prudent and reasonable investment on electric vehicle
380.30 infrastructure installed on a school district's real property that is made by a public utility
380.31 may be placed in the public utility's rate base and earn a rate of return determined by the
380.32 commission.

381.1 (b) Notwithstanding any other provision of this chapter, the commission may approve
 381.2 a tariff mechanism to automatically adjust annual charges for prudent and reasonable
 381.3 investments made by a public utility on electric vehicle infrastructure installed on a school
 381.4 district's real property.

381.5 Sec. 36. Minnesota Statutes 2022, section 216C.375, is amended to read:

381.6 **216C.375 SOLAR FOR SCHOOLS PROGRAM.**

381.7 Subdivision 1. **Definitions.** (a) For the purposes of this section ~~and section 216C.376,~~
 381.8 the following terms have the meanings given them.

381.9 (b) "Developer" means an entity that installs a solar energy system on a school building
 381.10 that has been awarded a grant under this section.

381.11 (c) "Electricity expenses" means expenses associated with:

381.12 (1) purchasing electricity from a utility; or

381.13 (2) purchasing and installing a solar energy system, including financing and power
 381.14 purchase agreement payments, operation and maintenance contract payments, and interest
 381.15 charges.

381.16 ~~(e)~~ (d) "Photovoltaic device" has the meaning given in section 216C.06, subdivision 16.

381.17 ~~(d)~~ (e) "School" means:

381.18 (1) a school that operates as part of ~~an independent or special~~ a school district;

381.19 (2) a Tribal contract school; or

381.20 ~~(2)~~ (3) a state college or university that is under the jurisdiction of the Board of Trustees
 381.21 of the Minnesota State Colleges and Universities.

381.22 ~~(e)~~ (f) "School district" means:

381.23 (1) an independent ~~or~~ school district, as defined in section 120A.05, subdivision 10;

381.24 (2) a special school district, as defined in section 120A.05, subdivision 14; or

381.25 (3) a cooperative unit, as defined in section 123A.24, subdivision 2.

381.26 ~~(f)~~ (g) "Solar energy system" means photovoltaic or solar thermal devices.

381.27 ~~(g)~~ (h) "Solar thermal" has the meaning given to "qualifying solar thermal project" in
 381.28 section 216B.2411, subdivision 2, paragraph (d).

382.1 ~~(h)~~ (i) "State colleges and universities" has the meaning given in section 136F.01,
382.2 subdivision 4.

382.3 Subd. 2. **Establishment; purpose.** A solar for schools program is established in the
382.4 Department of Commerce. The purpose of the program is to provide grants to stimulate the
382.5 installation of solar energy systems on or adjacent to school buildings by reducing the ~~cost~~
382.6 school's electricity expenses, and to enable schools to use the solar energy system as a
382.7 teaching tool that can be integrated into the school's curriculum.

382.8 Subd. 3. **Establishment of account.** A solar for schools program account is established
382.9 in the special revenue fund. Money received from the general fund and from the renewable
382.10 development account established under section 116C.779, subdivision 1, must be transferred
382.11 to the commissioner of commerce and credited to the account. The account consists of
382.12 money received from the general fund and the renewable development account, provided
382.13 by law, donated, allocated, transferred, or otherwise provided to the account. Earnings,
382.14 including interest, dividends, and any other earnings arising from the assets of the account,
382.15 must be credited to the account. Except as otherwise provided in this paragraph, money
382.16 deposited in the account remains in the account until expended. Any money that remains
382.17 in the account on June 30, ~~2027~~ 2034, cancels to the general fund.

382.18 Subd. 4. **Appropriation; expenditures.** (a) Money in the account is appropriated to the
382.19 commissioner and may be used only:

382.20 (1) for grant awards made under this section; and

382.21 (2) to pay the reasonable costs incurred by the department to administer this section.

382.22 (b) Grant awards made with funds ~~in the account~~ from the general fund must be used
382.23 only for grants for solar energy systems installed on or adjacent to school buildings receiving
382.24 retail electric service from a utility that is not subject to section 116C.779, subdivision 1.

382.25 (c) Grant awards made with funds from the renewable development account must be
382.26 used only for grants for solar energy systems installed on or adjacent to school buildings
382.27 receiving retail electric service from a utility that is subject to section 116C.779, subdivision
382.28 1.

382.29 Subd. 5. **Eligible system.** (a) A grant may be awarded to a school under this section
382.30 only if the school building is owned by the grantee and the solar energy system that is the
382.31 subject of the grant:

383.1 (1) is installed on or adjacent to the school building that consumes the electricity generated
383.2 by the solar energy system, on property within the service territory of the utility currently
383.3 providing electric service to the school building;

383.4 (2) if installed on or adjacent to a school building receiving retail electric service from
383.5 a utility that is not subject to section 116C.779, subdivision 1, has a capacity that does not
383.6 exceed the lesser of: (i) 40 kilowatts alternating current or, with the consent of the
383.7 interconnecting electric utility, up to 1,000 kilowatts alternating current; or (ii) 120 percent
383.8 of the estimated annual electricity consumption of the school building at which the solar
383.9 energy system is installed; and

383.10 (3) if installed on or adjacent to a school building receiving retail electric service from
383.11 a utility that is subject to section 116C.779, subdivision 1, has a capacity that does not
383.12 exceed the lesser of 1,000 kilowatts alternating current or 120 percent of the estimated
383.13 annual electricity consumption of the school building at which the solar energy system is
383.14 installed;

383.15 (4) has real-time and cumulative display devices, located in a prominent location
383.16 accessible to students and the public, that indicate the system's electrical performance.

383.17 (b) A school that receives a rebate or other financial incentive under section 216B.241
383.18 for a solar energy system and that demonstrates considerable need for financial assistance,
383.19 as determined by the commissioner, is eligible for a grant under this section for the same
383.20 solar energy system.

383.21 **Subd. 6. Application process.** (a) The commissioner must issue a request for proposals
383.22 to utilities, schools, and developers who may wish to apply for a grant under this section
383.23 on behalf of a school.

383.24 (b) A utility or developer must submit an application to the commissioner on behalf of
383.25 a school on a form prescribed by the commissioner. The form must include, at a minimum,
383.26 the following information:

383.27 (1) the capacity of the proposed solar energy system and the amount of electricity that
383.28 is expected to be generated;

383.29 (2) the current energy demand of the school building on which the solar energy generating
383.30 system is to be installed and information regarding any distributed energy resource, including
383.31 subscription to a community solar garden, that currently provides electricity to the school
383.32 building;

383.33 (3) a description of any solar thermal devices proposed as part of the solar energy system;

384.1 (4) the total cost to purchase and install the solar energy system and the solar energy
384.2 system's lifecycle cost, including removal and disposal at the end of the system's life;

384.3 (5) a copy of the proposed contract agreement between the school and the ~~public~~ utility
384.4 to which the solar energy system is interconnected or the developer that includes provisions
384.5 addressing responsibility for maintenance of the solar energy system;

384.6 (6) the school's plan to make the solar energy system serve as a visible learning tool for
384.7 students, teachers, and visitors to the school, including how the solar energy system may
384.8 be integrated into the school's curriculum and provisions for real-time monitoring of the
384.9 solar energy system performance for display in a prominent location within the school or
384.10 on-demand in the classroom;

384.11 (7) information that demonstrates the school's level of need for financial assistance
384.12 available under this section;

384.13 (8) information that demonstrates the school's readiness to implement the project,
384.14 including but not limited to the availability of the site on which the solar energy system is
384.15 to be installed and the level of the school's engagement with the utility providing electric
384.16 service to the school building on which the solar energy system is to be installed on issues
384.17 relevant to the implementation of the project, including metering and other issues;

384.18 (9) with respect to the installation and operation of the solar energy system, the
384.19 willingness and ability of the developer or the public utility to:

384.20 (i) pay employees and contractors a prevailing wage rate, as defined in section 177.42,
384.21 subdivision 6; and

384.22 (ii) adhere to the provisions of section 177.43;

384.23 (10) ~~how the developer or public utility plans to reduce the school's initial capital expense~~
384.24 ~~to purchase and install~~ projected reductions in electricity expenses resulting from purchasing
384.25 and installing the solar energy system by providing financial assistance to the school; and

384.26 (11) any other information deemed relevant by the commissioner.

384.27 (c) The commissioner must administer an open application process under this section
384.28 at least twice annually.

384.29 (d) The commissioner must develop administrative procedures governing the application
384.30 and grant award process.

384.31 (e) The school, the developer, or the utility to which the solar energy generating system
384.32 is interconnected must annually submit to the commissioner on a form prescribed by the

385.1 commissioner a report containing the following information for each of the 12 previous
385.2 months:

- 385.3 (1) the total number of kilowatt-hours of electricity consumed by the school;
385.4 (2) the total number of kilowatt-hours generated by the solar energy generating system;
385.5 (3) the amount paid by the school to its utility for electricity; and
385.6 (4) any other information requested by the commissioner.

385.7 Subd. 7. **Energy conservation review.** At the commissioner's request, a school awarded
385.8 a grant under this section ~~shall~~ must provide the commissioner information regarding energy
385.9 conservation measures implemented at the school building at which the solar energy system
385.10 is installed. The commissioner may make recommendations to the school regarding
385.11 cost-effective conservation measures it can implement and may provide technical assistance
385.12 and direct the school to available financial assistance programs.

385.13 Subd. 8. **Technical assistance.** The commissioner must provide technical assistance to
385.14 schools to develop and execute projects under this section.

385.15 Subd. 9. **Grant payments.** The commissioner must award a grant from the account
385.16 established under subdivision 3 to a school for the necessary costs associated with the
385.17 purchase and installation of a solar energy system. The amount of the grant must be based
385.18 on the commissioner's assessment of the school's need for financial assistance.

385.19 Subd. 10. **Application deadline.** No application may be submitted under this section
385.20 after December 31, ~~2025~~ 2032.

385.21 Subd. 11. **Reporting.** Beginning January 15, 2022, and each year thereafter until January
385.22 15, ~~2028~~ 2035, the commissioner must report to the chairs and ranking minority members
385.23 of the legislative committees with jurisdiction over energy regarding: (1) grants and amounts
385.24 awarded to schools under this section during the previous year; ~~(2) financial assistance,~~
385.25 ~~including amounts per award, provided to schools under section 216C.376 during the~~
385.26 ~~previous year; and (3) any remaining balances available under this section and section~~
385.27 ~~216C.376.~~ (2) the amount of electricity generated by solar energy generating systems awarded
385.28 a grant under this section; and (3) the impact on school electricity expenses.

385.29 Subd. 12. **Renewable energy credits.** Renewable energy credits associated with the
385.30 electricity generated by a solar energy generating system installed under this section in the
385.31 electric service area of a public utility subject to section 116C.779 are the property of the
385.32 public utility for the life of the solar energy generating system.

386.1 **Sec. 37. [216C.377] SOLAR GRANT PROGRAM; PUBLIC BUILDINGS.**

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

386.4 (b) "Cooperative electric association" means a cooperative association organized under
386.5 chapter 308A for the purpose of providing rural electrification at retail.

386.6 (c) "Developer" means an entity that installs and may own, maintain, or decommission
386.7 a solar energy generating system on a public building awarded a grant under this section.

386.8 (d) "Local unit of government" means:

386.9 (1) a county, statutory or home rule charter city, town, or other local government
386.10 jurisdiction, excluding a school district eligible to receive financial assistance under section
386.11 216C.375; or

386.12 (2) a federally recognized Indian Tribe in Minnesota.

386.13 (e) "Municipal electric utility" means a utility that (1) provides electric service to retail
386.14 customers in Minnesota, and (2) is governed by a city council or a local utilities commission.

386.15 (f) "Public building" means:

386.16 (1) a building owned and operated by a local unit of government; or

386.17 (2) a building owned by a federally recognized Indian Tribe in Minnesota whose primary
386.18 purpose is Tribal government operations.

386.19 (g) "Solar energy generating system" has the meaning given in section 216E.01,
386.20 subdivision 9a.

386.21 Subd. 2. **Establishment; purpose.** A solar on public buildings grant program is
386.22 established in the department. The purpose of the program is to provide grants to stimulate
386.23 the installation of solar energy generating systems on public buildings.

386.24 Subd. 3. **Establishment of account.** A solar on public buildings grant program account
386.25 is established in the special revenue fund. Money received from the general fund and the
386.26 renewable development account established in section 116C.779, subdivision 1, must be
386.27 transferred to the commissioner of commerce and credited to the account. Earnings, including
386.28 interest, dividends, and any other earnings arising from the assets of the account, must be
386.29 credited to the account. Earnings remaining in the account at the end of a fiscal year do not
386.30 cancel to the general fund or renewable development account but remain in the account
386.31 until expended. The commissioner must manage the account.

387.1 Subd. 4. **Appropriation; expenditures.** Money in the account established under
387.2 subdivision 3 is appropriated to the commissioner for the purposes of this section and must
387.3 be used only:

387.4 (1) for grant awards made under this section; and

387.5 (2) to pay the reasonable costs of the department to administer this section.

387.6 Subd. 5. **Eligible system.** (a) A grant may be awarded to a local unit of government
387.7 under this section only if the solar energy generating system that is the subject of the grant:

387.8 (1) is installed (i) on or adjacent to a public building that consumes the electricity
387.9 generated by the solar energy generating system, and (ii) on property within the service
387.10 territory of the utility currently providing electric service to the public building; and

387.11 (2) has a capacity that does not exceed the lesser of 40 kilowatts or 120 percent of the
387.12 average annual electricity consumption, measured over the most recent three calendar years,
387.13 of the public building at which the solar energy generating system is installed.

387.14 (b) A public building that receives a rebate or other financial incentive under section
387.15 216B.241 for a solar energy generating system is eligible for a grant under this section for
387.16 the same solar energy generating system.

387.17 (c) Before filing an application for a grant under this section, a local unit of government
387.18 or public building that is served by a municipal electric utility or cooperative electric
387.19 association must inform the municipal electric utility or cooperative electric association of
387.20 the local unit of government's or public building's intention to do so. A municipal electric
387.21 utility may, under an agreement with a local unit of government, own and operate a solar
387.22 energy generating system awarded a grant under this section on behalf of and for the benefit
387.23 of the local unit of government.

387.24 Subd. 6. **Application process.** (a) The commissioner must issue a request for proposals
387.25 to local units of government who may wish to apply for a grant under this section on behalf
387.26 of a public building.

387.27 (b) A local unit of government must submit an application to the commissioner on behalf
387.28 of a public building on a form prescribed by the commissioner. The form must include, at
387.29 a minimum, the following information:

387.30 (1) the capacity of the proposed solar energy generating system and the amount of
387.31 electricity that is projected to be generated;

388.1 (2) the current energy demand of the public building on which the solar energy generating
388.2 system is to be installed, information regarding any distributed energy resource that currently
388.3 provides electricity to the public building, and the size of the public building's subscription
388.4 to a community solar garden, if applicable;

388.5 (3) information sufficient to estimate the energy and monetary savings that are projected
388.6 to result from installation of the solar energy generating system over the system's useful
388.7 life;

388.8 (4) the total cost to purchase and install the solar energy generating system and the solar
388.9 energy generating system's life cycle cost, including removal and disposal after
388.10 decommissioning;

388.11 (5) a copy of the proposed contract agreement between the local unit of government and
388.12 the utility or developer that includes provisions addressing responsibility for maintenance,
388.13 removal, and disposal of the solar energy generating system; and

388.14 (6) a written statement from the interconnecting utility that no issues that would prevent
388.15 interconnection of the solar energy generating system as proposed are foreseen.

