

TWENTY-SEVENTH DAY

St. Paul, Minnesota, Thursday, March 18, 2021

The Senate met at 11:00 a.m. and was called to order by the President.

Prayer was offered by the Chaplain, Rev. Hans Jorgensen.

The members of the Senate gave the pledge of allegiance to the flag of the United States of America.

The roll was called, and the following Senators were present:

Abeler	Draheim	Howe	Marty	Rest
Anderson	Duckworth	Ingebrigtsen	Mathews	Rosen
Bakk	Dziedzic	Isaacson	McEwen	Ruud
Benson	Eaton	Jasinski	Miller	Senjem
Bigham	Eichorn	Johnson	Murphy	Tomassoni
Carlson	Eken	Johnson Stewart	Nelson	Torres Ray
Chamberlain	Fateh	Kent	Newman	Utke
Champion	Franzen	Kiffmeyer	Newton	Weber
Clausen	Frentz	Klein	Osmek	Westrom
Coleman	Gazelka	Koran	Pappas	Wiger
Cwodzinski	Goggin	Kunesh	Port	Wiklund
Dahms	Hawj	Lang	Pratt	
Dibble	Hoffman	Latz	Putnam	
Dornink	Housley	Limmer	Rarick	

Pursuant to Rule 14.1, the President announced the following members intend to vote under Rule 40.7: Anderson, Carlson, Champion, Clausen, Coleman, Dibble, Eaton, Fateh, Isaacson, Klein, Latz, Marty, McEwen, Newton, Osmek, Putnam, Rosen, Senjem, and Wiklund.

The President declared a quorum present.

The reading of the Journal was dispensed with and the Journal, as printed and corrected, was approved.

**EXECUTIVE AND OFFICIAL COMMUNICATIONS**

The following communications were received.

March 7, 2021

The Honorable Jeremy R. Miller  
President of the Senate

Dear Senator Miller:

The following appointments are hereby respectfully submitted to the Senate for confirmation as required by law:

PROFESSIONAL EDUCATOR LICENSING AND STANDARDS BOARD

Cesar Montufar, 807 Rainbow Ct., Stillwater, in the county of Washington, effective March 8, 2021, for a term expiring on January 3, 2022.

Brian Rappe, 1021 Bandana Blvd. E., Saint Paul, in the county of Ramsey, effective March 8, 2021, for a term expiring on January 6, 2025.

May Thor, 6417 Langer Cir., Lino Lakes, in the county of Anoka, effective March 8, 2021, for a term expiring on January 1, 2024.

(Referred to the Committee on Education Finance and Policy.)

Sincerely,  
Tim Walz, Governor

March 17, 2021

The Honorable Jeremy R. Miller  
President of the Senate

Dear Senator Miller:

As Senate Majority Leader, I hereby make the following appointments:

Pursuant to Minnesota Statutes 3.305, and resolutions adopted by the Legislative Coordinating Commission on February 24, 2021:

Resolution LCC-4: LCC Subcommittee on Minnesota Water Policy - reappoint Senator Weber, Senator Draheim, and Senator Goggin to serve for a term ending January 1, 2023.

Resolution LCC-2: LCC Subcommittee on Administrative Rules - Senator Johnson to serve as my designee for a term ending no later than January 1, 2023.

Sincerely,  
Paul E. Gazelka  
Senate Majority Leader  
State Senator, District 9

**REPORTS OF COMMITTEES**

Senator Gazelka moved that the Committee Reports at the Desk be now adopted, with the exception of the report on S.F. No. 2116. The motion prevailed.

**Senator Rarick from the Committee on Labor and Industry Policy, to which was referred**

**S.F. No. 1180:** A bill for an act relating to employment; expanding applicability of pregnancy accommodations; amending Minnesota Statutes 2020, section 181.939; repealing Minnesota Statutes 2020, section 181.9414.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Jobs and Economic Growth Finance and Policy. Report adopted.

**Senator Rarick from the Committee on Labor and Industry Policy, to which was referred**

**S.F. No. 155:** A bill for an act relating to public safety; requiring installation of automatic sprinkler systems in certain existing high-rise buildings; authorizing rulemaking; proposing coding for new law in Minnesota Statutes, chapter 299F.

Reports the same back with the recommendation that the bill be amended as follows:

Delete everything after the enacting clause and insert:

**"Section 1. [299F.48] AUTOMATIC SPRINKLER SYSTEMS IN EXISTING PUBLIC HOUSING BUILDINGS.**

Subdivision 1. **Requirements.** (a) An automatic sprinkler system must be installed in those portions of an entire existing public housing building in which an automatic sprinkler system would be required if the building were constructed on the effective date of this section. The automatic sprinkler system must comply with standards in the State Fire Code and the State Building Code and must be fully operational by August 1, 2033.

(b) For the purposes of this section, "public housing building" means housing for low-income persons and households financed by the federal government and owned and operated by the public housing authorities and agencies formed by cities and counties in which at least one story used for human occupancy is 75 feet or more above the lowest level of fire department vehicle access.

Subd. 2. **Reporting.** By August 1, 2023, the owner of a building subject to subdivision 1 shall submit to the state fire marshal a letter stating the owner's intent to comply with this section and a plan for achieving compliance by the deadline in subdivision 1.

Subd. 3. **Extensions.** The commissioner of public safety, or the state fire marshal as the commissioner's designee, may grant extensions to the deadline for reporting under subdivision 2 or the deadline for compliance under subdivision 1. Any extension must observe the spirit and intent of this section and be tailored to ensure public welfare and safety. To be eligible for an extension, the building owner must apply to the commissioner of public safety and demonstrate a genuine inability to comply within the time prescribed despite appropriate effort to do so.

Subd. 4. **Effect on other laws.** This section does not supersede the State Building Code or State Fire Code."

Amend the title as follows:

Page 1, line 3, delete "high-rise" and insert "public housing" and delete "authorizing rulemaking;"

And when so amended the bill do pass and be re-referred to the Committee on Judiciary and Public Safety Finance and Policy. Amendments adopted. Report adopted.

**Senator Rarick from the Committee on Labor and Industry Policy, to which was referred**

**S.F. No. 2116:** A bill for an act relating to labor and industry; creating definitions for chemical dispensing system and dishwashing machine; modifying requirements for installation; amending Minnesota Statutes 2020, sections 326B.42, by adding subdivisions; 326B.46, subdivision 1.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Jobs and Economic Growth Finance and Policy.

Pursuant to Joint Rule 2.03, the bill was referred to the Committee on Rules and Administration.

**Senator Housley from the Committee on Aging and Long-Term Care Policy, to which was referred**

**S.F. No. 1786:** A bill for an act relating to health; establishing the Age-Friendly Minnesota Council; requiring a report; proposing coding for new law in Minnesota Statutes, chapter 15.

Reports the same back with the recommendation that the bill be amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. [15.0147] AGE-FRIENDLY MINNESOTA COUNCIL.

Subdivision 1. **Age-Friendly Minnesota Council established.** The Age-Friendly Minnesota Council is created. The infrastructure of the Age-Friendly Minnesota Council established in this section shall be autonomous and independent.

Subd. 2. **Membership.** (a) The Age-Friendly Minnesota Council shall consist of at least 25 voting members:

(1) one member of the house of representatives appointed by the speaker of the house;

(2) one member of the house of representatives appointed by the house minority leader;

(3) one member of the senate appointed by the senate majority leader;

(4) one member of the senate appointed by the senate minority leader;

(5) one member representing a Minnesota Tribal Nation selected by the Indian Affairs Council under section 3.922;

(6) one member representing the governor's broadband task force;

(7) a minimum of two members from age-friendly cities and counties;

(8) members from philanthropic organizations;

(9) members of the public who are older adults and either residents of or individuals representing rural areas outside of the seven-county metropolitan area;

(10) members representing the business community;

(11) members representing nonprofit organizations representing older adults and health care providers; and

(12) members representing the public at large.

(b) In addition to the members in paragraph (a), each of the following state agencies shall designate an age-friendly Minnesota lead who shall actively participate as a member of the council:

(1) Board on Aging;

(2) Department of Commerce;

(3) Department of Employment and Economic Development;

(4) Department of Health;

(5) Housing and Finance Agency;

(6) Department of Human Services;

(7) Department of Transportation;

(8) Department of Veterans Affairs;

(9) Metropolitan Council; and

(10) Department of Natural Resources.

Other state agencies may participate as nonvoting members.

(c) The council shall hire an executive director who serves in the unclassified service and may employ or contract with staff to provide support as the council deems necessary to perform the council's duties. The director must have knowledge and demonstrated experience in aging, age-friendly work, and proficiency in the management and administration of programs relating to these fields.

(d) The Minnesota Board on Aging appointee shall serve at all times as the chair of the Age-Friendly Minnesota Council.

(e) The council shall take steps to enroll Minnesota in a nationally recognized network of age-friendly states to advise state and local government agencies and organizations on the establishment of age-friendly communities, including sovereign Tribal nations in Minnesota, if one or more Tribal nations decide to pursue age-friendly designation by December 31, 2021.

(f) The council may accept support and in-kind services from nongovernment organizations, corporations, and other entities for purposes consistent with the role and authority of the council in this section.

Subd. 3. **Initial membership terms.** Except for members appointed by the Indian Affairs Council, initial appointments shall be made by the governor by October 1, 2021. Initial appointments shall serve staggered terms of three years or as determined by the secretary of state.

Subd. 4. **Compensation.** Members shall be compensated as provided in section 15.0575, subdivision 3.

Subd. 5. **Meetings.** Meetings of the council are subject to chapter 13D. The council shall meet publicly no less than six times a year to conduct the duties of the council in subdivision 7.

Subd. 6. **Domains.** An age-friendly cities framework proposes eight domains to identify and address barriers to and opportunities for the well-being and participation of older people. Domains are specified to guide the priorities and strategies of the council. The council shall work to advance age-friendly policies. Domains include but are not limited to:

(1) outdoor spaces and buildings that ensure parks and other green spaces, safe streets, well-maintained sidewalks, outdoor and indoor seating, and accessible buildings are available and can be used and enjoyed by people of all ages and abilities;

(2) housing options that include homes that are affordable, accessible, appropriate for various stages of life, and allow aging in the community, including access to home modifications and services that allow people to stay in their homes;

(3) transportation options in Minnesota that are safe, reliable, convenient, and easy to use and include accessible and affordable public transit, ridesharing, and walking and biking, recognizing that needs and resources vary by geography across the state;

(4) work and civic engagement that ensures older Minnesotans continue to have opportunities to work for pay, volunteer their skills, and be actively engaged in community life;

(5) respect and social inclusion that ensures that older Minnesotans feel valued, regardless of age; that older adults are understood and appreciated through an intergenerational lens; and that multicultural views and traditions associated with aging are recognized and respected;

(6) work that seeks to eliminate ageism;

(7) social participation, including electronic means of connecting, that provides opportunities for older adults to engage in community life through accessible and affordable activities that are meaningful and safe and that supports physical and mental well-being and helps combat isolation;

(8) communication and information sources that enable communities to effectively disseminate information in a variety of ways, including through well-designed online sources made available through affordable, universal access to broadband services, as well as through nonweb-based means such as print, radio, and television;

(9) community and health services that ensure access to affordable, quality, culturally and linguistically appropriate health care and community support services that match older adults' needs to help them live safely and with dignity;

(10) emergency preparedness policies that ensure that the state's emergency plans specifically include older adults, drawing on best practices learned through past crises in Minnesota and elsewhere; and

(11) other potential domains as identified by the Age-Friendly Minnesota Council.

Subd. 7. **Duties of the council.** (a) The council shall carry out the following duties:

(1) supplement, inform, and advise spending across multiple agencies by developing relationships with the philanthropic community, nonprofit groups, and informal groups to identify funding to support the council's work;

(2) develop a grant program designed to help communities, including cities, counties, other municipalities, nonprofit organizations, health systems, universities, collaborative community efforts, informal groups, and other such entities to build capacity for age-friendly initiatives and activities, including but not limited to needs assessments, action planning, implementation, and evaluation. Technical assistance may also be provided, especially using a train the trainer model;

(3) support the growth and expansion of work with and engagement of older adults across the state; and

(4) inform assessment, planning, and implementation across various cultural and ethnic communities.

(b) The council shall complete the initial community assessment and age-friendly action planning efforts no later than one year from the date of enrollment in the national age-friendly network.

Subd. 8. **Age-friendly dashboard.** The council, in consultation with the Minnesota Board on Aging, shall work to inventory and identify metrics for an all-state-agencies dashboard of age-friendly policies and practices that are being utilized across state government agencies. The dashboard may be used to assess current programs and policies and to inform state agencies' progress toward an age-friendly Minnesota.

Subd. 9. **Central inventory of reports and analyses on aging.** Within available appropriations and in collaboration with other organizations, the council shall work to establish a central inventory of data reports and analyses, including readily available learning and lessons, to help policymakers in state, local, and tribal government agencies; stakeholders; and the public to identify information and experts on age-related topics to advance state and local age-friendly initiatives.

Subd. 10. **Reports to legislature and governor.** The council shall present to the governor and chairs and ranking minority members of the legislative committees with jurisdiction over public health, aging, and other relevant committees the council's completion of the initial community assessments and age-friendly action planning no later than one year from the date of enrollment in the national age-friendly network. The council shall annually thereafter report to the governor and chairs and ranking minority members of the legislative committees a brief report of the council's

work, including a summary of the grants administered to support age-friendly initiatives and dashboard progress toward an age-friendly Minnesota."

And when so amended the bill do pass and be re-referred to the Committee on State Government Finance and Policy and Elections. Amendments adopted. Report adopted.

**Senator Kiffmeyer from the Committee on State Government Finance and Policy and Elections, to which was re-referred**

**S.F. No. 1467:** A bill for an act relating to state government; reestablishing a Legislative Commission on Data Practices and Personal Data Privacy; proposing coding for new law in Minnesota Statutes, chapter 3.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 12, delete "four" and insert "two"

Page 1, delete line 13 and insert "majority leader, two senators appointed by the minority leader in the senate, two"

Page 1, line 14, after "speaker" insert ", and two members of the house of representatives appointed by the minority leader in the house"

And when so amended the bill do pass and be re-referred to the Committee on Rules and Administration. Amendments adopted. Report adopted.

**Senator Kiffmeyer from the Committee on State Government Finance and Policy and Elections, to which was re-referred**

**S.F. No. 1174:** A bill for an act relating to state government; establishing a Legislative Commission on Cybersecurity; providing legislative appointments; proposing coding for new law in Minnesota Statutes, chapter 3.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, line 2, after the period, insert "If the commission is unable to elect a chair by a majority vote at its first meeting of a biennium, the ranking member of the majority party shall serve as chair."

Page 2, line 14, delete "Sunset" and insert "Expiration" and delete "sunsets" and insert "expires"

Page 2, line 20, after the period, insert "These members serve a term that expires on appointment of a successor after the start of the next regular session of the legislature in 2023."

And when so amended the bill do pass and be re-referred to the Committee on Rules and Administration. Amendments adopted. Report adopted.



**Senator Kiffmeyer from the Committee on State Government Finance and Policy and Elections, to which was referred**

**S.F. No. 1913:** A bill for an act relating to state government; repatriating the statue of Columbus on the Capitol grounds.

Reports the same back with the recommendation that the bill do pass. Report adopted.

**Senator Kiffmeyer from the Committee on State Government Finance and Policy and Elections, to which was re-referred**

**S.F. No. 1665:** A bill for an act relating to natural resources; modifying rulemaking authority; amending Minnesota Statutes 2020, section 84.027, subdivision 13a.

Reports the same back with the recommendation that the bill do pass. Report adopted.

**Senator Limmer from the Committee on Judiciary and Public Safety Finance and Policy, to which was re-referred**

**S.F. No. 432:** A bill for an act relating to public safety; modifying the commissioner of public safety's authority to suspend drivers' licenses in certain situations; providing for retroactive driver's license reinstatement in certain instances; making technical changes; requiring a report; amending Minnesota Statutes 2020, sections 169.92, subdivision 4; 171.16, subdivisions 2, 3, by adding a subdivision; 171.18, subdivision 1; 480.15, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 171.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Transportation Finance and Policy. Report adopted.

**Senator Limmer from the Committee on Judiciary and Public Safety Finance and Policy, to which was referred**

**S.F. No. 443:** A bill for an act relating to public safety; requiring disclosure of a person's status as a registered predatory offender to a hospice provider; amending Minnesota Statutes 2020, section 243.166, subdivision 4b.

Reports the same back with the recommendation that the bill do pass. Report adopted.

**Senator Chamberlain from the Committee on Education Finance and Policy, to which was referred**

**S.F. No. 2042:** A bill for an act relating to education; providing grants to the Minnesota Council on Economic Education; requiring reports; appropriating money.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Commerce and Consumer Protection Finance and Policy. Report adopted.

**Senator Chamberlain from the Committee on Education Finance and Policy, to which was referred**

**S.F. No. 1417:** A bill for an act relating to education finance; clarifying general education aid; amending Minnesota Statutes 2020, section 126C.21.

Reports the same back with the recommendation that the bill do pass. Report adopted.

**Senator Chamberlain from the Committee on Education Finance and Policy, to which was referred**

**S.F. No. 1416:** A bill for an act relating to education finance; clarifying local optional revenue; removing obsolete language; amending Minnesota Statutes 2020, section 126C.10, subdivision 2e.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Finance. Report adopted.