388.16 (c) The commissioner must administer an open application process under this section
388.17 at least twice annually.

388.18 (d) The commissioner must develop administrative procedures governing the application
388.19 and grant award process under this section.

388.20 Subd. 7. **Energy conservation review.** At the commissioner's request, a local unit of
388.21 government awarded a grant under this section must provide the commissioner with
388.22 information regarding energy conservation measures implemented at the public building
388.23 where the solar energy generating system is to be installed. The commissioner may make
388.24 recommendations to the local unit of government regarding cost-effective conservation
388.25 measures the local unit of government can implement and may provide technical assistance
388.26 and direct the local unit of government to available financial assistance programs.

388.27 Subd. 8. **Technical assistance.** The commissioner must provide technical assistance to
388.28 local units of government to develop and execute projects under this section.

388.29 Subd. 9. **Grant payments.** The commissioner must award a grant from the account
388.30 established under subdivision 3 to a local unit of government for the necessary and reasonable
388.31 costs associated with the purchase and installation of a solar energy generating system. In
388.32 determining the amount of a grant award, the commissioner shall take into consideration
388.33 the financial capacity of the local unit of government awarded the grant.

389.1 Subd. 10. **Application deadline.** An application must not be submitted under this section
389.2 after June 30, 2026.

389.3 Subd. 11. **Contractor conditions.** A contractor or subcontractor performing construction
389.4 work on a project supported by a grant awarded under this section:

389.5 (1) must pay employees working on the project no less than the prevailing wage rate,
389.6 as defined in section 177.42; and

389.7 (2) is subject to the requirements and enforcement provisions of sections 177.27, 177.30,
389.8 177.32, 177.41 to 177.435, and 177.45.

389.9 Subd. 12. **Forfeited income.** (a) The utility to which a solar energy generating system
389.10 awarded a grant under this section is interconnected must calculate the amount of net income
389.11 accruing to the local unit of government annually as a result of the operation of the solar
389.12 energy generating system, whether in the form of cash payments or electricity bill credits,
389.13 and report that amount to the local unit of government no later than February 1.

389.14 (b) Any net income accruing to a local unit of government as calculated under paragraph
389.15 (a) must be forfeited to the utility by the local unit of government.

389.16 Subd. 13. **Reporting.** Beginning January 15, 2025, and each year thereafter until January
389.17 15, 2027, the commissioner must report to the chairs and ranking minority members of the
389.18 legislative committees with jurisdiction over energy finance and policy regarding grants
389.19 and amounts awarded to local units of government under this section during the previous
389.20 year and any remaining balances available in the account established under this section.

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

389.22 Sec. 38. **[216C.378] DISTRIBUTED ENERGY RESOURCES SYSTEM UPGRADE**
389.23 **PROGRAM.**

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

389.26 (b) "Capacity constrained location" means a location on an electric utility's distribution
389.27 system that the utility has reasonably determined requires significant distribution or network
389.28 upgrades before additional distributed energy resources can interconnect.

389.29 (c) "DER Technical Planning Standard" means an engineering practice that limits the
389.30 total aggregate distributed energy resource capacity that may interconnect to a particular
389.31 location on the utility's distribution system.

390.1 (d) "Distributed energy resources" means distributed generation, as defined in section
390.2 216B.164, and energy storage systems, as defined in section 216B.2422.

390.3 (e) "Distribution upgrades" means the additions, modifications, and upgrades made to
390.4 an electric utility's distribution system to facilitate interconnection of distributed energy
390.5 resources.

390.6 (f) "Interconnection" means the process governed by the Minnesota Distributed Energy
390.7 Resources Interconnection Process and Agreement, as approved in the Minnesota Public
390.8 Utilities Commission's order issued April 19, 2019, or the Minnesota Distributed Energy
390.9 Resources Interconnection Process most recently approved by the commission.

390.10 (g) "Net metered facility" has the meaning given in section 216B.164.

390.11 (h) "Network upgrades" means additions, modifications, and upgrades to the transmission
390.12 system required at or beyond the point at which the distributed energy resource interconnects
390.13 with an electric utility's distribution system to accommodate the interconnection of the
390.14 distributed energy resource with the electric utility's distribution system. Network upgrades
390.15 do not include distribution upgrades.

390.16 Subd. 2. **Establishment; purpose.** A distributed energy resources system upgrade
390.17 program is established in the department. The purpose of the program is to provide funding
390.18 to the utility subject to section 116C.779 to complete infrastructure investments necessary
390.19 to enable electricity customers to interconnect distributed energy resources. The program
390.20 must be designed to achieve the following goals to the maximum extent feasible:

390.21 (1) make upgrades at capacity constrained locations on the utility's distribution system
390.22 that maximize the number and capacity of distributed energy resources projects with a
390.23 capacity of up to 40 kilowatts alternating current that can be interconnected sufficient to
390.24 serve projected demand;

390.25 (2) enable all distributed energy resources projects with a nameplate capacity of up to
390.26 40 kilowatts alternating current to be reviewed and approved by the utility within 43 business
390.27 days;

390.28 (3) minimize interconnection barriers for electricity customers seeking to construct net
390.29 metered facilities for on-site electricity use; and

390.30 (4) advance innovative solutions that can minimize the cost of distribution and network
390.31 upgrades required for interconnection, including but not limited to energy storage, control
390.32 technologies, smart inverters, distributed energy resources management systems, and other
390.33 innovative technologies and programs.

391.1 Subd. 3. **Required plan.** (a) By November 1, 2023, the utility subject to section 116C.779
391.2 must file with the commissioner a plan for the distributed energy resources system upgrade
391.3 program. The plan must contain, at a minimum:

391.4 (1) a description of how the utility proposes to use money in the distributed energy
391.5 resources system upgrade program account to upgrade the utility's distribution system to
391.6 maximize the number and capacity of distributed energy resources that can be interconnected
391.7 sufficient to serve projected demand;

391.8 (2) the locations where the utility proposes to make investments under the program;

391.9 (3) the number and capacity of distributed energy resources projects the utility expects
391.10 to interconnect as a result of the program;

391.11 (4) a plan for reporting on the program's outcomes; and

391.12 (5) any additional information required by the commissioner.

391.13 (b) The utility subject to section 116C.779 is prohibited from implementing the program
391.14 until the commissioner approves the plan submitted under this subdivision. No later than
391.15 March 31, 2024, the commissioner must approve a plan under this subdivision that the
391.16 commissioner determines is in the public interest. Any proposed modifications to the plan
391.17 approved under this subdivision must be approved by the commissioner.

391.18 Subd. 4. **Project priorities.** When developing the plan required under subdivision 3,
391.19 the utility must prioritize making investments:

391.20 (1) at capacity constrained locations on the distribution grid;

391.21 (2) in communities with demonstrated customer interest in distributed energy resources,
391.22 as measured by anticipated, pending, and completed interconnection applications; and

391.23 (3) in communities with a climate action plan, clean energy goal, or policies that:

391.24 (i) seek to mitigate the impacts of climate change on the city; or

391.25 (ii) reduce the city's contributions to the causes of climate change.

391.26 Subd. 5. **Eligible costs.** The commissioner may pay the following reasonable costs of
391.27 the utility subject to section 116C.779 under a plan approved in accordance with subdivision
391.28 3 from money available in the distributed energy resources system upgrade program account:

391.29 (1) distribution upgrades and network upgrades;

392.1 (2) energy storage; control technologies, including but not limited to a distributed energy
392.2 resources management system; or other innovative technology used to achieve the purposes
392.3 of this section; and

392.4 (3) pilot programs operated by the utility to implement innovative technology solutions.

392.5 Subd. 6. **Capacity reserved.** The utility subject to section 116C.779 must reserve any
392.6 increase in the DER Technical Planning Standard made available by upgrades paid for under
392.7 this section for net metered facilities and distributed energy resources with a nameplate
392.8 capacity of up to 40 kilowatts alternating current. The commissioner may modify the
392.9 requirements of this subdivision when the commissioner finds doing so is in the public
392.10 interest.

392.11 Subd. 7. **Establishment of account.** (a) A distributed energy resources system upgrade
392.12 program account is established in the special revenue fund. The account consists of money
392.13 provided by law, and any other money donated, allotted, transferred, or otherwise provided
392.14 to the account. Earnings, including interest, dividends, and any other earnings arising from
392.15 the assets of the account, must be credited to the account. Earnings remaining in the account
392.16 at the end of a fiscal year do not cancel to the general fund or renewable development
392.17 account but remain in the account until expended.

392.18 (b) Money from the account is appropriated to the commissioner to review plans, award
392.19 grants, and pay the reasonable costs of the department to administer this section.

392.20 Subd. 8. **Reporting of certain incidents.** The utility subject to section 116C.779 must
392.21 report to the commissioner within 60 days if any distributed energy resources project with
392.22 a capacity of up to 40 kilowatts alternating current is unable to interconnect due to safety,
392.23 reliability, or the cost of distribution or network upgrades required at a location for which
392.24 upgrade funding was provided under this program. The utility must make available to the
392.25 commissioner all engineering analyses, studies, and information related to any such instances.
392.26 The commissioner may modify or waive this requirement after December 31, 2025.

392.27 Sec. 39. **[216C.379] ENERGY STORAGE INCENTIVE PROGRAM.**

392.28 (a) The public utility subject to section 116C.779 must develop and operate a program
392.29 to provide a grant to customers to reduce the cost to purchase and install an on-site energy
392.30 storage system, as defined in section 216B.2422, subdivision 1, paragraph (f). The public
392.31 utility subject to this section must file a plan with the commissioner to operate the program
392.32 no later than November 1, 2023. The public utility must not operate the program until the

393.1 program is approved by the commissioner. Any change to an operating program must be
393.2 approved by the commissioner.

393.3 (b) In order to be eligible to receive a grant under this section, an energy storage system
393.4 must:

393.5 (1) have a capacity no greater than 50 kilowatt hours; and

393.6 (2) be located within the electric service area of the public utility subject to this section.

393.7 (c) An owner of an energy storage system is eligible to receive a grant under this section
393.8 if:

393.9 (1) a solar energy generating system is operating at the same site as the proposed energy
393.10 storage system; or

393.11 (2) the owner has filed an application with the public utility subject to this section to
393.12 interconnect a solar energy generating system at the same site as the proposed energy storage
393.13 system.

393.14 (d) The amount of a grant awarded under this section must be based on the number of
393.15 watt-hours that reflects the duration of the energy storage system at the system's rated
393.16 capacity, up to a maximum of \$5,000.

393.17 (e) The commissioner must annually review and may adjust the amount of grants awarded
393.18 under this section, but must not increase the amount over that awarded in previous years
393.19 unless the commissioner demonstrates in writing that an upward adjustment is warranted
393.20 by market conditions.

393.21 (f) A customer who receives a grant under this section is eligible to receive financial
393.22 assistance under programs operated by the state or the public utility for the solar energy
393.23 generating system operating in conjunction with the energy storage system.

393.24 (g) For the purposes of this section, "solar energy generating system" has the meaning
393.25 given in section 216E.01, subdivision 9a.

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

393.27 Sec. 40. **[216C.401] ELECTRIC VEHICLE REBATES.**

393.28 Subdivision 1. **Definitions.** (a) For purposes of this section and section 216C.402, the
393.29 terms in this subdivision have the meanings given.

393.30 (b) "Dealer" means a person, firm, or corporation that:

393.31 (1) possesses a new motor vehicle license under chapter 168;

394.1 (2) regularly engages in the business of manufacturing or selling, purchasing, and
394.2 generally dealing in new and unused motor vehicles;

394.3 (3) has an established place of business to sell, trade, and display new and unused motor
394.4 vehicles; and

394.5 (4) possesses new and unused motor vehicles to sell or trade the motor vehicles.

394.6 (c) "Electric vehicle" has the meaning given in section 169.011, subdivision 26a,
394.7 paragraphs (a) and (b), clause (3).

394.8 (d) "Eligible new electric vehicle" means an electric vehicle that meets the requirements
394.9 of subdivision 2, paragraph (a).

394.10 (e) "Eligible used electric vehicle" means an electric vehicle that meets the requirements
394.11 of subdivision 2, paragraph (b).

394.12 (f) "Lease" means a business transaction under which a dealer furnishes an eligible
394.13 electric vehicle to a person for a fee under a bailor-bailee relationship where no incidences
394.14 of ownership are transferred other than the right to use the vehicle for a term of at least 24
394.15 months.

394.16 (g) "Lessee" means a person who leases an eligible electric vehicle from a dealer.

394.17 (h) "New eligible electric vehicle" means an eligible electric vehicle that has not been
394.18 registered in any state.

394.19 Subd. 2. **Eligible vehicle.** (a) A new electric vehicle is eligible for a rebate under this
394.20 section if the electric vehicle:

394.21 (1) has not been previously owned;

394.22 (2) is used by a dealer as a floor model or test drive vehicle and has not been previously
394.23 registered in Minnesota or any other state; or

394.24 (3) is returned to a dealer by a purchaser or lessee:

394.25 (i) within two weeks of purchase or leasing or when a purchaser's or lessee's financing
394.26 for the electric vehicle has been disapproved; or

394.27 (ii) before the purchaser or lessee takes delivery, even if the electric vehicle is registered
394.28 in Minnesota; and

394.29 (4) has not been modified from the original manufacturer's specifications;

394.30 (5) has a manufacturer's suggested base retail price that does not exceed \$55,000;

395.1 (6) is purchased or leased from a dealer or directly from an original equipment
395.2 manufacturer that does not have licensed franchised dealers in Minnesota; and

395.3 (7) is purchased or leased after the effective date of this section for use by the purchaser
395.4 and not for resale.

395.5 (b) A used electric vehicle is eligible for an electric vehicle rebate under this section:
395.6 (1) if the electric vehicle has previously been owned in Minnesota or another state; (2) has
395.7 not been modified from the original manufacturer's specifications; and (3) has a purchase
395.8 price no greater than \$25,000, exclusive of taxes and fees.

395.9 Subd. 3. **Eligible purchaser or lessee.** A person who purchases or leases an eligible
395.10 new or used electric vehicle is eligible for a rebate under this section if the purchaser or
395.11 lessee:

395.12 (1) is one of the following:

395.13 (i) a resident of Minnesota, as defined in section 290.01, subdivision 7, paragraph (a),
395.14 when the electric vehicle is purchased or leased;

395.15 (ii) a business that has a valid address in Minnesota from which business is conducted;

395.16 (iii) a nonprofit corporation incorporated under chapter 317A; or

395.17 (iv) a political subdivision of the state;

395.18 (2) has not received a rebate or tax credit for the purchase or lease of an electric vehicle
395.19 from the state of Minnesota; and

395.20 (3) registers the electric vehicle in Minnesota.