**Senator Ruud from the Committee on Environment and Natural Resources Policy and Legacy Finance, to which was referred**

**S.F. No. 388:** A bill for an act relating to natural resources; appropriating money from outdoor heritage fund.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 17, delete "127,247,000" and insert "127,837,000"

Page 15, line 3, delete "48,664,000" and insert "49,254,000"

Page 22, line 4, delete "\$9,860,000" and insert "\$10,450,000"

Page 28, line 27, delete "and"

Page 28, delete lines 28 to 30 and insert:

"(6) Laws 2016, chapter 172, article 1, section 2, subdivision 5, paragraph (b), for Metro Big Rivers Habitat - Phase VII; and

(7) Laws 2018, chapter 208, article 1, section 2, subdivision 5, paragraph (b), for Mississippi Headwaters Habitat Corridor Project – Phase IV."

Page 28, after line 33, insert:

"(1) Laws 2015, First Special Session chapter 2, article 1, section 2, subdivision 2, paragraph (j), for Wild Rice River Corridor Habitat Restoration;

(2) Laws 2016, chapter 172, article 1, section 2, subdivision 5, paragraph (e), for Minnesota Trout Unlimited Coldwater Fish Habitat Enhancement and Restoration – Phase VIII;"

Page 29, line 1, delete "(1)" and insert "(3)"

Page 29, line 3, delete "and"

Page 29, after line 3, insert:

"(4) Laws 2017, chapter 91, article 1, section 2, subdivision 5, paragraph (c), for Goose Prairie;

(5) Laws 2017, chapter 91, article 1, section 2, subdivision 5, paragraph (d), for Minnesota Trout Unlimited Coldwater Fish Habitat Enhancement and Restoration – Phase IX;"

Page 29, line 4, delete "(2)" and insert "(6)"

Page 29, line 6, delete the period and insert a semicolon

Page 29, after line 6, insert:

"(7) Laws 2018, chapter 208, article 1, section 2, subdivision 2, paragraph (k), for Grassland Conservation Partnership – Phase III;

(8) Laws 2018, chapter 208, article 1, section 2, subdivision 3, paragraph (e), for Critical Shoreland Habitat Program – Phase V;

(9) Laws 2018, chapter 208, article 1, section 2, subdivision 5, paragraph (c), for Fisheries Habitat Protection on Strategic North Central Minnesota Lakes – Phase IV;

(10) Laws 2018, chapter 208, article 1, section 2, subdivision 5, paragraph (g), for Hennepin County Habitat Conservation Program; and

(11) Laws 2019, First Special Session chapter 2, article 1, section 2, subdivision 2, paragraph (e), for Lower Wild Rice Corridor Habitat Restoration – Phase II.

(c) The availability of the appropriation in Laws 2014, chapter 256, article 1, section 2, subdivision 5, paragraph (e), for Mustinka River Fish and Wildlife Habitat Corridor Rehabilitation, is extended to June 30, 2024."

Page 29, before line 7, insert:

**"Subd. 11. Extension of Certain Appropriations**

(a) Notwithstanding Minnesota Statutes, section 16A.28, or any other law to the contrary, the availability of any appropriation or grant of money from the outdoor heritage fund that would otherwise cancel, lapse, or expire on June 30, 2021, is extended to June 30, 2022, if the recipient or grantee does both of the following:

(1) by June 30, 2021, notifies the Lessard-Sams Outdoor Heritage Council in the manner specified by the council that the recipient or grantee intends to avail itself of the extension available under this subdivision; and

(2) modifies the applicable accomplishment plan in accordance with the council's accomplishment plan modification procedures.

(b) The council must notify the commissioner of management and budget and the commissioner of natural resources of any extension granted under this subdivision."

Page 29, after line 8, insert:

"Sec. 3. Minnesota Statutes 2020, section 97A.056, subdivision 9, is amended to read:

**Subd. 9. Lands in public domain.** (a) Money appropriated from the outdoor heritage fund shall not be used to purchase any land in fee title or a permanent conservation easement if the land in question is fully or partially owned by the state of Minnesota or a political subdivision of the state, unless: owns the land in fee or if the land is wholly or partially subject to a conservation easement.

(b) Paragraph (a) does not apply if:

(1) the purchase creates additional direct benefit to protect, restore, or enhance the state's wetlands, prairies, forests, or habitat for fish, game, and wildlife; and

(2) the purchase is approved by an affirmative vote of at least nine members of the council; or

(2) the purchase is for land that is partially subject to a conservation easement and no money appropriated from the outdoor heritage fund is used to pay the purchase price for the portion of land that is subject to the easement. Nothing in this clause prohibits the use of money appropriated from the outdoor heritage fund to pay for costs and other expenses associated with the acquisition of the land as part of the larger acquisition.

(c) For purposes of this subdivision, "conservation easement" means a conservation easement as defined in section 84C.01.

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

Sec. 4. Laws 2020, chapter 104, article 1, section 2, subdivision 5, is amended to read:

Subd. 5. **Habitats**

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55,429,000

**(a) Protecting Coldwater Fisheries on Minnesota's North Shore**

\$1,809,000 the second year is to the commissioner of natural resources for an agreement with Minnesota Land Trust to acquire permanent conservation easements and to restore and enhance wildlife habitat in priority coldwater tributaries to Lake Superior. Of this amount, up to \$144,000 is to establish a monitoring and enforcement fund as approved in the accomplishment plan and subject to Minnesota Statutes, section 97A.056, subdivision 17. A list of proposed conservation easement acquisitions, restorations, and enhancements must be provided as part of the required accomplishment plan.

**(b) Metro Big Rivers - Phase X**

\$6,473,000 the second year is to the commissioner of natural resources for agreements to acquire lands in fee and permanent conservation easements and to restore and enhance natural habitat systems associated with the Mississippi, Minnesota, and St. Croix Rivers and their tributaries in the metropolitan area. Of this amount, \$801,000 is to Minnesota Valley National Wildlife Refuge Trust Inc., \$300,000 is to Friends of the Mississippi River, \$366,000 is to Great River Greening, \$3,406,000 is to

The Trust for Public Land, and \$1,600,000 is to Minnesota Land Trust. Up to \$144,000 to Minnesota Land Trust is to establish a monitoring and enforcement fund as approved in the accomplishment plan and subject to Minnesota Statutes, section 97A.056, subdivision 17. A list of proposed land acquisitions and permanent conservation easements must be provided as part of the required accomplishment plan.

**(c) Resilient Habitat for Heritage Brook Trout**

\$2,266,000 the second year is to the commissioner of natural resources for agreements to acquire land in fee and permanent conservation easements and to restore and enhance habitat in targeted watersheds of southeast Minnesota to improve heritage brook trout and coldwater communities. Of this amount, \$350,000 is to The Nature Conservancy, \$258,000 is to Trout Unlimited, \$857,000 is to The Trust for Public Land, and \$801,000 is to Minnesota Land Trust. Up to \$96,000 to Minnesota Land Trust is to establish a monitoring and enforcement fund as approved in the accomplishment plan and subject to Minnesota Statutes, section 97A.056, subdivision 17. A list of proposed land acquisitions and permanent conservation easements must be provided as part of the required accomplishment plan.

**(d) Fisheries Habitat Protection on Strategic North Central Minnesota Lakes - Phase VI**

\$2,814,000 the second year is to the commissioner of natural resources for agreements to acquire lands in fee and permanent conservation easements and to restore and enhance wildlife habitat to sustain healthy fish habitat on coldwater lakes in Aitkin, Cass, Crow Wing, and Hubbard Counties. Of this amount, \$883,000 is to Northern Waters Land Trust and \$1,931,000 is to Minnesota Land Trust. Up to \$192,000 to Minnesota Land Trust is to establish a

monitoring and enforcement fund as approved in the accomplishment plan and subject to Minnesota Statutes, section 97A.056, subdivision 17. A list of acquisitions must be provided as part of the required accomplishment plan.

**(e) Accelerating Habitat Conservation in Southwest Minnesota**

\$3,044,000 the second year is to the commissioner of natural resources for an agreement with Minnesota Land Trust to acquire permanent conservation easements and to restore and enhance high-quality wildlife habitat in southwest Minnesota. Of this amount, up to \$144,000 is to establish a monitoring and enforcement fund as approved in the accomplishment plan and subject to Minnesota Statutes, section 97A.056, subdivision 17. A list of proposed conservation easement acquisitions, restorations, and enhancements must be provided as part of the required accomplishment plan.

**(f) Targeted RIM Easement Program to Individual Parcel: Pine and Leech Watersheds - Phase I**

\$2,458,000 the second year is to the Board of Water and Soil Resources to acquire and restore permanent conservation easements of high-quality forest, wetland, and shoreline habitat. Of this amount, \$164,000 is for an agreement with the Crow Wing County Soil and Water Conservation District. Up to \$97,000 of the total amount is for establishing a monitoring and enforcement fund as approved in the accomplishment plan and subject to Minnesota Statutes, section 97A.056, subdivision 17. A list of proposed acquisitions must be included as part of the required accomplishment plan.

**(g) Mississippi Headwaters Habitat Corridor Project - Phase V**

\$3,695,000 the second year is to acquire lands in fee and conservation easement and

restore wildlife habitat in the Mississippi headwaters as follows:

(1) \$2,177,000 is to the commissioner of natural resources for agreements as follows: \$69,000 to the Mississippi Headwaters Board and \$2,108,000 to The Trust for Public Land; and

(2) \$1,518,000 is to the Board of Water and Soil Resources, of which up to \$175,000 is for establishing a monitoring and enforcement fund as approved in the accomplishment plan and subject to Minnesota Statutes, section 97A.056, subdivision 17.

A list of proposed acquisitions must be included as part of the required accomplishment plan.

**(h) Hennepin County Habitat Conservation Program - Phase II**

\$3,155,000 the second year is to the commissioner of natural resources for agreements with Hennepin County, in cooperation with Minnesota Land Trust, to acquire permanent conservation easements and to restore and enhance habitats in Hennepin County as follows: \$446,000 to Hennepin County and \$2,709,000 to Minnesota Land Trust. Up to \$264,000 to Minnesota Land Trust is for establishing a monitoring and enforcement fund as approved in the accomplishment plan and subject to Minnesota Statutes, section 97A.056, subdivision 17. A list of proposed permanent conservation easements, restorations, and enhancements must be provided as part of the required accomplishment plan.

**(i) Trout Unlimited Coldwater Fish Habitat Enhancement and Restoration - Phase XII**

\$1,474,000 the second year is to the commissioner of natural resources for an agreement with Trout Unlimited to restore



and enhance habitat for trout and other species in and along coldwater rivers, lakes, and streams in Minnesota. A list of proposed land acquisitions, restorations, and enhancements must be provided as part of the required accomplishment plan.

**(j) DNR Aquatic Habitat Restoration and Enhancement - Phase III**

\$3,790,000 the second year is to the commissioner of natural resources to restore and enhance aquatic habitat in degraded streams and aquatic management areas and to facilitate fish passage. A list of proposed land restorations and enhancements must be provided as part of the required accomplishment plan.

**(k) St. Louis River Restoration Initiative - Phase VII**

\$2,280,000 the second year is to the commissioner of natural resources to restore priority aquatic and riparian habitats in the St. Louis River estuary. A list of proposed restorations must be provided as part of the required accomplishment plan.

**(l) Knife River Habitat Rehabilitation - Phase V**

\$700,000 the second year is to the commissioner of natural resources for an agreement with Zeitgeist, a nonprofit corporation, in cooperation with the Lake Superior Steelhead Association, to restore and enhance trout habitat in the Knife River watershed. A list of proposed enhancements must be provided as part of the required accomplishment plan.

**(m) Shell Rock River Watershed Habitat Restoration Program - Phase IX**

\$1,918,000 the second year is to the commissioner of natural resources for an agreement with the Shell Rock River Watershed District to acquire lands in fee and to restore and enhance aquatic habitat in the Shell Rock River watershed. A list of proposed acquisitions, restorations, and

enhancements must be provided as part of the required accomplishment plan.

**(n) Rum River Wildlife and Fish Habitat Enhancement Using Bioengineered Bank Stabilization**

\$816,000 the second year is to the commissioner of natural resources for an agreement with the Anoka County Soil and Water Conservation District to restore and enhance riverine habitat in the Rum River using eco-sensitive, habitat-building, and bioengineering approaches. A list of proposed enhancements must be provided as part of the required accomplishment plan.

**(o) Roseau River Habitat Restoration**

\$3,036,000 the second year is to the commissioner of natural resources for an agreement with the Roseau River Watershed District to restore and enhance riverine habitat in the Roseau River and the Roseau River Wildlife Management Area.

**(p) Sauk River Watershed Habitat Protection and Restoration - Phase II**

\$3,926,000 the second year is to the commissioner of natural resources for agreements to acquire lands in fee and permanent conservation easements and to restore and enhance wildlife habitat in the Sauk River watershed as follows: \$430,000 to the Sauk River Watershed District, \$2,073,000 to Pheasants Forever, and \$1,423,000 to Minnesota Land Trust. Up to \$168,000 to Minnesota Land Trust is to establish a monitoring and enforcement fund as approved in the accomplishment plan and subject to Minnesota Statutes, section 97A.056, subdivision 17. A list of acquisitions must be provided as part of the required accomplishment plan.

**(q) Southeast Wetland Restoration**

\$1,351,000 the second year is to the commissioner of natural resources for an

agreement with the city of Mankato to acquire land in fee in the city of Mankato for wetland and grassland restoration. A list of acquisitions must be provided as part of the required accomplishment plan.

**(r) Conservation Partners Legacy Grant Program:  
Statewide and Metro Habitat - Phase XII**

\$10,424,000 the second year is to the commissioner of natural resources for a program to provide competitive matching grants of up to \$400,000 to local, regional, state, and national organizations for enhancing, restoring, or protecting forests, wetlands, prairies, or habitat for fish, game, or wildlife in Minnesota. Of this amount, at least \$3,250,000 is for grants in the seven-county metropolitan area and cities with a population of 50,000 or more. Grants must not be made for activities required to fulfill the duties of owners of lands subject to conservation easements. Grants must not be made from the appropriation in this paragraph for projects that have a total project cost exceeding \$575,000. Of the total appropriation, \$475,000 may be spent for personnel costs and other direct and necessary administrative costs. Grantees may acquire land or interests in land. Easements must be permanent. Grants may not be used to establish easement stewardship accounts. Land acquired in fee must be open to hunting and fishing during the open season unless otherwise provided by law. The program must require a match of at least ten percent from nonstate sources for all grants. The match may be cash or in-kind resources. For grant applications of \$25,000 or less, the commissioner must provide a separate, simplified application process. Subject to Minnesota Statutes, the commissioner of natural resources must, when evaluating projects of equal value, give priority to organizations that have a history of receiving, or a charter to receive, private contributions for local conservation or habitat projects. For grant requests to acquire land in fee or a

conservation easement, the commissioner must give priority to projects associated with or within one mile of existing wildlife management areas under Minnesota Statutes, section 86A.05, subdivision 8; scientific and natural areas under Minnesota Statutes, sections 84.033 and 86A.05, subdivision 5; or aquatic management areas under Minnesota Statutes, sections 86A.05, subdivision 14, and 97C.02. All restoration or enhancement projects must be on land permanently protected by a permanent covenant ensuring perpetual maintenance and protection of restored and enhanced habitat, by a conservation easement or public ownership or in public waters as defined in Minnesota Statutes, section 103G.005, subdivision 15. Priority must be given to restoration and enhancement projects on public lands. Minnesota Statutes, section 97A.056, subdivision 13, applies to grants awarded under this paragraph. This appropriation is available until June 30, ~~2023~~ 2024. No less than five percent of the amount of each grant must be held back from reimbursement until the grant recipient has completed a grant accomplishment report by the deadline and in the form prescribed by and satisfactory to the Lessard-Sams Outdoor Heritage Council. The commissioner must provide notice of the grant program in the summary of game and fish law prepared under Minnesota Statutes, section 97A.051, subdivision 2."

Amend the title accordingly

And when so amended the bill do pass and be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

**Senator Ruud from the Committee on Environment and Natural Resources Policy and Legacy Finance, to which was referred**

**S.F. No. 814:** A bill for an act relating to natural resources; modifying provisions for easement stewardship accounts; amending Minnesota Statutes 2020, section 103B.103.

Reports the same back with the recommendation that the bill be amended as follows:

Delete everything after the enacting clause and insert:

**"Section 1. [11A.236] ACCOUNT TO INVEST FINANCIAL ASSURANCE MONEY FROM PERMITS TO MINE.**

Subdivision 1. **Establishment; appropriation.** (a) The State Board of Investment, when requested by the commissioner of natural resources, may invest money collected by the commissioner as part of financial assurance provided under a permit to mine issued under chapter 93. The State Board of Investment may establish one or more accounts into which money may be deposited for the purposes of this section, subject to the policies and procedures of the State Board of Investment. Use of any money in the account is restricted to the financial assurance purposes identified in sections 93.46 to 93.51 and rules adopted thereunder and as authorized under any trust fund agreements or other conditions established under a permit to mine.

(b) Money in an account established under paragraph (a) is appropriated to the commissioner for the purposes for which the account is established under this section.