395.21 Subd. 4. **Rebate amounts.** (a) A \$2,500 rebate may be issued under this section to an
395.22 eligible purchaser to purchase or lease an eligible new electric vehicle.

395.23 (b) A \$600 rebate may be issued under this section to an eligible purchaser or lessee of
395.24 an eligible used electric vehicle.

395.25 Subd. 5. **Limits.** The number of rebates allowed under this section is limited to:

395.26 (1) no more than one rebate per resident per household; and

395.27 (2) no more than one rebate per business entity per year.

395.28 Subd. 6. **Program administration.** (a) A rebate application under this section must be
395.29 filed with the commissioner on a form developed by the commissioner.

396.1 (b) The commissioner must develop administrative procedures governing the application
396.2 and rebate award process. Applications must be reviewed and rebates awarded by the
396.3 commissioner on a first-come, first-served basis.

396.4 (c) The commissioner must, in coordination with dealers and other state agencies as
396.5 applicable, develop a procedure to allow a rebate to be used by an eligible purchaser or
396.6 lessee at the point of sale so that the rebate amount may be subtracted from the selling price
396.7 of the eligible electric vehicle.

396.8 (d) The commissioner may reduce the rebate amounts provided under subdivision 4 or
396.9 restrict program eligibility based on the availability of money to award rebates or other
396.10 factors.

396.11 Subd. 7. **Account established.** (a) The electric vehicle rebate account is established as
396.12 a separate account in the special revenue fund in the state treasury. The commissioner shall
396.13 credit to the account appropriations and transfers to the account. Earnings, including interest,
396.14 dividends, and any other earnings arising from assets of the account, must be credited to
396.15 the account. Money remaining in the account at the end of a fiscal year does not cancel to
396.16 the general fund, but remains in the account until expended. The commissioner shall manage
396.17 the account.

396.18 (b) Money in the account is appropriated to the commissioner to award rebates for electric
396.19 vehicles and to reimburse the reasonable costs of the department to administer this section.

396.20 Subd. 8. **Expiration.** This section expires June 30, 2027.

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

396.22 Sec. 41. **[216C.402] GRANT PROGRAM; MANUFACTURERS' CERTIFICATION**
396.23 **OF AUTO DEALERS TO SELL ELECTRIC VEHICLES.**

396.24 Subdivision 1. **Establishment.** A grant program is established in the department to
396.25 award grants to dealers to offset the costs of obtaining the necessary training and equipment
396.26 that is required by electric vehicle manufacturers in order to certify a dealer to sell electric
396.27 vehicles produced by the manufacturer.

396.28 Subd. 2. **Application.** An application for a grant under this section must be made to the
396.29 commissioner on a form developed by the commissioner. The commissioner must develop
396.30 administrative procedures and processes to review applications and award grants under this
396.31 section.

397.1 Subd. 3. **Eligible applicants.** An applicant for a grant awarded under this section must
397.2 be a dealer of new motor vehicles licensed under chapter 168 operating under a franchise
397.3 from a manufacturer of electric vehicles.

397.4 Subd. 4. **Account established; appropriation.** (a) An auto dealer certification grant
397.5 account is established as a separate account in the special revenue fund in the state treasury.
397.6 The commissioner shall credit to the account appropriations and transfers to the account.
397.7 Earnings, including interest, dividends, and any other earnings arising from assets of the
397.8 account, must be credited to the account. Money in the account at the end of a fiscal year
397.9 does not cancel to the general fund but remains available in the account until expended.
397.10 The commissioner shall manage the account.

397.11 (b) Money in the account is appropriated to the commissioner to pay the reasonable
397.12 costs of the department to administer this section.

397.13 Subd. 5. **Eligible expenditures.** Appropriations made to support the activities of this
397.14 section must be used only to reimburse:

397.15 (1) a dealer for the reasonable costs to obtain training and certification for the dealer's
397.16 employees from the electric vehicle manufacturer that awarded the franchise to the dealer;

397.17 (2) a dealer for the reasonable costs to purchase and install equipment to service and
397.18 repair electric vehicles, as required by the electric vehicle manufacturer that awarded the
397.19 franchise to the dealer; and

397.20 (3) the department for the reasonable costs to administer this section.

397.21 Subd. 6. **Limitation.** A grant awarded under this section to a single dealer must not
397.22 exceed \$40,000.

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

397.24 Sec. 42. Minnesota Statutes 2022, section 216C.435, subdivision 8, is amended to read:

397.25 Subd. 8. **Qualifying commercial real property.** "Qualifying commercial real property"
397.26 means a multifamily residential dwelling, ~~or~~ a commercial or industrial building, or farmland,
397.27 as defined in section 216C.436, subdivision 1b, that the implementing entity has determined,
397.28 after review of an energy audit ~~or~~, renewable energy system feasibility study, or agronomic
397.29 assessment, as defined in section 216C.436, subdivision 1b, ~~can be benefited by~~ benefit
397.30 from the installation of cost-effective energy improvements or land and water improvements,
397.31 as defined in section 216C.436, subdivision 1b. Qualifying commercial real property includes
397.32 new construction.

398.1 Sec. 43. Minnesota Statutes 2022, section 216C.436, is amended by adding a subdivision
398.2 to read:

398.3 Subd. 1b. **Definitions.** (a) For the purposes of this section, the following terms have the
398.4 meanings given.

398.5 (b) "Agronomic assessment" means a study by an independent third party that assesses
398.6 the environmental impacts of proposed land and water improvements on farmland.

398.7 (c) "Farmland" means land classified as 2a, 2b, or 2c for property tax purposes under
398.8 section 273.13, subdivision 23.

398.9 (d) "Land and water improvement" means:

398.10 (1) an improvement to farmland that:

398.11 (i) is permanent;

398.12 (ii) results in improved agricultural profitability or resiliency;

398.13 (iii) reduces the environmental impact of agricultural production; and

398.14 (iv) if the improvement affects drainage, complies with the most recent versions of the
398.15 applicable following conservation practice standards issued by the United States Department
398.16 of Agriculture's Natural Resources Conservation Service: Drainage Water Management
398.17 (Code 554), Saturated Buffer (Code 604), Denitrifying Bioreactor (Code 605), and
398.18 Constructed Wetland (Code 656); or

398.19 (2) water conservation and quality measures, which include permanently affixed
398.20 equipment, appliances, or improvements that reduce a property's water consumption or that
398.21 enable water to be managed more efficiently.

398.22 (e) "Resiliency" means the ability of farmland to maintain and enhance profitability,
398.23 soil health, and water quality.

398.24 Sec. 44. Minnesota Statutes 2022, section 216C.436, subdivision 2, is amended to read:

398.25 Subd. 2. **Program requirements.** A commercial PACE loan program must:

398.26 (1) impose requirements and conditions on financing arrangements to ensure timely
398.27 repayment;

398.28 (2) require an energy audit ~~or~~ renewable energy system feasibility study, or agronomic
398.29 or soil health assessment to be conducted on the qualifying commercial real property and
398.30 reviewed by the implementing entity prior to approval of the financing;

- 399.1 (3) require the inspection of all installations and a performance verification of at least
399.2 ten percent of the cost-effective energy improvements or land and water improvements
399.3 financed by the program;
- 399.4 (4) not prohibit the financing of all cost-effective energy improvements or land and
399.5 water improvements not otherwise prohibited by this section;
- 399.6 (5) require that all cost-effective energy improvements or land and water improvements
399.7 be made to a qualifying commercial real property prior to, or in conjunction with, an
399.8 applicant's repayment of financing for cost-effective energy improvements or land and water
399.9 improvements for that property;
- 399.10 (6) have cost-effective energy improvements or land and water improvements financed
399.11 by the program performed by a licensed contractor as required by chapter 326B or other
399.12 law or ordinance;
- 399.13 (7) require disclosures in the loan document to borrowers by the implementing entity
399.14 of: (i) the risks involved in borrowing, including the risk of foreclosure if a tax delinquency
399.15 results from a default; and (ii) all the terms and conditions of the commercial PACE loan
399.16 and the installation of cost-effective energy improvements or land and water improvements,
399.17 including the interest rate being charged on the loan;
- 399.18 (8) provide financing only to those who demonstrate an ability to repay;
- 399.19 (9) not provide financing for a qualifying commercial real property in which the owner
399.20 is not current on mortgage or real property tax payments;
- 399.21 (10) require a petition to the implementing entity by all owners of the qualifying
399.22 commercial real property requesting collections of repayments as a special assessment under
399.23 section 429.101;
- 399.24 (11) provide that payments and assessments are not accelerated due to a default and that
399.25 a tax delinquency exists only for assessments not paid when due; ~~and~~
- 399.26 (12) require that liability for special assessments related to the financing runs with the
399.27 qualifying commercial real property; and
- 399.28 (13) prior to financing any improvements to or imposing any assessment upon qualifying
399.29 commercial real property, require notice to and written consent from the mortgage lender
399.30 of any mortgage encumbering or otherwise secured by the qualifying commercial real
399.31 property.

400.1 Sec. 45. [216C.45] RESIDENTIAL ELECTRIC PANEL UPGRADE GRANT
400.2 PROGRAM.

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

400.5 (b) "Area median income" means the median income of the geographic area in which a
400.6 single-family or multifamily building whose owner is applying for a grant under this section
400.7 is located, as reported by the United States Department of Housing and Urban Development.

400.8 (c) "Automatic overcurrent protection device" means a device that protects against excess
400.9 current by interrupting the flow of current.

400.10 (d) "Bus" means a metallic strip or bar that carries current.

400.11 (e) "Electric panel" means an enclosed box or cabinet containing a building's electric
400.12 panels, including subpanels, that consists of buses, automatic overcurrent protection devices,
400.13 and equipment, with or without switches to control light, heat, and power circuits. Electric
400.14 panel includes a smart panel.

400.15 (f) "Electrical work" has the meaning given in section 326B.31, subdivision 17.

400.16 (g) "Eligible applicant" means:

400.17 (1) an owner of a single-family building whose occupants have an annual household
400.18 income no greater than 150 percent of the area median income; or

400.19 (2) an owner of a multifamily building in which at least 50 percent of the units are
400.20 occupied by households whose annual income is no greater than 150 percent of the area
400.21 median income.

400.22 (h) "Multifamily building" means a building containing two or more units.

400.23 (i) "Smart panel" means an electrical panel that may be electronically programmed to
400.24 manage electricity use in a building automatically.

400.25 (j) "Unit" means a residential living space in a multifamily building occupied by an
400.26 individual or a household.

400.27 (k) "Upgrade" means:

400.28 (1) for a single-family residence:

400.29 (i) the installation of equipment, devices, and wiring necessary to increase an electrical
400.30 panel's capacity to a total rating:

400.31 (A) of not less than 200 amperes; or

401.1 (B) that allows all the building's energy needs to be provided solely by electricity, as
401.2 calculated using the National Electrical Code adopted in Minnesota; or

401.3 (ii) the installation of a smart panel with or without additional equipment, devices, or
401.4 wiring; and

401.5 (2) for a multifamily building, the installation of equipment, devices, and wiring necessary
401.6 to increase the capacity of an electric panel, including feeder panels, to a total rating that
401.7 allows all the building's energy needs to be provided solely by electricity, as calculated
401.8 using the National Electrical Code adopted in Minnesota.

401.9 Subd. 2. **Program establishment.** A residential electric panel upgrade grant program
401.10 is established in the department to provide financial assistance to owners of single-family
401.11 residences and multifamily buildings to upgrade residential electric panels.

401.12 Subd. 3. **Account established.** (a) The residential electric panel upgrade grant account
401.13 is established as a separate account in the special revenue fund in the state treasury. The
401.14 commissioner shall credit to the account appropriations and transfers to the account. Earnings,
401.15 including interest, dividends, and any other earnings arising from assets of the account,
401.16 must be credited to the account. Money remaining in the account at the end of a fiscal year
401.17 does not cancel to the general fund, but remains in the account until expended. The
401.18 commissioner shall manage the account.

401.19 (b) Money in the account is appropriated to the commissioner to award electric panel
401.20 upgrade grants and to reimburse the reasonable costs of the department to administer this
401.21 section.

401.22 Subd. 4. **Application process.** An applicant seeking a grant under this section must
401.23 submit an application to the commissioner on a form developed by the commissioner. The
401.24 commissioner must develop administrative procedures to govern the application and grant
401.25 award process. The commissioner may contract with a third party to conduct some or all of
401.26 the program's operations.

401.27 Subd. 5. **Grant awards.** A grant may be awarded under this section to:

401.28 (1) an eligible applicant; or

401.29 (2) with the written permission of an eligible applicant submitted to the commissioner,
401.30 a contractor performing an upgrade or a third party on behalf of the eligible applicant.

401.31 Subd. 6. **Grant amount.** (a) Subject to the limits of paragraphs (b) to (e), a grant awarded
401.32 under this section may be used to pay 100 percent of the equipment and installation costs
401.33 of an upgrade.

402.1 (b) The commissioner may not award a grant to an eligible applicant under this section
402.2 which, in combination with a federal grant awarded to the eligible applicant under the federal
402.3 Inflation Reduction Act of 2022, Public Law 117-189, for the same electric panel upgrade,
402.4 exceeds 100 percent of the equipment and installation costs of the upgrade.

402.5 (c) The maximum grant amount under this section that may be awarded to an eligible
402.6 applicant who owns a single-family residence is:

402.7 (1) \$3,000 for an owner whose annual household income is less than 80 percent of area
402.8 median income; and

402.9 (2) \$2,000 for an owner whose annual household income exceeds 80 percent but is not
402.10 greater than 150 percent of area median income.

402.11 (d) The maximum grant amount that may be awarded under this section to an eligible
402.12 applicant who owns a multifamily building is the sum of \$5,000, plus \$500 multiplied by
402.13 the number of units containing a separate electric panel receiving an upgrade in the
402.14 multifamily building, not to exceed \$50,000 per multifamily building.

402.15 (e) The commissioner may approve a grant amount that exceeds the maximum grant
402.16 amount in paragraph (c) or (d), up to 100 percent of the equipment and installation costs of
402.17 the upgrade, if the commissioner determines that a larger grant amount is necessary in order
402.18 to complete the upgrade.

402.19 Subd. 7. **Limitation.** No more than one grant may be awarded to an owner under this
402.20 section for work conducted at the same single-family residence or multifamily building.

402.21 Subd. 8. **Outreach.** The department must publicize the availability of grants under this
402.22 section to, at a minimum:

402.23 (1) income-eligible households;

402.24 (2) community action agencies and other public and private nonprofit organizations that
402.25 provide weatherization and other energy services to income-eligible households; and

402.26 (3) multifamily property owners and property managers.