Subd. 2. **Account maintenance and investment.** The commissioner of natural resources may deposit money in the appropriate account and may withdraw money from the appropriate account for the financial assurance purposes identified in sections 93.46 to 93.51 and rules adopted thereunder and as authorized under any trust fund agreements or other conditions established under the permit to mine for which the financial assurance is provided, subject to the policies and procedures of the State Board of Investment. Investment strategies related to an account established under this section must be determined jointly by the commissioner of natural resources and the executive director of the State Board of Investment. The authorized investments for an account are the investments authorized under section 11A.24 that are made available for investment by the State Board of Investment. Investment transactions must be at a time and in a manner determined by the executive director of the State Board of Investment. Decisions to withdraw money from the account must be determined by the commissioner of natural resources, subject to the policies and procedures of the State Board of Investment. Investment earnings must be credited to the appropriate account for financial assurance under the identified permit to mine. An account may be terminated by the commissioner of natural resources at any time, so long as the termination is in accordance with applicable statutes, rules, trust fund agreements, or other conditions established under the permit to mine, subject to the policies and procedures of the State Board of Investment.

Sec. 2. Minnesota Statutes 2020, section 17.4982, subdivision 6, is amended to read:

Subd. 6. **Certifiable diseases.** "Certifiable diseases" includes any of the following expressed as clinical symptoms or based on the presence of the pathogen: channel catfish virus, *Renibacterium salmoninarum* (bacterial kidney disease), *Aeromonas salmonicida* (bacterial furunculosis), *Yersinia ruckeri* (enteric redmouth disease), *Edwardsiella ictaluri* (enteric septicemia of catfish), infectious hematopoietic necrosis virus, infectious pancreatic necrosis virus, *Myxobolus cerebralis* (whirling disease), *Tetracapsuloides bryosalmonae* (proliferative kidney disease), viral hemorrhagic septicemia virus, epizootic epitheliotropic virus, *Ceratomyxa shasta* (ceratomyxosis), and any emergency fish disease.

Sec. 3. Minnesota Statutes 2020, section 17.4982, subdivision 8, is amended to read:

Subd. 8. **Containment facility.** "Containment facility" means a licensed facility for salmonids, catfish, or species on the ~~viral hemorrhagic septicemia (VHS) susceptible list published by the United States Department of Agriculture, Animal and Plant Health Inspection Services,~~ VHS-susceptible-species list that complies with clauses (1), (3), and (4), or clauses (2), (3), and (4):

(1) disinfects its effluent to the standards in section 17.4991 before the effluent is discharged to public waters;

(2) does not discharge to public waters or to waters of the state directly connected to public waters;

(3) raises aquatic life that is prohibited from being released into the wild and must be kept in a facility approved by the commissioner unless processed for food consumption;

(4) contains aquatic life requiring a fish health inspection prior to transportation.

Sec. 4. Minnesota Statutes 2020, section 17.4982, subdivision 9, is amended to read:

Subd. 9. **Emergency fish disease.** "Emergency fish disease" means designated fish diseases or pathogens not already present in this state that could impact populations of aquatic life if inadvertently released by infected aquatic life, including channel catfish virus, viral hemorrhagic septicemia virus, infectious hematopoietic necrosis virus, infectious pancreatic necrosis virus, whirling disease, ceratomyxosis, proliferative kidney disease, and epizootic epitheliotropic virus disease.

Sec. 5. Minnesota Statutes 2020, section 17.4982, subdivision 12, is amended to read:

Subd. 12. **Fish health inspection.** (a) "Fish health inspection" means an on-site, statistically based sampling, collection, and testing of fish in accordance with processes in the Fish Health Blue Book or the Diagnostic Manual for Aquatic Animal Diseases, published by the International Office of Epizootics (OIE) to test for causative pathogens. The samples for inspection must be collected by a fish health inspector or a fish collector in cooperation with the producer. Testing of samples must be done by an approved laboratory.

(b) The inspection for viral hemorrhagic septicemia (VHS), infectious pancreatic necrosis (IPN), and infectious hematopoietic necrosis (IHN) in salmonids and for VHS in nonsalmonids must include at a minimum viral testing of ovarian fluids at the 95 percent confidence level of detecting two percent incidence of disease.

(c) The inspection for certifiable diseases and pathogens for wild fish must follow the guidelines of the Fish Health Blue Book or the Diagnostic Manual for Aquatic Animal Diseases.

Sec. 6. Minnesota Statutes 2020, section 17.4982, is amended by adding a subdivision to read:

Subd. 21a. **VHS-susceptible species.** "VHS-susceptible species" are aquatic species that are natural hosts for viral hemorrhagic septicemia according to the Fish Health Blue Book or the book's successor.

Sec. 7. Minnesota Statutes 2020, section 17.4982, is amended by adding a subdivision to read:

Subd. 21b. **VHS-susceptible-species list.** "VHS-susceptible-species list" is the VHS-susceptible species listed in the Fish Health Blue Book that are found in or that can survive in the Great Lakes region.

Sec. 8. Minnesota Statutes 2020, section 17.4985, subdivision 2, is amended to read:

Subd. 2. **Bill of lading.** (a) A state-issued bill of lading is required for:

(1) intrastate transportation of aquatic life other than salmonids, catfish, or species on the ~~official list of viral hemorrhagic septicemia-susceptible species published by the United States Department of Agriculture, Animal and Plant Health Inspection Services,~~ VHS-susceptible-species list between licensed private fish hatcheries, aquatic farms, or aquarium facilities licensed for the species being transported if the aquatic life is being transported into a watershed where it is not currently present, if walleyes whose original source is south of marked State Highway 210 are being transported to a facility north of marked State Highway 210, or if the original source of the aquatic life is outside Minnesota and contiguous states; and

(2) stocking of waters other than public waters with aquatic life other than salmonids, catfish, or species on the ~~official list of viral hemorrhagic septicemia-susceptible species published by the United States Department of Agriculture, Animal and Plant Health Inspection Services~~ VHS-susceptible-species list.

(b) When aquatic life is transported under paragraph (a), a copy of the bill of lading must be submitted to the regional fisheries manager at least 72 hours before the transportation.

(c) For transportation and stocking of waters that are not public waters:

(1) a bill of lading must be submitted to the regional fisheries manager 72 hours before transporting fish for stocking;

(2) a bill of lading must be submitted to the regional fisheries manager within five days after stocking if the waters to be stocked are confirmed by telecopy or telephone prior to stocking by the regional fisheries office not to be public waters; or

(3) a completed bill of lading may be submitted to the regional fisheries office by telecopy prior to transporting fish for stocking. Confirmation that the waters to be stocked are not public waters may be made by returning the bill of lading by telecopy or in writing, in which cases additional copies need not be submitted to the Department of Natural Resources.

(d) Bill of lading forms may only be issued by the Department of Natural Resources in St. Paul, and new bill of lading forms may not be issued until all previously issued forms have been returned.

Sec. 9. Minnesota Statutes 2020, section 17.4985, subdivision 3, is amended to read:

Subd. 3. **Exemptions for transportation permits and bills of lading.** (a) A state-issued bill of lading or transportation permit is not required by an aquatic farm licensee for ~~importation of importing~~ animals not on the ~~official list of viral hemorrhagic septicemia-susceptible species published by the United States Department of Agriculture, Animal and Plant Health Inspection Services;~~ transportation of VHS-susceptible-species list, transporting animals not on the ~~official list of viral~~

~~hemorrhagic septicemia susceptible species published by the United States Department of Agriculture, Animal and Plant Health Inspection Services; or export for~~ VHS-susceptible-species list, or exporting the following:

- (1) minnows taken under an aquatic farm license in this state and transported intrastate;
- (2) aquarium or ornamental fish including goldfish and tropical, subtropical, and saltwater species that cannot survive in the waters of the state, which may be imported or transported if accompanied by shipping documents;
- (3) fish or fish eggs that have been processed for use as food, bait, or other purposes unrelated to fish propagation;
- (4) live fish from a licensed aquatic farm, which may be transported directly to an outlet for processing or for other food purposes if accompanied by shipping documents;
- (5) fish being exported if accompanied by shipping documents;
- (6) sucker eggs, sucker fry, or fathead minnows transported intrastate for bait propagation or feeding of cultural aquatic life, except that if either species becomes listed on the ~~official list of viral hemorrhagic septicemia susceptible species published by the United States Department of Agriculture, Animal and Plant Health Inspection Services~~ VHS-susceptible-species list, then a transportation permit is required;
- (7) species of fish that are found within the state used in connection with public shows, exhibits, demonstrations, or fishing pools for periods not exceeding 14 days;
- (8) fish being transported through the state if accompanied by shipping documents; or
- (9) intrastate transportation of aquatic life between or within licensed private fish hatcheries, aquatic farms, or aquarium facilities licensed for the species being transported, except where required in subdivision 2 and except that salmonids, catfish, or species on the ~~official list of viral hemorrhagic septicemia susceptible species published by the United States Department of Agriculture, Animal and Plant Health Inspection Services~~, VHS-susceptible-species list may only be transferred or transported intrastate without a transportation permit if they had no record of bacterial kidney disease or viral hemorrhagic septicemia at the time they were imported into the state and if they have had a fish health inspection within the preceding year that has shown no certifiable diseases to be present.

Aquatic life being transferred between licensed private fish hatcheries, aquatic farms, or aquarium facilities must be accompanied by shipping documents and salmonids, catfish, or species on the ~~official list of viral hemorrhagic septicemia susceptible species published by the United States Department of Agriculture, Animal and Plant Health Inspection Services~~, VHS-susceptible-species list being transferred or transported intrastate without a transportation permit must be accompanied by a copy of their most recent fish health inspection.

(b) Shipping documents required under paragraph (a) must show the place of origin, owner or consignee, destination, number, and species.

Sec. 10. Minnesota Statutes 2020, section 17.4985, subdivision 5, is amended to read:



Subd. 5. **Permit application.** An application for a transportation permit must be made on forms provided by the commissioner. An incomplete application must be rejected. An application for a transportation permit for salmonids, catfish, or species on the ~~official list of viral hemorrhagic septicemia susceptible species published by the United States Department of Agriculture, Animal and Plant Health Inspection Services,~~ VHS-susceptible-species list; their eggs; or their sperm must be accompanied by certification that the source of the eggs or sperm are free of certifiable diseases, except that eggs with enteric redmouth, whirling disease, or furunculosis may be imported, transported, or stocked following treatment approved by the commissioner, and fish with bacterial kidney disease or viral hemorrhagic septicemia may be imported, transported, or stocked into areas where the disease has been identified as being present. A copy of the transportation permit showing the date of certification inspection must accompany the shipment of fish while in transit and must be available for inspection by the commissioner. By 14 days after a completed application is received, the commissioner must approve or deny the importation permits as provided in this section.

Sec. 11. Minnesota Statutes 2020, section 17.4986, subdivision 2, is amended to read:

Subd. 2. **Licensed facilities.** (a) The commissioner shall issue transportation permits to import:

(1) indigenous and naturalized species except trout, salmon, catfish, or species on the ~~official list of viral hemorrhagic septicemia susceptible species published by the United States Department of Agriculture, Animal and Plant Health Inspection Services,~~ VHS-susceptible-species list and sperm from any source to a standard facility;

(2) trout, salmon, catfish, or species on the ~~official list of viral hemorrhagic septicemia susceptible species published by the United States Department of Agriculture, Animal and Plant Health Inspection Services,~~ VHS-susceptible-species list from a nonemergency enzootic disease area to a containment facility if the fish are certified within the previous year to be free of certifiable diseases, except that eggs with enteric redmouth, whirling disease, or furunculosis may be imported following treatment approved by the commissioner, and fish with bacterial kidney disease or viral hemorrhagic septicemia may be imported into areas where the disease has been identified as being present; and

(3) trout, salmon, catfish, or species on the ~~official list of viral hemorrhagic septicemia susceptible species published by the United States Department of Agriculture, Animal and Plant Health Inspection Services,~~ VHS-susceptible-species list from a facility in a nonemergency enzootic disease area with a disease-free history of three years or more to a standard facility, except that eggs with enteric redmouth, whirling disease, or furunculosis may be imported following treatment approved by the commissioner, and fish with bacterial kidney disease or viral hemorrhagic septicemia may be imported into areas where the disease has been identified as being present.

(b) If a source facility in a nonemergency enzootic disease area cannot demonstrate a history free from disease, aquatic life may only be imported into a quarantine facility.

Sec. 12. Minnesota Statutes 2020, section 17.4986, subdivision 4, is amended to read:

Subd. 4. **Disease-free history.** Disease-free histories required under this section must include the results of a fish health inspection. When disease-free histories of more than one year are required for importing salmonids, catfish, or species on the ~~official list of viral hemorrhagic septicemia susceptible species published by the United States Department of Agriculture, Animal and Plant~~

~~Health Inspection Services~~ VHS-susceptible-species list, the disease history must be of consecutive years that include the year previous to, or the year of, the transportation request.

Sec. 13. Minnesota Statutes 2020, section 17.4991, subdivision 3, is amended to read:

Subd. 3. **Fish health inspection.** (a) An aquatic farm propagating salmonids, catfish, or species on the ~~viral hemorrhagic septicemia (VHS) susceptible list published by the United States Department of Agriculture, Animal and Plant Health Inspection Services,~~ VHS-susceptible-species list and having an effluent discharge from the aquatic farm into public waters must have a fish health inspection conducted at least once every 12 months by a certified fish health inspector. Testing must be conducted according to laboratory methods of the Fish Health Blue Book or the Diagnostic Manual for Aquatic Animal Diseases, published by the International Office of Epizootics (OIE).

(b) An aquatic farm propagating any species on the VHS susceptible list and having an effluent discharge from the aquatic farm into public waters must test for VHS virus using the guidelines of the Fish Health Blue Book or the Diagnostic Manual for Aquatic Animal Diseases. The commissioner may, by written order published in the State Register, prescribe alternative testing time periods and methods from those prescribed in the Fish Health Blue Book or the OIE Diagnostic Manual if the commissioner determines that biosecurity measures will not be compromised. These alternatives are not subject to the rulemaking provisions of chapter 14 and section 14.386 does not apply. The commissioner must provide reasonable notice to affected parties of any changes in testing requirements.

(c) Results of fish health inspections must be provided to the commissioner for all fish that remain in the state. All data used to prepare and issue a fish health certificate must be maintained for three years by the issuing fish health inspector, approved laboratory, or accredited veterinarian.

(d) A health inspection fee must be charged based on each lot of fish sampled. The fee by check or money order payable to the Department of Natural Resources must be prepaid or paid at the time a bill or notice is received from the commissioner that the inspection and processing of samples is completed.

(e) Upon receipt of payment and completion of inspection, the commissioner shall notify the operator and issue a fish health certificate. The certification must be made according to the Fish Health Blue Book or the Diagnostic Manual for Aquatic Animal Diseases by a person certified as a fish health inspector.

(f) All aquatic life in transit or held at transfer stations within the state may be inspected by the commissioner. This inspection may include the collection of stock for purposes of pathological analysis. Sample size necessary for analysis will follow guidelines listed in the Fish Health Blue Book or the Diagnostic Manual for Aquatic Animal Diseases.

(g) Salmonids, catfish, or species on the VHS susceptible list must have a fish health inspection before being transported from a containment facility, unless the fish are being transported directly to an outlet for processing or other food purposes or unless the commissioner determines that an inspection is not needed. A fish health inspection conducted for this purpose need only be done on the lot or lots of fish that will be transported. The commissioner must conduct a fish health inspection requested for this purpose within five working days of receiving written notice. Salmonids and catfish may be immediately transported from a containment facility to another containment facility

once a sample has been obtained for a health inspection or once the five-day notice period has expired.

Sec. 14. Minnesota Statutes 2020, section 17.4992, subdivision 2, is amended to read:

Subd. 2. **Restriction on the sale of fish.** (a) Except as provided in paragraph (b), species on the ~~official list of viral hemorrhagic septicemia susceptible species published by the United States Department of Agriculture, Animal and Plant Health Inspection Services, VHS-susceptible-species~~ list must be free of viral hemorrhagic septicemia and species of the family salmonidae or ictaluridae, except bullheads, must be free of certifiable diseases if sold for stocking or transfer to another aquatic farm.

(b) The following exceptions apply to paragraph (a):

(1) eggs with enteric redmouth, whirling disease, or furunculosis may be transferred between licensed facilities or stocked following treatment approved by the commissioner;

(2) fish with bacterial kidney disease or viral hemorrhagic septicemia may be transferred between licensed facilities or stocked in areas where the disease has been identified as being present; and

(3) the commissioner may allow transfer between licensed facilities or stocking of fish with enteric redmouth or furunculosis when the commissioner determines that doing so would pose no threat to the state's aquatic resources.

Sec. 15. Minnesota Statutes 2020, section 17.4993, subdivision 1, is amended to read:

Subdivision 1. **Taking from public waters.** (a) Under an aquatic farm license, a licensee may take only minnow sperm, minnow eggs, and live minnows for aquatic farm purposes from ~~public waters that have a water body if:~~

(1) the water body has been tested for viral hemorrhagic septicemia when and the testing indicates the disease is not present; or

(2) the water body is located within a viral-hemorrhagic-septicemia-free zone posted on the Department of Natural Resources website.

(b) A licensee may take sucker eggs and sperm only in approved waters with a sucker egg license endorsement as provided by section 17.4994.