402.27 Subd. 9. **Contractor or subcontractor requirements.** Contractors and subcontractors
402.28 performing electrical work under a grant awarded under this section:

402.29 (1) must comply with the provisions of sections 326B.31 to 326B.399;

402.30 (2) must certify that the electrical work is performed by a licensed journeyworker
402.31 electrician or a registered unlicensed individual under the direct supervision of a licensed

403.1 journeyworker electrician or master electrician employed by the same licensed electrical
403.2 contractor; and

403.3 (3) must pay workers the prevailing wage rate, as defined in section 177.42, and are
403.4 subject to the requirements and enforcement provisions in sections 177.27, 177.30, 177.32,
403.5 177.41 to 177.435, and 177.45.

403.6 Subd. 10. **Report.** Beginning January 1, 2025, and each January 1 through 2033, the
403.7 department must submit a report to the chairs and ranking minority members of the legislative
403.8 committees with primary jurisdiction over climate and energy policy describing the activities
403.9 and expenditures under the program established in this section. The report must include, at
403.10 a minimum:

403.11 (1) the number of units in multifamily buildings and the number of single-family
403.12 residences whose owners received grants;

403.13 (2) the geographic distribution of grant recipients; and

403.14 (3) the average amount of grants awarded per building in multifamily buildings and in
403.15 single-family residences.

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

403.17 Sec. 46. **[216C.46] RESIDENTIAL HEAT PUMP REBATE PROGRAM.**

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

403.20 (b) "Eligible applicant" means a person who provides evidence to the commissioner's
403.21 satisfaction demonstrating that the person has received or has applied for a heat pump rebate
403.22 available from the federal Department of Energy under the Inflation Reduction Act of 2022,
403.23 Public Law 117-189.

403.24 (c) "Heat pump" means a cold climate rated air-source heat pump composed of (1) a
403.25 mechanism that heats and cools indoor air by transferring heat from outdoor or indoor air
403.26 using a fan, (2) a refrigerant-filled heat exchanger, and (3) an inverter-driven compressor
403.27 that varies the pressure of the refrigerant to warm or cool the refrigerant vapor.

403.28 Subd. 2. **Establishment.** A residential heat pump rebate program is established in the
403.29 department to provide financial assistance to eligible applicants that purchase and install a
403.30 heat pump in the applicant's Minnesota residence.

404.1 Subd. 3. **Application.** (a) An application for a rebate under this section must be made
404.2 to the commissioner on a form developed by the commissioner. The application must be
404.3 accompanied by documentation, as required by the commissioner, demonstrating that:

404.4 (1) the applicant is an eligible applicant;

404.5 (2) the applicant owns the Minnesota residence in which the heat pump is to be installed;

404.6 (3) the applicant has had an energy audit conducted of the residence in which the heat
404.7 pump is to be installed within the last 18 months by a person with a Building Analyst
404.8 Technician certification issued by the Building Performance Institute, Inc., or an equivalent
404.9 certification, as determined by the commissioner;

404.10 (4) either:

404.11 (i) the applicant has installed in the applicant's residence, by a contractor with an Air
404.12 Leakage Control Installer certification issued by the Building Performance Institute, Inc.,
404.13 or an equivalent certification, as determined by the commissioner, the amount of insulation
404.14 and the air sealing measures recommended by the auditor; or

404.15 (ii) the auditor has otherwise determined that the amount of insulation and air sealing
404.16 measures in the residence are sufficient to enable effective heat pump performance;

404.17 (5) the applicant has purchased a heat pump of the capacity recommended by the auditor
404.18 or contractor, and has had the heat pump installed by a contractor with sufficient training
404.19 and experience in installing heat pumps, as determined by the commissioner; and

404.20 (6) the total cost to purchase and install the heat pump in the applicant's residence.

404.21 (b) The commissioner must develop administrative procedures governing the application
404.22 and rebate award processes.

404.23 (c) The commissioner may modify program requirements under this section when
404.24 necessary to align with comparable federal programs administered by the department under
404.25 the federal Inflation Reduction Act of 2022, Public Law 117-189.

404.26 Subd. 4. **Rebate amount.** A rebate awarded under this section must not exceed the lesser
404.27 of:

404.28 (1) \$4,000; or

404.29 (2) the total cost to purchase and install the heat pump in an eligible applicant's residence
404.30 net of the rebate amount received for the heat pump from the federal Department of Energy
404.31 under the Inflation Reduction Act of 2022, Public Law 117-189.

405.1 Subd. 5. **Assisting applicants.** The commissioner may issue a request for proposal
405.2 seeking an entity to serve as an energy coordinator to interact directly with applicants and
405.3 potential applicants to:

405.4 (1) explain the technical aspects of heat pumps, energy audits, and energy conservation
405.5 measures, and the energy and financial savings that can result from implementing each;

405.6 (2) identify federal, state, and utility programs available to homeowners to reduce the
405.7 costs of energy audits, energy conservation, and heat pumps;

405.8 (3) explain the requirements and scheduling of the application process;

405.9 (4) provide access to certified contractors who can perform energy audits, install
405.10 insulation and air sealing measures, and install heat pumps; and

405.11 (5) conduct outreach to make potential applicants aware of the program.

405.12 Subd. 6. **Contractor training and support.** The commissioner may issue a request for
405.13 proposals seeking an entity to develop and organize programs to train contractors with
405.14 respect to the technical aspects and installation of heat pumps in residences. The training
405.15 curriculum must be at a level sufficient to provide contractors who complete training with
405.16 the knowledge and skills necessary to install heat pumps to industry best practice standards,
405.17 as determined by the commissioner. Training programs must: (1) be accessible in all regions
405.18 of the state; and (2) provide mentoring and ongoing support, including continuing education
405.19 and financial assistance, to trainees.

405.20 Subd. 7. **Account established.** (a) The residential heat pump rebate account is established
405.21 as a separate account in the special revenue fund in the state treasury. The commissioner
405.22 shall credit to the account appropriations and transfers to the account. Earnings, including
405.23 interest, dividends, and any other earnings arising from assets of the account, must be
405.24 credited to the account. Money remaining in the account at the end of a fiscal year does not
405.25 cancel to the general fund, but remains in the account until expended. The commissioner
405.26 shall manage the account.

405.27 (b) Money in the account is appropriated to the commissioner for the purposes of this
405.28 section and to reimburse the reasonable costs of the department to administer this section.

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

406.1 Sec. 47. [216C.51] UTILITY DIVERSITY REPORTING.

406.2 Subdivision 1. Public policy. It is the public policy of this state to encourage each utility
406.3 that serves Minnesota residents to focus on and improve the diversity of the utility's
406.4 workforce and suppliers.

406.5 Subd. 2. Definition. As used in this section, "utility" has the meaning given to the term
406.6 "public utility" in section 216B.02, subdivision 4.

406.7 Subd. 3. Annual report. (a) Beginning March 15, 2024, and each March 15 thereafter,
406.8 each utility authorized to do business in Minnesota must file an annual diversity report to
406.9 the commissioner in the public eDockets system that describes:

406.10 (1) the utility's goals and efforts to increase diversity in the workplace, including current
406.11 workforce representation numbers and percentages; and

406.12 (2) all procurement goals and actual spending for female-owned, minority-owned,
406.13 veteran-owned, and small business enterprises during the previous calendar year.

406.14 (b) The goals under paragraph (a), clause (2), must be expressed as a percentage of the
406.15 total work performed by the utility submitting the report. The actual spending for
406.16 female-owned, minority-owned, veteran-owned, and small business enterprises must also
406.17 be expressed as a percentage of the total work performed by the utility submitting the report.

406.18 Subd. 4. Report elements. Each utility required to report under this section must include
406.19 the following in the annual report:

406.20 (1) an explanation of the plan to increase diversity in the utility's workforce and among
406.21 the utility's suppliers during the next year;

406.22 (2) an explanation of the plan to increase the goals;

406.23 (3) an explanation of the challenges faced to increase workforce and supplier diversity,
406.24 including suggestions regarding actions the department could take to help identify potential
406.25 employees and vendors;

406.26 (4) a list of the certifications the company recognizes;

406.27 (5) a point of contact for a potential employee or vendor that wishes to work for or do
406.28 business with the utility; and

406.29 (6) a list of successful actions taken to increase workforce and supplier diversity, to
406.30 encourage other companies to emulate best practices.

407.1 Subd. 5. **State data.** Each annual report must include as much state-specific data as
407.2 possible. If the submitting utility does not submit state-specific data, the utility must include
407.3 any relevant national data the utility possesses, explain why the utility could not submit
407.4 state-specific data, and detail how the utility intends to include state-specific data in future
407.5 reports, if possible.

407.6 Subd. 6. **Publication; retention.** The department must publish an annual report on the
407.7 department's website and must maintain each annual report for at least five years.

407.8 Sec. 48. Minnesota Statutes 2022, section 216E.01, is amended by adding a subdivision
407.9 to read:

407.10 Subd. 3a. **Energy storage system.** "Energy storage system" means equipment and
407.11 associated facilities designed with a nameplate capacity of 10,000 kilowatts or more that is
407.12 capable of storing generated electricity for a period of time and delivering the electricity
407.13 for use after storage.

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

407.15 Sec. 49. Minnesota Statutes 2022, section 216E.01, subdivision 6, is amended to read:

407.16 Subd. 6. **Large electric power facilities.** "Large electric power facilities" means high
407.17 voltage transmission lines ~~and~~, large electric power generating plants, and energy storage
407.18 systems.

407.19 Sec. 50. Minnesota Statutes 2022, section 216E.03, subdivision 1, is amended to read:

407.20 Subdivision 1. **Site permit.** No person may construct a large electric generating plant
407.21 or an energy storage system without a site permit from the commission. A large electric
407.22 generating plant or an energy storage system may be constructed only on a site approved
407.23 by the commission. The commission must incorporate into one proceeding the route selection
407.24 for a high-voltage transmission line that is directly associated with and necessary to
407.25 interconnect the large electric generating plant to the transmission system and whose need
407.26 is certified under section 216B.243.

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

407.28 Sec. 51. Minnesota Statutes 2022, section 216E.03, subdivision 3, is amended to read:

407.29 Subd. 3. **Application.** Any person seeking to construct a large electric power ~~generating~~
407.30 ~~plant or a high-voltage transmission line~~ facility must apply to the commission for a site or

408.1 route permit, as applicable. The application shall contain such information as the commission
408.2 may require. The applicant shall propose at least two sites for a large electric power
408.3 ~~generating plant~~ facility and two routes for a high-voltage transmission line. Neither of the
408.4 two proposed routes may be designated as a preferred route and all proposed routes must
408.5 be numbered and designated as alternatives. The commission shall determine whether an
408.6 application is complete and advise the applicant of any deficiencies within ten days of
408.7 receipt. An application is not incomplete if information not in the application can be obtained
408.8 from the applicant during the first phase of the process and that information is not essential
408.9 for notice and initial public meetings.

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

408.11 Sec. 52. Minnesota Statutes 2022, section 216E.03, subdivision 5, as amended by Laws
408.12 2023, chapter 7, section 25, is amended to read:

408.13 Subd. 5. **Environmental review.** (a) The commissioner of the Department of Commerce
408.14 shall prepare for the commission an environmental impact statement on each proposed large
408.15 electric power ~~generating plant or high-voltage transmission line~~ facility for which a complete
408.16 application has been submitted. The commissioner shall not consider whether or not the
408.17 project is needed. No other state environmental review documents shall be required. The
408.18 commissioner shall study and evaluate any site or route proposed by an applicant and any
408.19 other site or route the commission deems necessary that was proposed in a manner consistent
408.20 with rules concerning the form, content, and timeliness of proposals for alternate sites or
408.21 routes, excluding any alternate site for a solar energy generating system that was not proposed
408.22 by an applicant.

408.23 (b) For a cogeneration facility as defined in section 216H.01, subdivision 1a, that is a
408.24 large electric power generating plant and is not proposed by a utility, the commissioner
408.25 must make a finding in the environmental impact statement whether the project is likely to
408.26 result in a net reduction of carbon dioxide emissions, considering both the utility providing
408.27 electric service to the proposed cogeneration facility and any reduction in carbon dioxide
408.28 emissions as a result of increased efficiency from the production of thermal energy on the
408.29 part of the customer operating or owning the proposed cogeneration facility.

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

408.31 Sec. 53. Minnesota Statutes 2022, section 216E.03, subdivision 6, is amended to read:

408.32 Subd. 6. **Public hearing.** The commission shall hold a public hearing on an application
408.33 for a site or route permit for a large electric power ~~generating plant or a route permit for a~~

409.1 ~~high-voltage transmission line~~ facility. All hearings held for designating a site or route shall
409.2 be conducted by an administrative law judge from the Office of Administrative Hearings
409.3 pursuant to the contested case procedures of chapter 14. Notice of the hearing shall be given
409.4 by the commission at least ten days in advance but no earlier than 45 days prior to the
409.5 commencement of the hearing. Notice shall be by publication in a legal newspaper of general
409.6 circulation in the county in which the public hearing is to be held and by certified mail to
409.7 chief executives of the regional development commissions, counties, organized towns,
409.8 townships, and the incorporated municipalities in which a site or route is proposed. Any
409.9 person may appear at the hearings and offer testimony and exhibits without the necessity
409.10 of intervening as a formal party to the proceedings. The administrative law judge may allow
409.11 any person to ask questions of other witnesses. The administrative law judge shall hold a
409.12 portion of the hearing in the area where the power plant or transmission line is proposed to
409.13 be located.

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

409.15 Sec. 54. Minnesota Statutes 2022, section 216E.03, subdivision 7, as amended by Laws
409.16 2023, chapter 7, section 26, is amended to read:

409.17 Subd. 7. **Considerations in designating sites and routes.** (a) The commission's site
409.18 and route permit determinations must be guided by the state's goals to conserve resources,
409.19 minimize environmental impacts, minimize human settlement and other land use conflicts,
409.20 and ensure the state's electric energy security through efficient, cost-effective power supply
409.21 and electric transmission infrastructure.