Sec. 16. Minnesota Statutes 2020, section 84.027, subdivision 13a, is amended to read:

Subd. 13a. ~~Game and fish~~ **Natural resources expedited permanent rules.** (a) In addition to the authority granted in subdivision 13, the commissioner of natural resources may adopt rules under section 14.389 that are authorized under:

(1) chapters 97A, 97B, and 97C to describe zone or permit area boundaries, to designate fish spawning beds or fish preserves, to select hunters or anglers for areas, to provide for registration of game or fish, to prevent or control wildlife disease, or to correct errors or omissions in rules that do not have a substantive effect on the intent or application of the original rule; ~~or~~

(2) section 84D.12 to designate prohibited invasive species, regulated invasive species, and unregulated nonnative species; or

(3) section 116G.15 to change the placement and boundaries of land use districts established in the Mississippi River Corridor Critical Area.

(b) The commissioner of natural resources may adopt rules under section 14.389 that are authorized under chapters 97A, 97B, and 97C, for purposes in addition to those listed in paragraph (a), clause (1), subject to the notice and public hearing provisions of section 14.389, subdivision 5.

Sec. 17. Minnesota Statutes 2020, section 84.027, subdivision 18, is amended to read:

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

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

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

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

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

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

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

(b) When the commissioner finds an irresolvable conflict between maximizing the long-term economic return and protecting natural resources and recreational values on school trust lands, the commissioner shall give precedence to the long-term economic return in managing school trust lands. By July 1, 2018, the permanent school fund must be compensated for all school trust lands included under a designation or policy provision that prohibits long-term economic return. The commissioner shall submit recommendations to the appropriate legislative committees and divisions on methods of funding for the compensation required under this paragraph, including recommendations for appropriations from the general fund, nongeneral funds, and the state bond fund. Any uncompensated designation or policy provision restrictions on the long-term economic return on school trust lands remaining after July 1, 2018, must be compiled and submitted to the Legislative Permanent School Fund Commission for review.

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

(d) When management practices, policies, or designations by the commissioner diminish or prohibit the long-term economic return on school trust land, the conflict must be resolved as provided in section 92.122.

Sec. 18. Minnesota Statutes 2020, section 84.415, is amended by adding a subdivision to read:

Subd. 8. **Reimbursing costs.** In addition to fees specified in this section or in rules adopted by the commissioner, the applicant must reimburse the state for costs incurred for cultural resources review, monitoring, or other services provided by the Minnesota Historical Society under contract with the commissioner of natural resources or the State Historic Preservation Office of the Department of Administration in connection with the license application, preparing the license terms, or constructing the utility line.

Sec. 19. **[84.625] CONVEYANCE OF CONSERVATION EASEMENTS.**

Notwithstanding any law to the contrary, the commissioner of natural resources may, on state-owned lands administered by the commissioner and on behalf of the state, convey conservation easements as defined in section 84C.01, upon such terms and conditions, including reversion in the event of nonuse, as the commissioner may determine. Any terms and conditions obligating the state to incur costs related to monitoring or maintaining a conservation easement must acknowledge the state is liable for the costs only to the extent of an available appropriation according to section 16A.138.

Sec. 20. Minnesota Statutes 2020, section 84.63, is amended to read:

**84.63 CONVEYANCE OF INTERESTS IN LANDS TO STATE AND, FEDERAL, AND TRIBAL GOVERNMENTS.**

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

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

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

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

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

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

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

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

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

**EFFECTIVE DATE.** This section is effective the day following final enactment, except that paragraph (g) is effective July 1, 2021.

Sec. 21. Minnesota Statutes 2020, section 84.631, is amended to read:

**84.631 ROAD EASEMENTS ACROSS STATE LANDS.**

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

(b) The commissioner shall:

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

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

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

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

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

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

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

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

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

Sec. 22. Minnesota Statutes 2020, section 84.82, subdivision 1a, is amended to read:

Subd. 1a. **General requirements.** A person may not operate ~~or transport~~ a snowmobile unless the snowmobile has been registered under this section. A person may not sell a snowmobile without furnishing the buyer a bill of sale on a form prescribed by the commissioner.

Sec. 23. Minnesota Statutes 2020, section 84.82, subdivision 7a, is amended to read:

Subd. 7a. **Collector snowmobiles; limited use.** The commissioner may issue a special permit to a person or organization to operate ~~or transport~~ a collector snowmobile without registration in parades or organized group outings, such as races, rallies, and other promotional events and for up to ten days each year for personal transportation. The commissioner may impose a reasonable restriction on a permittee and may revoke, amend, suspend, or modify a permit for cause.

Sec. 24. Minnesota Statutes 2020, section 84.92, subdivision 8, is amended to read:

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

go-cart or a vehicle designed and used specifically for lawn maintenance, agriculture, logging, or mining purposes.

Sec. 25. Minnesota Statutes 2020, section 84.946, subdivision 4, is amended to read:

Subd. 4. **Priorities; report.** The commissioner of natural resources must establish priorities for natural resource asset preservation and replacement projects. By ~~January 15~~ March 1 each year, the commissioner must submit to the commissioner of management and budget a list of the projects that have been paid for with money from a natural resource asset preservation and replacement appropriation during the preceding calendar year.

Sec. 26. Minnesota Statutes 2020, section 84D.02, subdivision 3, is amended to read:

Subd. 3. **Management plan.** By December 31, 2021, and every ten years thereafter, the commissioner ~~shall~~ must prepare ~~and maintain~~ a long-term plan, which may include specific plans for individual species and actions, for the statewide management of invasive species of aquatic plants and wild animals. The plan must address:

- (1) coordinated detection and prevention of accidental introductions;
- (2) coordinated dissemination of information about invasive species of aquatic plants and wild animals among resource management agencies and organizations;
- (3) a coordinated public education and awareness campaign;
- (4) coordinated control of selected invasive species of aquatic plants and wild animals on lands and public waters;
- (5) participation by lake associations, local citizen groups, and local units of government in the development and implementation of local management efforts;
- (6) a reasonable and workable inspection requirement for watercraft and equipment including those participating in organized events on the waters of the state;
- (7) the closing of points of access to infested waters, if the commissioner determines it is necessary, for a total of not more than seven days during the open water season for control or eradication purposes;
- (8) maintaining public accesses on infested waters to be reasonably free of aquatic macrophytes; and
- (9) notice to travelers of the penalties for violation of laws relating to invasive species of aquatic plants and wild animals.

Sec. 27. Minnesota Statutes 2020, section 84D.11, subdivision 1a, is amended to read:

Subd. 1a. **Permit for invasive carp.** The commissioner may issue a permit to departmental divisions for tagging bighead, black, grass, or silver carp for research or control. Under the permit, the carp may be released into the water body from which the carp was captured. ~~This subdivision expires December 31, 2021.~~



Sec. 28. Minnesota Statutes 2020, section 85.052, subdivision 1, is amended to read:

Subdivision 1. **Authority to establish.** (a) The commissioner may establish, by written order, provisions for the use of state parks for the following:

(1) special parking space for automobiles or other motor-driven vehicles in a state park or state recreation area;

(2) special parking spurs, campgrounds for automobiles, sites for tent camping, other types of lodging, camping, or day use facilities, and special auto trailer coach parking spaces, for the use of the individual charged for the space or facility; and

~~(3) improvement and maintenance of golf courses already established in state parks, and charging reasonable use fees; and~~

~~(4)~~ (3) providing water, sewer, and electric service to trailer or tent campsites and charging a reasonable use fee.

(b) Provisions established under paragraph (a) are exempt from section 16A.1283 and the rulemaking provisions of chapter 14. Section 14.386 does not apply.

(c) For the purposes of this subdivision, "lodging" means an enclosed shelter, room, or building with furnishings for overnight use.

Sec. 29. Minnesota Statutes 2020, section 85.052, subdivision 2, is amended to read:

Subd. 2. **State park ~~pageants~~ special events.** (a) The commissioner may stage state park ~~pageants~~ special events in a state park, municipal park, or on other land near or adjoining a state park and charge an entrance or use fee for the ~~pageant~~ special event. All receipts from the ~~pageants~~ special events must be used in the same manner as though the ~~pageants~~ special events were conducted in a state park.

(b) The commissioner may establish, by written order, state park ~~pageant~~ special event areas to hold historical or other ~~pageants~~ special events conducted by the commissioner of a state agency or other public agency. Establishment of the areas is exempt from the rulemaking provisions of chapter 14, and section 14.386 does not apply.

Sec. 30. Minnesota Statutes 2020, section 85.053, subdivision 2, is amended to read:

Subd. 2. **Requirement.** Except as provided in section 85.054, a motor vehicle may not enter a state park, state recreation area, or state wayside over 50 acres in area, without a state park permit issued under this section or a state parks and trails plate issued under section 168.1295. Except for vehicles permitted under subdivisions 7, paragraph (a), clause (2), and 8, the state park permit must be affixed to the lower right corner windshield of the motor vehicle and must be completely affixed by its own adhesive to the windshield, or the commissioner may, by written order, provide an alternative means to display and validate state park permits. A motor vehicle owner or lessee is responsible for ensuring the owner's or lessee's vehicle has a state park permit, and the commissioner may issue warnings and citations under section 84.0835 to the owner or lessee of a vehicle not in compliance.