409.22 (b) To facilitate the study, research, evaluation, and designation of sites and routes, the
409.23 commission shall be guided by, but not limited to, the following considerations:

409.24 (1) evaluation of research and investigations relating to the effects on land, water and
409.25 air resources of large electric power ~~generating plants and high-voltage transmission lines~~
409.26 facilities and the effects of water and air discharges and electric and magnetic fields resulting
409.27 from such facilities on public health and welfare, vegetation, animals, materials and aesthetic
409.28 values, including baseline studies, predictive modeling, and evaluation of new or improved
409.29 methods for minimizing adverse impacts of water and air discharges and other matters
409.30 pertaining to the effects of power plants on the water and air environment;

409.31 (2) environmental evaluation of sites and routes proposed for future development and
409.32 expansion and their relationship to the land, water, air and human resources of the state;

- 410.1 (3) evaluation of the effects of new electric power generation and transmission
410.2 technologies and systems related to power plants designed to minimize adverse environmental
410.3 effects;
- 410.4 (4) evaluation of the potential for beneficial uses of waste energy from proposed large
410.5 electric power generating plants;
- 410.6 (5) analysis of the direct and indirect economic impact of proposed sites and routes
410.7 including, but not limited to, productive agricultural land lost or impaired;
- 410.8 (6) evaluation of adverse direct and indirect environmental effects that cannot be avoided
410.9 should the proposed site and route be accepted;
- 410.10 (7) evaluation of alternatives to the applicant's proposed site or route proposed pursuant
410.11 to subdivisions 1 and 2;
- 410.12 (8) evaluation of potential routes that would use or parallel existing railroad and highway
410.13 rights-of-way;
- 410.14 (9) evaluation of governmental survey lines and other natural division lines of agricultural
410.15 land so as to minimize interference with agricultural operations;
- 410.16 (10) evaluation of the future needs for additional high-voltage transmission lines in the
410.17 same general area as any proposed route, and the advisability of ordering the construction
410.18 of structures capable of expansion in transmission capacity through multiple circuiting or
410.19 design modifications;
- 410.20 (11) evaluation of irreversible and irretrievable commitments of resources should the
410.21 proposed site or route be approved;
- 410.22 (12) when appropriate, consideration of problems raised by other state and federal
410.23 agencies and local entities;
- 410.24 (13) evaluation of the benefits of the proposed facility with respect to (i) the protection
410.25 and enhancement of environmental quality, and (ii) the reliability of state and regional
410.26 energy supplies;
- 410.27 (14) evaluation of the proposed facility's impact on socioeconomic factors; and
- 410.28 (15) evaluation of the proposed facility's employment and economic impacts in the
410.29 vicinity of the facility site and throughout Minnesota, including the quantity and quality of
410.30 construction and permanent jobs and their compensation levels. The commission must
410.31 consider a facility's local employment and economic impacts, and may reject or place
410.32 conditions on a site or route permit based on the local employment and economic impacts.

411.1 (c) If the commission's rules are substantially similar to existing regulations of a federal
411.2 agency to which the utility in the state is subject, the federal regulations must be applied by
411.3 the commission.

411.4 (d) No site or route shall be designated which violates state agency rules.

411.5 (e) The commission must make specific findings that it has considered locating a route
411.6 for a high-voltage transmission line on an existing high-voltage transmission route and the
411.7 use of parallel existing highway right-of-way and, to the extent those are not used for the
411.8 route, the commission must state the reasons.

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

411.10 Sec. 55. Minnesota Statutes 2022, section 216E.04, subdivision 2, as amended by Laws
411.11 2023, chapter 7, section 29, is amended to read:

411.12 Subd. 2. **Applicable projects.** The requirements and procedures in this section apply to
411.13 the following projects:

411.14 (1) large electric power generating plants with a capacity of less than 80 megawatts;

411.15 (2) large electric power generating plants that are fueled by natural gas;

411.16 (3) high-voltage transmission lines of between 100 and 200 kilovolts;

411.17 (4) high-voltage transmission lines in excess of 200 kilovolts and less than 30 miles in
411.18 length in Minnesota;

411.19 (5) high-voltage transmission lines in excess of 200 kilovolts if at least 80 percent of
411.20 the distance of the line in Minnesota will be located along existing high-voltage transmission
411.21 line right-of-way;

411.22 (6) a high-voltage transmission line service extension to a single customer between 200
411.23 and 300 kilovolts and less than ten miles in length;

411.24 (7) a high-voltage transmission line rerouting to serve the demand of a single customer
411.25 when the rerouted line will be located at least 80 percent on property owned or controlled
411.26 by the customer or the owner of the transmission line; ~~and~~

411.27 (8) large electric power generating plants that are powered by solar energy; and

411.28 (9) energy storage systems.

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

412.1 Sec. 56. Minnesota Statutes 2022, section 216E.05, subdivision 2, is amended to read:

412.2 Subd. 2. **Applicable projects.** Applicants may seek approval from local units of
412.3 government to construct the following projects:

412.4 (1) large electric power generating plants with a capacity of less than 80 megawatts;

412.5 (2) large electric power generating plants of any size that burn natural gas and are intended
412.6 to be a peaking plant;

412.7 (3) high-voltage transmission lines of between 100 and 200 kilovolts;

412.8 (4) substations with a voltage designed for and capable of operation at a nominal voltage
412.9 of 100 kilovolts or more;

412.10 (5) a high-voltage transmission line service extension to a single customer between 200
412.11 and 300 kilovolts and less than ten miles in length; ~~and~~

412.12 (6) a high-voltage transmission line rerouting to serve the demand of a single customer
412.13 when the rerouted line will be located at least 80 percent on property owned or controlled
412.14 by the customer or the owner of the transmission line; and

412.15 (7) energy storage systems.

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

412.17 Sec. 57. Minnesota Statutes 2022, section 216E.06, is amended to read:

412.18 **216E.06 EMERGENCY PERMIT.**

412.19 (a) Any utility whose electric power system requires the immediate construction of a
412.20 large electric power ~~generating plant or high-voltage transmission line~~ facility due to a major
412.21 unforeseen event may apply to the commission for an emergency permit. The application
412.22 shall provide notice in writing of the major unforeseen event and the need for immediate
412.23 construction. The permit must be issued in a timely manner, no later than 195 days after
412.24 the commission's acceptance of the application and upon a finding by the commission that
412.25 (1) a demonstrable emergency exists, (2) the emergency requires immediate construction,
412.26 and (3) adherence to the procedures and time schedules specified in section 216E.03 would
412.27 jeopardize the utility's electric power system or would jeopardize the utility's ability to meet
412.28 the electric needs of its customers in an orderly and timely manner.

412.29 (b) A public hearing to determine if an emergency exists must be held within 90 days
412.30 of the application. The commission, after notice and hearing, shall adopt rules specifying
412.31 the criteria for emergency certification.

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

413.2 Sec. 58. Minnesota Statutes 2022, section 216E.07, is amended to read:

413.3 **216E.07 ANNUAL HEARING.**

413.4 The commission shall hold an annual public hearing at a time and place prescribed by
413.5 rule in order to afford interested persons an opportunity to be heard regarding any matters
413.6 relating to the siting ~~and routing~~ of large electric ~~generating power plants and routing of~~
413.7 ~~high-voltage transmission lines~~ facilities. At the meeting, the commission shall advise the
413.8 public of the permits issued by the commission in the past year. The commission shall
413.9 provide at least ten days but no more than 45 days' notice of the annual meeting by mailing
413.10 or serving electronically, as provided in section 216.17, a notice to those persons who have
413.11 requested notice and by publication in the EQB Monitor and the commission's weekly
413.12 calendar.

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

413.14 Sec. 59. Minnesota Statutes 2022, section 216E.10, is amended to read:

413.15 **216E.10 APPLICATION TO LOCAL REGULATION AND OTHER STATE**
413.16 **PERMITS.**

413.17 Subdivision 1. **Site or route permit prevails over local provisions.** To assure the
413.18 paramount and controlling effect of the provisions herein over other state agencies, regional,
413.19 county, and local governments, and special purpose government districts, the issuance of a
413.20 site permit or route permit and subsequent purchase and use of such site or route locations
413.21 for large electric power ~~generating plant and high-voltage transmission line~~ facility purposes
413.22 shall be the sole site or route approval required to be obtained by the utility. Such permit
413.23 shall supersede and preempt all zoning, building, or land use rules, regulations, or ordinances
413.24 promulgated by regional, county, local and special purpose government.

413.25 Subd. 2. **Other state permits.** Notwithstanding anything herein to the contrary, utilities
413.26 shall obtain state permits that may be required to construct and operate large electric power
413.27 ~~generating plants and high-voltage transmission lines~~ facilities. A state agency in processing
413.28 a utility's facility permit application shall be bound to the decisions of the commission, with
413.29 respect to the site or route designation, and with respect to other matters for which authority
413.30 has been granted to the commission by this chapter.

413.31 Subd. 3. **State agency participation.** (a) State agencies authorized to issue permits
413.32 required for construction or operation of large electric power ~~generating plants or high-voltage~~

414.1 ~~transmission lines~~ facilities shall participate during routing and siting at public hearings and
414.2 all other activities of the commission on specific site or route designations and design
414.3 considerations of the commission, and shall clearly state whether the site or route being
414.4 considered for designation or permit and other design matters under consideration for
414.5 approval will be in compliance with state agency standards, rules, or policies.

414.6 (b) An applicant for a permit under this section or under chapter 216G shall notify the
414.7 commissioner of agriculture if the proposed project will impact cultivated agricultural land,
414.8 as that term is defined in section 216G.01, subdivision 4. The commissioner may participate
414.9 and advise the commission as to whether to grant a permit for the project and the best options
414.10 for mitigating adverse impacts to agricultural lands if the permit is granted. The Department
414.11 of Agriculture shall be the lead agency on the development of any agricultural mitigation
414.12 plan required for the project.

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

414.14 Sec. 60. Minnesota Statutes 2022, section 216G.02, subdivision 1, is amended to read:

414.15 Subdivision 1. **Definition.** (a) For purposes of this section and, the following terms
414.16 defined in this subdivision have the meanings given.

414.17 (b) "Gas" means natural gas, flammable gas, carbon dioxide, gas that is toxic, or gas
414.18 that is corrosive, regardless of whether the material has been compressed or cooled to a
414.19 liquid or supercritical state.

414.20 (c) "Hazardous liquid" means petroleum, petroleum products, anhydrous ammonia, or
414.21 a substance included in the definition of hazardous liquid under Code of Federal Regulations,
414.22 title 49, section 195.2, as amended.

414.23 (d) Notwithstanding section 216G.01, subdivision 3, "pipeline" means:

414.24 (1) pipe with a nominal diameter of six inches or more that is designed to transport
414.25 hazardous liquids, but does not include pipe designed to transport a hazardous liquid by
414.26 gravity, and pipe designed to transport or store a hazardous liquid within a refining, storage,
414.27 or manufacturing facility; or

414.28 (2) pipe designed to be operated at a pressure of more than 275 pounds per square inch
414.29 and to carry gas.

415.1 Sec. 61. Minnesota Statutes 2022, section 216H.02, subdivision 1, is amended to read:

415.2 Subdivision 1. **Greenhouse gas emissions-reduction goal.** (a) It is the goal of the state
 415.3 to reduce statewide greenhouse gas emissions across all sectors producing ~~those~~ greenhouse
 415.4 gas emissions to a level at least 15 percent below 2005 levels by 2015, to a level at least 30
 415.5 percent below 2005 levels by 2025, and to a level at least 80 percent below 2005 levels by
 415.6 2050. by at least the following amounts, compared with the level of emissions in 2005:

415.7 (1) 15 percent by 2015;

415.8 (2) 30 percent by 2025;

415.9 (3) 50 percent by 2030; and

415.10 (4) to net zero by 2050.

415.11 (b) To the maximum extent practicable, actions taken to achieve these goals must avoid
 415.12 causing disproportionate adverse impacts to residents of communities that are or have been
 415.13 incommensurately exposed to pollution affecting human health and environmental quality.

415.14 (c) The ~~levels shall~~ targets under paragraph (a) must be reviewed ~~based on the climate~~
 415.15 change action plan study annually by the commissioner of the Pollution Control Agency,
 415.16 taking into account the latest scientific research on the impacts of climate change and
 415.17 strategies to reduce greenhouse gas emissions published by the Intergovernmental Panel on
 415.18 Climate Change. The commissioner must forward any recommended changes to the targets
 415.19 to the chairs and ranking minority members of legislative committees with primary
 415.20 jurisdiction over climate change and environmental policy.

415.21 (d) For the purposes of the subdivision, "net zero" means:

415.22 (1) statewide greenhouse gas emissions equal to zero; or

415.23 (2) when annual anthropogenic emissions of greenhouse gases to the atmosphere are
 415.24 balanced by removals over a specific period.

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

415.26 Sec. 62. Minnesota Statutes 2022, section 237.55, is amended to read:

415.27 **237.55 ANNUAL REPORT ON TELECOMMUNICATIONS ACCESS.**

415.28 The commissioner of commerce must prepare a report for presentation to the Public
 415.29 Utilities Commission by ~~January~~ March 31 of each year. Each report must review the
 415.30 accessibility of telecommunications services to persons who have communication disabilities,
 415.31 describe services provided, account for annual revenues and expenditures ~~for each aspect~~

416.1 ~~of the fund to date~~, and include ~~predicted program~~ anticipated future operation program
416.2 operations.

416.3 Sec. 63. **[500.216] LIMITS ON CERTAIN RESIDENTIAL SOLAR ENERGY**
416.4 **SYSTEMS PROHIBITED.**

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

416.7 (b) "Private entity" means a homeowners association, community association, or other
416.8 association that is subject to a homeowners association document.

416.9 (c) "Homeowners association document" means a document containing the declaration,
416.10 articles of incorporation, bylaws, or rules and regulations of:

416.11 (1) a common interest community, as defined in section 515B.1-103, regardless of
416.12 whether the common interest community is subject to chapter 515B; and

416.13 (2) a residential community that is not a common interest community.

416.14 (d) "Solar energy system" has the meaning given in section 216C.06, subdivision 17.

416.15 Subd. 2. Applicability. This section applies to:

416.16 (1) single-family detached dwellings whose owner is the sole owner of the entire building
416.17 in which the dwelling is located and who is solely responsible for the maintenance, repair,
416.18 replacement, and insurance of the entire building; and

416.19 (2) multifamily attached dwellings whose owner is the sole owner of the entire building
416.20 in which the dwelling is located and who is solely responsible for the maintenance, repair,
416.21 replacement, and insurance of the entire building.

416.22 Subd. 3. General rule. Except as otherwise provided in this section and notwithstanding
416.23 any covenant, restriction, or condition contained in a deed, security instrument, homeowners
416.24 association document, or any other instrument affecting the transfer, sale of, or an interest
416.25 in real property, a private entity must not prohibit or refuse to permit the owner of a
416.26 single-family dwelling to install, maintain, or use a roof-mounted solar energy system.

416.27 Subd. 4. Allowable conditions. (a) A private entity may require that:

416.28 (1) a licensed contractor install a solar energy system;

416.29 (2) a roof-mounted solar energy system not extend above the peak of a pitched roof or
416.30 beyond the edge of the roof;

417.1 (3) the owner or installer of a solar energy system indemnify or reimburse the private
417.2 entity or the private entity's members for loss or damage caused by the installation,
417.3 maintenance, use, repair, or removal of a solar energy system;

417.4 (4) the owner and each successive owner of a solar energy system list the private entity
417.5 as a certificate holder on the homeowner's insurance policy; or

417.6 (5) the owner and each successive owner of a solar energy system be responsible for
417.7 removing the system if reasonably necessary to repair, perform maintenance, or replace
417.8 common elements or limited common elements, as defined in section 515B.1-103.

417.9 (b) A private entity may impose other reasonable restrictions on installing, maintaining,
417.10 or using solar energy systems, provided that the restrictions do not: (1) decrease the solar
417.11 energy system's projected energy generation by more than ten percent; or (2) increase the
417.12 solar energy system's cost by more than (i) 20 percent for a solar water heater, or (ii) \$1,000
417.13 for a solar photovoltaic system, when compared with the solar energy system's energy
417.14 generation and the cost of labor and materials originally proposed without the restrictions,
417.15 as certified by the solar energy system's designer or installer. A private entity may obtain
417.16 an alternative bid and design from a solar energy system designer or installer for the purposes
417.17 of this paragraph.

417.18 (c) A solar energy system must meet applicable standards and requirements imposed by
417.19 the state and by governmental units, as defined in section 462.384.

417.20 (d) A solar energy system for heating water must be certified by the Solar Rating
417.21 Certification Corporation or an equivalent certification agency. A solar energy system for
417.22 producing electricity must meet: (1) all applicable safety and performance standards
417.23 established by the National Electrical Code, the Institute of Electrical and Electronics
417.24 Engineers, and accredited testing laboratories, including but not limited to Underwriters
417.25 Laboratories; and (2) where applicable, rules of the Public Utilities Commission regarding
417.26 safety and reliability.

417.27 (e) If approval by a private entity is required prior to installing or using a solar energy
417.28 system, the application for approval (1) must be processed and approved in the same manner
417.29 as an application for approval of an architectural modification to the property, and (2) must
417.30 not be willfully avoided or delayed. In no event does a private entity have less than 60 days
417.31 to approve or disapprove an application for a solar energy system.

417.32 (f) An application for approval must be made in writing and must contain certification
417.33 that the applicant must meet any conditions required by a private entity under subdivision

418.1 4. An application must include a copy of the interconnection application submitted to the
418.2 applicable electric utility.

418.3 (g) A private entity must approve or deny an application in writing. If an application is
418.4 not denied in writing within 60 days of the date the application was received, the application
418.5 is deemed approved unless the delay is the result of a reasonable request for additional
418.6 information. If a private entity determines that additional information is needed from the
418.7 applicant in order to approve or disapprove the application, the private entity must request
418.8 the additional information in writing within 60 days from the date of receipt of the
418.9 application. If the private entity makes a request for additional information within 15 days
418.10 from the date the private entity initially received the application, the private entity shall
418.11 have 60 days from the date of receipt of the additional information in which to approve or
418.12 disapprove the application. If the private entity makes a written request to the applicant for
418.13 additional information more than 15 days after the private entity initially received the
418.14 application, the private entity has 15 days after the private entity receives the additional
418.15 information requested from the applicant in which to approve or disapprove the application,
418.16 but in no event does the private entity have less than 60 days from the date the private entity
418.17 initially received the application in which to approve or disapprove the application.

418.18 Sec. 64. Minnesota Statutes 2022, section 515B.2-103, is amended to read:

418.19 **515B.2-103 CONSTRUCTION AND VALIDITY OF DECLARATION AND**
418.20 **BYLAWS.**

418.21 (a) All provisions of the declaration and bylaws are severable.

418.22 (b) The rule against perpetuities may not be applied to defeat any provision of the
418.23 declaration or this chapter, or any instrument executed pursuant to the declaration or this
418.24 chapter.

418.25 (c) In the event of a conflict between the provisions of the declaration and the bylaws,
418.26 the declaration prevails except to the extent that the declaration is inconsistent with this
418.27 chapter.

418.28 (d) The declaration and bylaws must comply with ~~section~~ sections 500.215 and 500.216.

418.29 Sec. 65. Minnesota Statutes 2022, section 515B.3-102, is amended to read:

418.30 **515B.3-102 POWERS OF UNIT OWNERS' ASSOCIATION.**

418.31 (a) Except as provided in subsections (b), (c), (d), and (e), and subject to the provisions
418.32 of the declaration or bylaws, the association shall have the power to:

419.1 (1) adopt, amend and revoke rules and regulations not inconsistent with the articles of
419.2 incorporation, bylaws and declaration, as follows: (i) regulating the use of the common
419.3 elements; (ii) regulating the use of the units, and conduct of unit occupants, which may
419.4 jeopardize the health, safety or welfare of other occupants, which involves noise or other
419.5 disturbing activity, or which may damage the common elements or other units; (iii) regulating
419.6 or prohibiting animals; (iv) regulating changes in the appearance of the common elements
419.7 and conduct which may damage the common interest community; (v) regulating the exterior
419.8 appearance of the common interest community, including, for example, balconies and patios,
419.9 window treatments, and signs and other displays, regardless of whether inside a unit; (vi)
419.10 implementing the articles of incorporation, declaration and bylaws, and exercising the
419.11 powers granted by this section; and (vii) otherwise facilitating the operation of the common
419.12 interest community;

419.13 (2) adopt and amend budgets for revenues, expenditures and reserves, and levy and
419.14 collect assessments for common expenses from unit owners;

419.15 (3) hire and discharge managing agents and other employees, agents, and independent
419.16 contractors;

419.17 (4) institute, defend, or intervene in litigation or administrative proceedings (i) in its
419.18 own name on behalf of itself or two or more unit owners on matters affecting the common
419.19 elements or other matters affecting the common interest community or, (ii) with the consent
419.20 of the owners of the affected units on matters affecting only those units;

419.21 (5) make contracts and incur liabilities;

419.22 (6) regulate the use, maintenance, repair, replacement, and modification of the common
419.23 elements and the units;

419.24 (7) cause improvements to be made as a part of the common elements, and, in the case
419.25 of a cooperative, the units;

419.26 (8) acquire, hold, encumber, and convey in its own name any right, title, or interest to
419.27 real estate or personal property, but (i) common elements in a condominium or planned
419.28 community may be conveyed or subjected to a security interest only pursuant to section
419.29 515B.3-112, or (ii) part of a cooperative may be conveyed, or all or part of a cooperative
419.30 may be subjected to a security interest, only pursuant to section 515B.3-112;

419.31 (9) grant or amend easements for public utilities, public rights-of-way or other public
419.32 purposes, and cable television or other communications, through, over or under the common
419.33 elements; grant or amend easements, leases, or licenses to unit owners for purposes authorized

420.1 by the declaration; and, subject to approval by a vote of unit owners other than declarant
420.2 or its affiliates, grant or amend other easements, leases, and licenses through, over or under
420.3 the common elements;

420.4 (10) impose and receive any payments, fees, or charges for the use, rental, or operation
420.5 of the common elements, other than limited common elements, and for services provided
420.6 to unit owners;

420.7 (11) impose interest and late charges for late payment of assessments and, after notice
420.8 and an opportunity to be heard before the board or a committee appointed by it, levy
420.9 reasonable fines for violations of the declaration, bylaws, and rules and regulations of the
420.10 association;

420.11 (12) impose reasonable charges for the review, preparation and recordation of
420.12 amendments to the declaration, resale certificates required by section 515B.4-107, statements
420.13 of unpaid assessments, or furnishing copies of association records;

420.14 (13) provide for the indemnification of its officers and directors, and maintain directors'
420.15 and officers' liability insurance;

420.16 (14) provide for reasonable procedures governing the conduct of meetings and election
420.17 of directors;

420.18 (15) exercise any other powers conferred by law, or by the declaration, articles of
420.19 incorporation or bylaws; and

420.20 (16) exercise any other powers necessary and proper for the governance and operation
420.21 of the association.

420.22 (b) Notwithstanding subsection (a) the declaration or bylaws may not impose limitations
420.23 on the power of the association to deal with the declarant which are more restrictive than
420.24 the limitations imposed on the power of the association to deal with other persons.

420.25 (c) Notwithstanding subsection (a), powers exercised under this section must comply
420.26 with ~~section~~ sections 500.215 and 500.216.

420.27 (d) Notwithstanding subsection (a)(4) or any other provision of this chapter, the
420.28 association, before instituting litigation or arbitration involving construction defect claims
420.29 against a development party, shall:

420.30 (1) mail or deliver written notice of the anticipated commencement of the action to each
420.31 unit owner at the addresses, if any, established for notices to owners in the declaration and,
420.32 if the declaration does not state how notices are to be given to owners, to the owner's last

421.1 known address. The notice shall specify the nature of the construction defect claims to be
421.2 alleged, the relief sought, and the manner in which the association proposes to fund the cost
421.3 of pursuing the construction defect claims; and

421.4 (2) obtain the approval of owners of units to which a majority of the total votes in the
421.5 association are allocated. Votes allocated to units owned by the declarant, an affiliate of the
421.6 declarant, or a mortgagee who obtained ownership of the unit through a foreclosure sale
421.7 are excluded. The association may obtain the required approval by a vote at an annual or
421.8 special meeting of the members or, if authorized by the statute under which the association
421.9 is created and taken in compliance with that statute, by a vote of the members taken by
421.10 electronic means or mailed ballots. If the association holds a meeting and voting by electronic
421.11 means or mailed ballots is authorized by that statute, the association shall also provide for
421.12 voting by those methods. Section 515B.3-110(c) applies to votes taken by electronic means
421.13 or mailed ballots, except that the votes must be used in combination with the vote taken at
421.14 a meeting and are not in lieu of holding a meeting, if a meeting is held, and are considered
421.15 for purposes of determining whether a quorum was present. Proxies may not be used for a
421.16 vote taken under this paragraph unless the unit owner executes the proxy after receipt of
421.17 the notice required under subsection (d)(1) and the proxy expressly references this notice.

421.18 (e) The association may intervene in a litigation or arbitration involving a construction
421.19 defect claim or assert a construction defect claim as a counterclaim, crossclaim, or third-party
421.20 claim before complying with subsections (d)(1) and (d)(2) but the association's complaint
421.21 in an intervention, counterclaim, crossclaim, or third-party claim shall be dismissed without
421.22 prejudice unless the association has complied with the requirements of subsection (d) within
421.23 90 days of the association's commencement of the complaint in an intervention or the
421.24 assertion of the counterclaim, crossclaim, or third-party claim.

421.25 Sec. 66. Laws 2005, chapter 97, article 10, section 3, as amended by Laws 2013, chapter
421.26 85, article 7, section 9, is amended to read:

421.27 **Sec. 3. SUNSET.**

421.28 Sections 1 and 2 ~~shall~~ expire ~~on~~ June 30, ~~2023~~ 2028.

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

421.30 **Sec. 67. RULEMAKING AUTHORIZED.**

421.31 (a) The Public Utilities Commission is authorized to develop and adopt rules for siting
421.32 energy storage systems and to reflect the provisions of this act.

422.1 (b) Until the Public Utilities Commission adopts rules under this section, the Public
422.2 Utilities Commission shall utilize applicable provisions of Minnesota Rules, chapter 7850,
422.3 to site energy storage systems, except that Minnesota Rules, part 7850.4400, subpart 4, does
422.4 not apply to energy storage systems.

422.5 (c) For the purposes of this section, "energy storage system" has the meaning given in
422.6 Minnesota Statutes, section 216E.01, subdivision 3a.

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

422.8 **Sec. 68. LOCAL CLIMATE ACTION GRANT PROGRAM.**

422.9 Subdivision 1. **Definitions.** For the purpose of this section, the following terms have
422.10 the meanings given:

422.11 (1) "climate change" means a change in global or regional climate patterns associated
422.12 with increased levels of greenhouse gas emissions entering the atmosphere largely as a
422.13 result of human activity;

422.14 (2) "commissioner" means the commissioner of the Pollution Control Agency;

422.15 (3) "eligible applicant" means a political subdivision, an organization exempt from
422.16 taxation under section 501(c)(3) of the Internal Revenue Code, or an educational institution;

422.17 (4) "greenhouse gas emission" means an emission of carbon dioxide, methane, nitrous
422.18 oxide, chlorofluorocarbons, hydrofluorocarbons, sulfur hexafluoride, and other gases that
422.19 trap heat in the atmosphere;

422.20 (5) "local jurisdiction" means the geographic area in which grant activities take place;
422.21 and

422.22 (6) "political subdivision" means:

422.23 (i) a county; home rule charter or statutory city or town; regional development
422.24 commission established under Minnesota Statutes, section 462.387; or any other local
422.25 political subdivision; or

422.26 (ii) a Tribal government, as defined in Minnesota Statutes, section 116J.64, subdivision
422.27 4.

422.28 Subd. 2. **Establishment.** The commissioner must establish a local climate action grant
422.29 program in the Pollution Control Agency. The purpose of the program is to provide grants
422.30 to support local jurisdictions to address climate change by developing and implementing

- 423.1 plans of action or creating new organizations and institutions to devise policies and programs
423.2 that:
- 423.3 (1) enable local jurisdictions to adapt to extreme weather events and a changing climate;
423.4 or
- 423.5 (2) reduce the local jurisdiction's contributions to the causes of climate change.
- 423.6 Subd. 3. **Account established.** (a) The local climate action grant account is established
423.7 as a separate account in the special revenue fund in the state treasury. The commissioner
423.8 shall credit to the account appropriations and transfers to the account. Earnings, including
423.9 interest, dividends, and any other earnings arising from assets of the account, must be
423.10 credited to the account. Money remaining in the account at the end of a fiscal year does not
423.11 cancel to the general fund, but remains in the account until expended. The commissioner
423.12 shall manage the account.
- 423.13 (b) Money in the account is appropriated to the agency for the purposes of this section
423.14 and to reimburse the reasonable costs of the department to administer this section.
- 423.15 Subd. 4. **Application.** (a) Application for a grant under this section must be made to the
423.16 commissioner on a form developed by the commissioner. The commissioner must develop
423.17 procedures for soliciting and reviewing applications and for awarding grants under this
423.18 section.
- 423.19 (b) Eligible applicants for a grant under this section must be located in or conduct the
423.20 preponderance of the applicant's work in the local jurisdiction where the proposed grant
423.21 activities take place.
- 423.22 Subd. 5. **Awarding grants.** (a) In awarding grants under this section, the commissioner
423.23 must give preference to proposals that seek to involve a broad array of community residents,
423.24 organizations, and institutions in the local jurisdiction's efforts to address climate change.
- 423.25 (b) The commissioner shall endeavor to award grants under this section to applicants in
423.26 all regions of the state.
- 423.27 Subd. 6. **Grant amounts.** (a) A grant awarded under this section must not exceed
423.28 \$50,000.
- 423.29 (b) A grant awarded under this section for activities taking place in a local jurisdiction
423.30 whose population equals or exceeds 20,000 must be matched 50 percent with local funds.

424.1 (c) A grant awarded under this section for activities taking place in a local jurisdiction
424.2 whose population is under 20,000 must be matched a minimum of five percent with local
424.3 funds or equivalent in-kind services.

424.4 Subd. 7. **Contract; greenhouse gas emissions data.** The commissioner shall contract
424.5 with an independent consultant to estimate the annual amount of greenhouse gas emissions
424.6 generated within political subdivisions awarded a grant under this section that the
424.7 commissioner determines need the data in order to carry out the proposed grant activities.
424.8 The information must contain emissions data for the most recent three years available, and
424.9 must conform with the ICLEI United States Community Protocol for Accounting and
424.10 Reporting of Greenhouse Gas Emissions, including, at a minimum, the Basic Emissions
424.11 Generating Activities described in the protocol.

424.12 Subd. 8. **Technical assistance.** The Pollution Control Agency shall provide directly or
424.13 contract with an entity outside the agency to provide technical assistance to applicants
424.14 proposing to develop an action plan under this section, including greenhouse gas emissions
424.15 estimates developed under subdivision 7, and examples of actions taken and plans developed
424.16 by other local communities in Minnesota and elsewhere.

424.17 Subd. 9. **Eligible expenditures.** Appropriations made to support the activities of this
424.18 section may be used only to:

424.19 (1) provide grants as specified in this section;

424.20 (2) pay a consultant for contracted services provided under subdivisions 7 and 8; and

424.21 (3) reimburse the reasonable expenses incurred by the Pollution Control Agency to
424.22 provide technical assistance to applicants and to administer the grant program.

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

424.24 Sec. 69. **TRANSFER OF UNENCUMBERED WITHHELD FUNDS.**

424.25 Any funds withheld by the public utility subject to Minnesota Statutes, section 116C.779,
424.26 subdivision 1, to provide financial assistance to schools to purchase and install solar energy
424.27 systems, as required under Minnesota Statutes 2022, section 216C.376, subdivision 5,
424.28 paragraph (a), that are unencumbered as of the effective date of this section must be
424.29 transferred to the solar for schools program account established under Minnesota Statutes,
424.30 section 216C.375, subdivision 3.

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

425.1 **Sec. 70. DECOMMISSIONING AND DEMOLITION PLAN FOR COAL-FIRED**
425.2 **PLANT.**

425.3 The public utility that owns an electric generation facility powered by coal that is located
425.4 within the St. Croix National Scenic Riverway and is scheduled for retirement in 2028 must
425.5 develop a plan and detailed schedule of activities that it proposes to undertake to
425.6 decommission and demolish the electric generation facility and to remediate pollution at
425.7 the electric generation facility site. The public utility must file the plan with the Minnesota
425.8 Public Utilities Commission as part of the public utility's next resource plan filing under
425.9 Minnesota Statutes, section 216B.2422, or in a separate filing by December 31, 2025,
425.10 whichever is earlier. A copy of the plan and schedule must be filed on the same date with
425.11 the governing body of the municipality where the electric generation facility is located.

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

425.13 **Sec. 71. TRIBAL ADVOCACY COUNCIL ON ENERGY; DEPARTMENT OF**
425.14 **COMMERCE SUPPORT.**

425.15 (a) The Department of Commerce must provide technical support and subject matter
425.16 expertise to assist and help facilitate any efforts taken by the 11 federally recognized Indian
425.17 Tribes in Minnesota to establish a Tribal advocacy council on energy.

425.18 (b) When providing support to a Tribal advocacy council on energy, the Department of
425.19 Commerce may assist the council to:

425.20 (1) assess and evaluate common Tribal energy issues, including (i) identifying and
425.21 prioritizing energy issues, (ii) facilitating idea sharing between the Tribes to generate
425.22 solutions to energy issues, and (iii) assisting decision making with respect to resolving
425.23 energy issues;

425.24 (2) develop new statewide energy policies or proposed legislation, including (i) organizing
425.25 stakeholder meetings, (ii) gathering input and other relevant information, (iii) assisting with
425.26 policy proposal development, evaluation, and decision making, and (iv) helping facilitate
425.27 actions taken to submit, and obtain approval for or have enacted, policies or legislation
425.28 approved by the council;

425.29 (3) make efforts to raise awareness and provide educational opportunities with respect
425.30 to Tribal energy issues by (i) identifying information resources, (ii) gathering feedback on
425.31 issues and topics the council identifies as areas of interest, and (iii) identifying topics for
425.32 educational forums and helping facilitate the forum process; and

426.1 (4) identify, evaluate, and disseminate successful energy-related practices, and develop
426.2 mechanisms or opportunities to implement the successful practices.

426.3 (c) Nothing in this section requires or otherwise obligates the 11 federally recognized
426.4 Indian Tribes in Minnesota to establish a Tribal advocacy council on energy, nor does it
426.5 require or obligate any one of the 11 federally recognized Indian Tribes in Minnesota to
426.6 participate in or implement a decision or support an effort made by an established Tribal
426.7 advocacy council on energy.

426.8 (d) Any support provided by the Department of Commerce to a Tribal advocacy council
426.9 on energy under this section may be provided only upon request of the council and is limited
426.10 to issues and areas where the Department of Commerce's expertise and assistance is
426.11 requested.

426.12 **Sec. 72. ELECTRIC GRID RESILIENCE GRANTS.**

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

426.15 (b) "Carbon-free" has the meaning given in Minnesota Statutes, section 216B.1691,
426.16 subdivision 1.

426.17 (c) "Commissioner" means the commissioner of commerce.

426.18 (d) "Consumer-owned utility" has the meaning given in Minnesota Statutes, section
426.19 216B.2402, subdivision 2.

426.20 (e) "Department" means the Department of Commerce.

426.21 (f) "Eligible applicant" means a consumer-owned utility or associated trade association,
426.22 generation and transmission cooperative electric association, municipal power agency, or
426.23 power district serving one or more consumer-owned utilities.

426.24 (g) "Resilience" means the ability of an electrical grid to prepare for, adapt to, or minimize
426.25 the consequences of extreme weather or malicious physical or cyber-attacks.

426.26 (h) "Strategic electrification" has the meaning given in Minnesota Statutes, section
426.27 216B.2427, subdivision 1.

426.28 Subd. 2. **Program establishment.** An electric grid resilience grant program is established
426.29 in the Department of Commerce to provide financial assistance to eligible applicants. A
426.30 project awarded a grant under this section:

426.31 (1) must increase the resilience of the electric grid;

427.1 (2) may develop or improve carbon-free distributed energy resources in the state; and

427.2 (3) may improve a utility's ability to add load growth resulting from strategic
427.3 electrification and electrification of transportation.

427.4 Subd. 3. **Application process.** An eligible applicant seeking a grant under this section
427.5 must submit an application to the commissioner on a form developed by the commissioner.
427.6 The commissioner is responsible for receiving and reviewing grant applications and awarding
427.7 grants under this subdivision. The commissioner must develop administrative procedures
427.8 to govern the application, evaluation, and grant award process.

427.9 Subd. 4. **Grant awards.** The maximum grant award for each eligible applicant awarded
427.10 a grant under this subdivision is \$250,000. In awarding grants under this subdivision, the
427.11 department must:

427.12 (1) give priority to projects with the greatest potential to assist an eligible applicant to
427.13 comply with the standards established in Minnesota Statutes, section 216B.1691;

427.14 (2) endeavor to award grants to eligible applicants from all regions of the state; and

427.15 (3) provide technical assistance to applicants.

427.16 Subd. 5. **Account established.** An electric grid resilience grant program account is
427.17 established as a separate account in the special revenue fund in the state treasury. The
427.18 commissioner of commerce must credit to the account appropriations and transfers made
427.19 to the account. Earnings, including interest, dividends, and any other earnings arising from
427.20 assets of the account, must be credited to the account. Money in the account at the end of
427.21 a fiscal year does not cancel to the general fund but remains available in the account until
427.22 expended. The commissioner of commerce must manage the account.

427.23 Subd. 6. **Appropriation; expenditures.** Money in the account is appropriated to the
427.24 commissioner of commerce and must be used only:

427.25 (1) to make grant awards under this section; and

427.26 (2) to pay the reasonable costs incurred by the department to administer this section,
427.27 including the cost of providing technical assistance to eligible applicants.

427.28 Subd. 7. **Report.** Beginning February 15, 2025, and each February 15 thereafter until
427.29 the appropriation under article 10, section 2, subdivision 2, paragraph (r), has been expended,
427.30 the commissioner must submit a written report to the chairs and ranking minority members
427.31 of the legislative committees with jurisdiction over energy policy and finance on the activities
427.32 taken and expenditures made under this section. The report must, at a minimum, include

428.1 each grant awarded in the most recent calendar year and the remaining balance of the
428.2 appropriation under this section.

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

428.4 **Sec. 73. COMMUNITY SOLAR GARDEN STUDY.**

428.5 The commissioner of commerce must contract with a third party for a study of the
428.6 community solar garden program operated pursuant to Minnesota Statutes, section
428.7 216B.1641, and must, by December 15, 2024, submit to the chairs and ranking minority
428.8 members of the legislative committees with jurisdiction over energy policy a report on the
428.9 program. The report must include:

428.10 (1) a comparison of the program with similar programs operated in other jurisdictions,
428.11 including a comparison of program structure, the manner in which applications are submitted
428.12 and reviewed, how related infrastructure upgrades are prioritized and funded, and how
428.13 regulations and penalties are structured;

428.14 (2) an analysis of the cost to ratepayers of operating the community solar garden program
428.15 and a comparison with the cost to ratepayers of other potential options for encouraging
428.16 adoption of solar electricity generation in this state; and

428.17 (3) an analysis of how the community solar program impacts interconnection and
428.18 infrastructure upgrade needs and challenges.

428.19 **Sec. 74. UTILITY ENERGY STORAGE SYSTEM CAPACITY STUDY.**

428.20 (a) The Department of Commerce shall conduct or contract for a study to determine the
428.21 optimal capacity of energy storage systems required to be installed by electric utilities
428.22 located in Minnesota by 2030, 2035, and 2040 in order to achieve the requirements
428.23 established under:

428.24 (1) Minnesota Statutes, section 216B.1691, subdivision 2g, regarding the proportion of
428.25 electricity sold at retail in the state that must be generated by carbon-free resources; and

428.26 (2) Minnesota Statutes, section 216B.1691, subdivision 2a, regarding the proportion of
428.27 electricity sold at retail in the state that must be generated by eligible energy technologies.

428.28 (b) In determining optimal capacity amounts, the study must consider:

428.29 (1) technological advances in energy storage technology that are likely to be made by
428.30 2040, and their impact on the cost-effectiveness of deploying energy storage systems;

428.31 (2) the extent to which energy storage systems can serve as substitutes for:

429.1 (i) additional electric transmission lines and distribution system capacity; and

429.2 (ii) additional generating capacity, including peaking capacity;

429.3 (3) which electric utilities are most likely to need and benefit from the deployment of
429.4 energy storage systems, given their load characteristics and other factors; and

429.5 (4) the deployment of energy storage systems in other states, including in states that
429.6 have established mandatory targets for storage capacity.

429.7 (c) No later than February 15, 2024, the Department of Commerce shall submit a written
429.8 report documenting the study's findings to the chairs and ranking minority members of the
429.9 senate and house of representatives committees with primary responsibility over energy
429.10 policy and finance.

429.11 (d) No later than February 15, 2024, the Department of Commerce shall host a meeting
429.12 to solicit input from stakeholders and the public regarding recommendations for the
429.13 implementation of policies and programs designed to promote the increased deployment of
429.14 energy storage systems by electric utilities in order to achieve the statewide goals referenced
429.15 under paragraph (a). The Department of Commerce shall, no later than March 1, 2024,
429.16 submit a written summary of the recommendations made at the meeting to the members of
429.17 the legislature identified in paragraph (c) and shall post the summary on the department's
429.18 website.

429.19 (e) For the purposes of this section, "energy storage system" has the meaning given in
429.20 Minnesota Statutes, section 216B.2422, subdivision 1.

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

429.22 **Sec. 75. PUBLIC UTILITIES COMMISSION DOCKET; INTERCONNECTION.**

429.23 No later than September 1, 2023, the commission shall open a proceeding to establish
429.24 interconnection procedures that allow customer-sited distributed generation projects up to
429.25 40 kilowatts alternating current in capacity to be processed according to schedules specified
429.26 in the Minnesota Distributed Energy Resources Interconnection Process, giving such projects
429.27 priority over larger projects that may enjoy superior positions in the processing queue.

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

429.29 **Sec. 76. SUPPORTING INVESTMENT IN GREEN FERTILIZER PRODUCTION.**

429.30 (a) The commissioner of agriculture may award a grant under this section to a cooperative
429.31 to invest in green fertilizer production facilities in order to reduce greenhouse gas emissions

430.1 and increase the use of renewable energy in the agriculture sector. A grant under this section
430.2 must include a long-term agreement requiring cooperative members to purchase green
430.3 fertilizer from the facilities and to obtain training in best management practices in fertilizer
430.4 application to minimize pollution. Renewable energy, hydrogen, and ammonia must be
430.5 produced within 100 miles of the production facilities and the final production of nitrogen
430.6 fertilizer must occur within Minnesota.

430.7 (b) For purposes of this section:

430.8 (1) "cooperative" includes an agricultural or rural electric cooperative organized under
430.9 Minnesota Statutes, chapter 308A or 308B;

430.10 (2) "green fertilizer production facilities" means facilities that use renewable energy to
430.11 produce anhydrous ammonia, urea, or hydrogen;

430.12 (3) "green hydrogen" means hydrogen produced by splitting water molecules using:

430.13 (i) grid-based electrolyzers that have matched their electricity consumption with wind
430.14 or solar, on a basis determined by the commissioner; or

430.15 (ii) electrolyzers connected directly to a wind or solar facility; and

430.16 (4) "green fertilizer" means a nitrogen-based fertilizer produced from green hydrogen.

430.17 (c) The commissioner of agriculture must develop criteria and scoring procedures for
430.18 evaluating and awarding grants. The maximum grant award for a cooperative is \$7,000,000.

430.19 (d) Up to five percent of the amount in paragraph (a) may be used by the Department
430.20 of Agriculture to administer this section.

430.21 (e) By December 15 each year, the commissioner of agriculture must report to the chairs
430.22 and ranking minority members of the legislative committees with jurisdiction over agriculture
430.23 to provide an update on the progress of projects funded by this program. Each report must
430.24 include how much of the amount appropriated has been used, including the amount used
430.25 for administration. The commissioner may include additional information of interest or
430.26 relevance to the legislature. This paragraph expires December 31, 2031.

430.27 (f) By December 15, 2032, the commissioner of agriculture must complete a final report
430.28 to the chairs and ranking minority members of the legislative committees with jurisdiction
430.29 over agriculture regarding the uses and impacts of this program. The final report must
430.30 include a list of the grants awarded, the amount of the appropriation used for administration,
430.31 the amount of green fertilizer produced, and a summary of the economic and environmental
430.32 impacts of this production compared to the production and purchase of conventionally

431.1 produced fertilizer. The commissioner of agriculture may include additional information
431.2 of interest or relevance to the legislature. This paragraph expires December 31, 2032.

431.3 Sec. 77. **REVISOR INSTRUCTION.**

431.4 The revisor of statutes shall make any necessary changes in Minnesota Rules resulting
431.5 from the changes made to Minnesota Statutes, chapter 216E, in this act.

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

431.7 Sec. 78. **REPEALER.**

431.8 Minnesota Statutes 2022, section 216C.376, is repealed.

431.9 **EFFECTIVE DATE.** This section is 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.

216C.376 SOLAR FOR SCHOOLS PROGRAM FOR CERTAIN UTILITY SERVICE TERRITORY.

Subdivision 1. **Establishment; purpose.** The utility subject to section 116C.779 must operate a program to provide financial assistance to enable schools to install and operate solar energy systems that can be used as teaching tools and be integrated into the school curriculum.

Subd. 2. **Required plan.** (a) By October 1, 2021, the public utility must file a plan for the solar for schools program with the commissioner. The plan must contain but is not limited to the following elements:

- (1) a description of how the public utility proposes to use incentive program money withheld from the renewable development account to provide financial assistance to schools at which a solar energy system is installed;
- (2) an estimate of the amount of financial assistance that the public utility provides to a school under clause (1), and the length of time financial assistance is provided;
- (3) administrative procedures governing the application and financial assistance award process, and the costs the public utility is projected to incur to administer the program;
- (4) the public utility's proposed process for periodic reevaluation and modification of the program; and

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(5) any additional information required by the commissioner.

(b) The public utility may not implement the program until the commissioner approves the public utility's plan submitted under this subdivision. The commissioner must approve a plan under this subdivision that the commissioner determines to be in the public interest no later than December 31, 2021. Any proposed modifications to the plan approved under this subdivision must be approved by the commissioner.

Subd. 3. **System eligibility.** A solar energy system is eligible to receive financial assistance under this section if it meets all of the following conditions:

(1) the solar energy system must be located on or adjacent to a school building receiving retail electric service from the public utility and completely located within the public utility's electric service territory, provided that any land situated between the school building and the site where the solar energy system is installed is owned by the school district or the state college or university in which the school building operates;

(2) the total aggregate nameplate capacity of all distributed generation serving the school building, including any subscriptions to a community solar garden under section 216B.1641, may not exceed the lesser of one megawatt alternating current or 120 percent of the average annual electric energy consumption of the school building; and

(3) has real-time and cumulative display devices, located in a prominent location accessible to students and the public, that indicate the system's electrical performance.

Subd. 4. **Application process.** (a) A school seeking financial assistance under this section must submit an application to the public utility, including a plan for how the school uses the solar energy system as a visible learning tool for students, teachers, and visitors to the school, and how the solar energy system may be integrated into the school's curriculum.

(b) The public utility must award financial assistance under this section on a first-come, first-served basis.

(c) The public utility must discontinue accepting applications under this section after all money withheld under subdivision 5 are allocated to program participants, including funds from canceled projects.

Subd. 5. **Program funding.** (a) In 2022, the public utility subject to section 116C.779 must withhold \$8,000,000 from the transfer made under section 116C.779, subdivision 1, paragraph (e), to pay for assistance provided by the program under this section. The money withheld under this paragraph must be used to pay for financial assistance awarded under this section and the costs to administer this section. Any money that remains unexpended on June 30, 2027, cancels to the renewable development account.

(b) The renewable energy credits associated with the electricity generated by a solar energy system installed under this section are the property of the public utility that is subject to this section for the life of the system, regardless of the duration of the financial assistance provided by the public utility under this section.

Subd. 6. **Limitation.** (a) No more than 60 percent of the financial assistance provided by the public utility to schools under this section may be provided to schools where the proportion of students eligible for free and reduced-price lunch under the National School Lunch Program is less than 50 percent. If, after December 31, 2024, there is an insufficient number of applicant schools to fulfill the requirements of this paragraph, the remaining amounts may be provided to any school that is otherwise eligible to receive financial assistance under this section but for the requirements of this paragraph.

(b) No more than ten percent of the total amount of financial assistance provided by the public utility to schools under this section may be provided to schools that are part of the same school district or state college or university.

(c) Paragraph (a) does not apply to a state college or university.

Subd. 7. **Technical assistance.** The commissioner may provide technical assistance to schools to develop and execute projects under this section.

Subd. 8. **Program information.** The public utility must provide information requested by the commissioner that the commissioner determines is necessary to complete the report required under section 216C.375, subdivision 11.

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Subd. 9. **Application deadline.** No application may be submitted under this section after December 31, 2025.

325E.389 ITEMS CONTAINING LEAD PROHIBITED.

Subdivision 1. **Definitions.** For purposes of this section, the following definitions apply.

(a) "Body piercing jewelry" means any part of jewelry that is manufactured or sold for placement in a new piercing or a mucous membrane, but does not include any part of that jewelry that is not placed within a new piercing or a mucous membrane.

(b) "Children" means children age six and younger.

(c) "Children's jewelry" means jewelry that is made for, marketed for use by, or marketed to children. For purposes of this section, children's jewelry includes, but is not limited to, jewelry that meets any of the following conditions:

(1) is represented in its packaging, display, or advertising as appropriate for use by children;

(2) is sold in conjunction with, attached to, or packaged together with other products that are packaged, displayed, or advertised as appropriate for use by children;

(3) is sized for children and not intended for use by adults; or

(4) is sold in any of the following:

(i) a vending machine;

(ii) retail store, catalog, or website in which a person exclusively offers for sale products that are packaged, displayed, or advertised as appropriate for use by children; or

(iii) a discrete portion of a retail store, catalog, or website in which a person offers for sale products that are packaged, displayed, or advertised as appropriate for use by children.

(d) "Class 1 material" means any of the following materials:

(1) stainless or surgical steel;

(2) karat gold;

(3) sterling silver;

(4) platinum, palladium, iridium, ruthenium, rhodium, or osmium;

(5) natural or cultured pearls;

(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:

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(i) on and before August 30, 2009, less than 0.06 percent (600 parts per million) lead by weight; and

(ii) on and after August 31, 2009, less than 0.02 percent (200 parts per million) lead by weight; and

(4) a dye or surface coating containing less than 0.06 percent (600 parts per million) lead by weight.

(f) "Class 3 material" means any portion of jewelry that meets both of the following criteria:

(1) is not a Class 1 or Class 2 material; and

(2) contains less than 0.06 percent (600 parts per million) lead by weight.

(g) "Component" means any part of jewelry.

(h) "EPA reference methods 3050B (Acid Digestion of Sediments, Sludges, and Soils) or 3051 (Microwave Assisted Digestion/Sludge, Soils)" means those test methods incorporated by reference in Code of Federal Regulations, title 40, section 260.11, paragraph (11), subdivision (a).

(i) "Jewelry" means:

(1) any of the following ornaments worn by a person: anklet, arm cuff, bracelet, brooch, chain, crown, cuff link, decorated hair accessories, earring, necklace, pin, ring, or body piercing jewelry; or

(2) any bead, chain, link, pendant, or other component of such an ornament.

(j) "Surface coating" means a fluid, semifluid, or other material, with or without a suspension of finely divided coloring matter, that changes to a solid film when a thin layer is applied to a metal, wood, stone, paper, leather, cloth, plastic, or other surface. Surface coating does not include a printing ink or a material that actually becomes a part of the substrate including, but not limited to, pigment in a plastic article or a material that is actually bonded to the substrate, such as by electroplating or ceramic glazing.

Subd. 2. **Sale prohibited.** (a) No person shall manufacture any jewelry that is offered for sale in Minnesota unless the jewelry is made entirely from a Class 1, Class 2, or Class 3 material, or any combination thereof.

(b) No person shall offer for sale, sell, label, or distribute for free any jewelry represented to contain safe levels of lead, unless the jewelry is made entirely from a Class 1, Class 2, or Class 3 material, or any combination thereof.

(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;

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(3) a metallic material that is either a Class 1 material or contains less than 0.06 percent (600 parts per million) lead by weight;

(4) glass or crystal decorative components that weigh in total no more than one gram, excluding any glass or crystal decorative component that contains less than 0.02 percent (200 parts per million) lead by weight and has no intentionally added lead;

(5) printing ink or ceramic glaze that contains less than 0.06 percent (600 parts per million) lead by weight; or

(6) Class 3 material that contains less than 0.02 percent (200 parts per million) lead by weight.

(e) Notwithstanding paragraph (a), no person shall manufacture any body piercing jewelry that is offered for sale in Minnesota unless the body piercing jewelry is made of one or more of the following materials:

(1) surgical implant stainless steel; or

(2) surgical implant grade of titanium, niobium (Nb), solid 14-karat or higher white or yellow nickel-free gold, solid platinum, or a dense low-porosity plastic including, but not limited to, Tygon or polytetrafluoroethylene (PTFE), if the plastic contains no intentionally added lead.

(f) No person shall offer for sale, sell, label, or distribute for free any body piercing jewelry represented to contain safe levels of lead unless the body piercing jewelry is made of one or more of the following materials:

(1) surgical implant stainless steel; or

(2) surgical implant grade of titanium, niobium (Nb), solid 14-karat or higher white or yellow nickel-free gold, solid platinum, or a dense low-porosity plastic including, but not limited to, Tygon or polytetrafluoroethylene (PTFE), if the plastic contains no intentionally added lead.

(g) The prohibitions under this section do not apply to sales or free distribution of jewelry by a nonprofit organization described in section 501(c)(3) of the Internal Revenue Code or to isolated and occasional sales of jewelry not made in the normal course of business.

Subd. 3. Testing methods. (a) The testing methods for determining compliance with this section must be conducted using EPA reference method 3050B or 3051 for the material being tested, except as otherwise provided in subdivision 4 and in accordance with all of the following procedures:

(1) when preparing a sample, the laboratory shall make every effort to ensure that the sample removed from a jewelry piece is representative of the component to be tested, and is free of contamination from extraneous dirt and material not related to the component to be tested;

(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

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(3) the mean lead level of four or more samples of the material exceeds the applicable limit for a component.

Subd. 4. **Additional testing procedures.** In addition to the requirements of subdivision 3, the following procedures must be used for testing the following materials:

(1) for testing a metal plated with suitable undercoats and finish coats, the following protocols must be observed:

(i) digestion must be conducted using hot concentrated nitric acid with the option of using hydrochloric acid or hydrogen peroxide;

(ii) the sample size must be 0.050 gram to one gram;

(iii) the digested sample may require dilution prior to analysis;

(iv) the digestion and analysis must achieve a reported detection limit no greater than 0.1 percent for samples; and

(v) all necessary dilutions must be made to ensure that measurements are made within the calibrated range of the analytical instrument;

(2) for testing unplated metal and metal substrates that are not a Class 1 material, the following protocols must be observed:

(i) digestion must be conducted using hot concentrated nitric acid with the option of using hydrochloric acid and hydrogen peroxide;

(ii) the sample size must be 0.050 gram to one gram;

(iii) the digested sample may require dilution prior to analysis;

(iv) the digestion and analysis must achieve a reported detection limit no greater than 0.01 percent for samples; and

(v) all necessary dilutions must be made to ensure that measurements are made within the calibrated range of the analytical instrument;

(3) for testing polyvinyl chloride (PVC), the following protocols must be observed:

(i) the digestion must be conducted using hot concentrated nitric acid with the option of using hydrochloric acid and hydrogen peroxide;

(ii) the sample size must be a minimum of 0.05 gram if using microwave digestion or 0.5 gram if using hotplate digestion, and must be chopped or comminuted prior to digestion;

(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:

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(i) the coating of glass or plastic beads must be scraped onto a surface free of dust, including a clean weighing paper or pan, using a clean stainless steel razor blade or other clean sharp instrument that will not contaminate the sample with lead. The substrate pearl material must not be included in the scrapings;

(ii) the razor blade or sharp instrument must be rinsed with deionized water, wiped to remove particulate matter, rinsed again, and dried between samples;

(iii) the scrapings must be weighed and not less than 50 micrograms of scraped coating must be used for analysis. If less than 50 micrograms of scraped coating is obtained from an individual pearl, multiple pearls from that sample must be scraped and composited to obtain a sufficient sample amount;

(iv) the number of pearls used to make the composite must be noted;

(v) the scrapings must be digested according to EPA reference method 3050B or 3051 or an equivalent procedure for hot acid digestion in preparation for trace lead analysis;

(vi) the digestate must be diluted in the minimum volume practical for analysis;

(vii) the digested sample must be analyzed according to specification of an approved and validated methodology for inductively coupled plasma mass spectrometry;

(viii) a reporting limit of 0.001 percent (10 parts per million) in the coating must be obtained for the analysis; and

(ix) the sample result must be reported within the calibrated range of the instrument. If the initial test of the sample is above the highest calibration standard, the sample must be diluted and reanalyzed within the calibrated range of the instrument;

(6) for testing dyes, paints, coatings, varnish, printing inks, ceramic glazes, glass, or crystal, the following testing protocols must be observed:

(i) the digestion must use hot concentrated nitric acid with the option of using hydrochloric acid or hydrogen peroxide;

(ii) the sample size must be not less than 0.050 gram, and must be chopped or comminuted prior to digestion;

(iii) the digested sample may require dilution prior to analysis;

(iv) the digestion and analysis must achieve a reported detection limit no greater than 0.001 percent (10 parts per million) for samples; and

(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

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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.

6100.5000 SNOWMOBILE REGISTRATION AND DISPLAY OF NUMBERS.

Subp. 3. **Affixation of number.** The registration number of the snowmobile, shown on the registration certificate, shall be affixed to the snowmobile and maintained in a clear, legible manner. On all machines made after June 30, 1972, and sold in Minnesota, such registration number shall be affixed in the space provided therefor in accordance with part 6100.5700, subpart 4. On all other machines it shall be affixed on each side of the cowling on the upper half of the machine, as follows.

[Image Not Shown]

Subp. 4. **Description of decal or number; lost or destroyed number or decal.** All letters and numbers shall be of a color which will contrast with the surface to which applied, and shall be at least three inches high and three-eighths inch stroke. When any previously affixed registration number or decal is destroyed or lost, a duplicate shall be affixed in the manner shown above. The registration number shall remain the same if renewed by July 1 following the expiration date.

Subp. 5. **General prohibition.** No person shall operate or transport, and no person shall permit the operation of, a snowmobile within this state which does not have its registration number and unexpired decal affixed in the form and manner required by this part, unless the owner is exempted from the registration requirements of this state by Minnesota Statutes, section 84.82.

6100.5700 REQUIRED EQUIPMENT.

Subp. 4. **Snowmobile registration number affixation.** All snowmobiles made after June 30, 1972, and sold in Minnesota, shall be designed and made to provide an area on which to affix the snowmobile registration number at the following location and of the following dimensions:

A. A clear area shall be provided on each side of the cowling or pan with the minimum size of 3-1/2 inches vertical by 11 inches horizontal.

B. It shall be a minimum of 12 inches from the ground when the machine is resting on a hard surface.

6115.1220 PROCEDURES.

Subp. 8. **Sale of basin to commissioner.** If the landowner chooses to sell the basin and access area to the commissioner the landowner shall obtain from the county board of commissioners the approval to sell the property as required by Minnesota Statutes, section 97A.145. The commissioner must be supplied with a copy of the board's resolution and if the county board refuses approval, the applicant must select from among those options not requiring county board approval. This procedure does not apply in those counties where blanket approval to sell the property to the state has been granted to those landowners who are eligible for compensation under Minnesota Statutes, section 105.391, subdivision 3.

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.