Sec. 31. Minnesota Statutes 2020, section 85.054, subdivision 1, is amended to read:

Subdivision 1. **State Park Open House Days.** (a) A state park permit is not required for a motor vehicle to enter a state park, state monument, state recreation area, or state wayside, on four days each calendar year at each park, which the commissioner shall designate as State Park Open House Days. The commissioner may designate two consecutive days as State Park Open House Days, if the open house is held in conjunction with a special ~~pageant~~ event described in section 85.052, subdivision 2.

(b) The commissioner shall announce the date of each State Park Open House Day at least 30 days in advance of the date it occurs.

(c) The purpose of State Park Open House Days is to acquaint the public with state parks, recreation areas, and waysides.

(d) On State Park Open House Days, registered overnight guests in state parks and state recreation areas are exempt from the requirements for a state park permit under section 85.053 until after the camping or lodging check-out time of the following day in the park where the overnight stay occurred.

Sec. 32. Minnesota Statutes 2020, section 85.43, is amended to read:

#### **85.43 DISPOSITION OF RECEIPTS; PURPOSE.**

~~(a)~~ Fees from cross-country-ski passes shall be deposited in the state treasury and credited to a cross-country-ski account in the natural resources fund and, except for the electronic licensing system commission established by the commissioner under section 84.027, subdivision 15, are appropriated to the commissioner of natural resources for ~~the following purposes:~~

(1) grants-in-aid for cross-country-ski trails to:

(i) counties and municipalities for construction and maintenance of cross-country-ski trails; and

(ii) special park districts as provided in section 85.44 for construction and maintenance of cross-country-ski trails; ~~and~~

(2) ~~administration of~~ administering the cross-country-ski trail grant-in-aid program; and

(3) developing and maintaining state cross-country-ski trails.

~~(b) Development and maintenance of state cross-country-ski trails are eligible for funding from the cross-country-ski account if the money is appropriated by law.~~

**EFFECTIVE DATE.** This section is effective retroactively from July 1, 2019.

Sec. 33. Minnesota Statutes 2020, section 89.021, is amended by adding a subdivision to read:

Subd. 42a. **Riverlands State Forest.**

Sec. 34. Minnesota Statutes 2020, section 89.17, is amended to read:

#### **89.17 LEASES AND PERMITS.**

(a) Notwithstanding the permit procedures of chapter 90, the commissioner may grant and execute, in the name of the state, leases and permits for the use of any forest lands under the authority of the commissioner for any purpose that in the commissioner's opinion is not inconsistent with the maintenance and management of the forest lands, on forestry principles for timber production. Every such lease or permit is revocable at the discretion of the commissioner at any time subject to such conditions as may be agreed on in the lease. The approval of the commissioner of administration is not required upon any such lease or permit. No such lease or permit for a period exceeding 21 years shall be granted except with the approval of the Executive Council.

(b) Public access to the leased land for outdoor recreation is the same as access would be under state management.

(c) Notwithstanding section 16A.125, subdivision 5, after deducting the reasonable costs incurred for preparing and issuing the lease, all remaining proceeds from leasing school trust land and university land for roads on forest lands must be deposited into the respective permanent fund for the lands.

(d) The commissioner may require a performance bond, security deposit, or other form of security for removing any improvements or personal property left on the leased premises by the lessee upon termination or cancellation of the lease.

(e) In addition to other payments required by this section, the applicant must reimburse the state for costs incurred for cultural resources review, monitoring, or other services provided by the Minnesota Historical Society under contract with the commissioner of natural resources or the State Historic Preservation Office of the Department of Administration in connection with reviewing the lease request, preparing the lease terms, or monitoring construction of improvements on the leased premises.

Sec. 35. Minnesota Statutes 2020, section 92.50, is amended by adding a subdivision to read:

Subd. 4. **Reimbursing costs.** In addition to other payments required by this section, the applicant must reimburse the state for costs incurred for cultural resources review, monitoring, or other services provided by the Minnesota Historical Society under contract with the commissioner of natural resources or the State Historic Preservation Office of the Department of Administration in connection with reviewing the lease request, preparing the lease terms, or constructing improvements on the leased premises.

Sec. 36. Minnesota Statutes 2020, section 92.502, is amended to read:

**92.502 LEASE OF TAX-FORFEITED AND STATE LANDS.**

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

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

(c) The commissioner of natural resources may enter a 30-year lease of land administered by the commissioner for recreational trails and facilities. The commissioner may assess the lease

applicant a monitoring fee to cover the projected reasonable costs of monitoring construction of the recreational trail or facility and preparing special terms and conditions of the license to ensure proper construction. The commissioner must give the applicant an estimate of the monitoring fee before the applicant is required to submit the fee. Upon completion of construction of the trail or facility, the commissioner must refund the unobligated balance from the monitoring fee revenue.

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

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

Sec. 37. **[92.503] CONSERVATION PLANNING LEASES.**

The commissioner of natural resources may lease state-owned lands as defined in section 92.01 for a term not to exceed 21 years for the purpose of investigating, analyzing, and developing conservation easements that provide ecosystem services benefits. Leases granted under this section are not subject to section 92.50, subdivision 1, paragraph (b), with respect to Executive Council approval for commercial leases or section 92.50, subdivision 1, paragraph (d).

Sec. 38. Minnesota Statutes 2020, section 97A.015, subdivision 29, is amended to read:

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

Sec. 39. Minnesota Statutes 2020, section 97A.401, subdivision 1, is amended to read:

Subdivision 1. **Commissioner's authority.** The commissioner may issue special permits for the activities in this section. A special permit may be issued in the form of a general permit to a governmental subdivision or to the general public to conduct one or more activities under subdivisions 2 to ~~7~~ 8.

Sec. 40. Minnesota Statutes 2020, section 97A.401, is amended by adding a subdivision to read:

Subd. 8. **Snakes, lizards, and salamanders.** The commissioner must prescribe conditions and may issue permits to breed, propagate, and sell snakes, lizards, and salamanders. A snake, lizard, or salamander that is obtained from a permitted breeder or that was possessed before August 1, 2021, may be possessed as a pet.

Sec. 41. Minnesota Statutes 2020, section 97A.421, subdivision 1, is amended to read:

Subdivision 1. **General.** (a) The annual license of a person convicted of a violation of the game and fish laws relating to the license or wild animals covered by the license is void when:

(1) a second conviction occurs within three years under a license to trap fur-bearing animals, take small game, or to take fish by angling or spearing;

(2) a ~~third~~ second conviction occurs within ~~one year~~ three years under a minnow dealer's license;

(3) a second conviction occurs within three years for violations of section 97A.425 that do not involve falsifications or intentional omissions of information required to be recorded, or attempts to conceal unlawful acts within the records;

(4) two or more misdemeanor convictions occur within a three-year period under a private fish hatchery license;

(5) the conviction occurs under a license not described in clause (1), (2), or (4) or is for a violation of section 97A.425 not described in clause (3); or

(6) the conviction is related to assisting a person in the illegal taking, transportation, or possession of wild animals, when acting as a hunting or angling guide.

(b) Except for big-game licenses and as otherwise provided in this section, for one year after the conviction the person may not obtain the kind of license or take wild animals under a lifetime license, issued under section 97A.473 or 97A.474, relating to the game and fish law violation.

Sec. 42. Minnesota Statutes 2020, section 97A.421, is amended by adding a subdivision to read:

Subd. 3b. **Issuance after conviction; night vision or thermal imaging equipment.** (a) A person who is convicted of a violation under paragraph (b) and who possessed night vision or thermal imaging equipment during the violation may not obtain a hunting license or hunt wild animals for five years from the date of conviction.

(b) The revocation under this subdivision applies to convictions for:

(1) trespassing;

(2) hunting game in closed season;

(3) hunting game in closed hours;

(4) possessing night vision or thermal imaging equipment while taking wild animals in violation of section 97B.086; or

(5) possessing unlawful firearms in deer zones in violation of section 97B.041.

Sec. 43. Minnesota Statutes 2020, section 97A.505, subdivision 3b, is amended to read:

Subd. 3b. **Wild animals taken on Red Lake Reservation lands within Northwest Angle.** Wild animals taken and tagged on the Red Lake Reservation lands in accordance with the Red Lake Band's Conservation Code on the Red Lake Reservation lands in Minnesota north of the 49th parallel shall be and all applicable federal law are considered lawfully taken and possessed under state law. Possessing wild animals harvested under this subdivision is in addition to any state limits.

Sec. 44. Minnesota Statutes 2020, section 97B.036, is amended to read:

**97B.036 CROSSBOW HUNTING DURING FIREARMS SEASON.**

Notwithstanding section 97B.035, subdivisions 1 and 2, a person may take deer, bear, or turkey by crossbow during the respective ~~regular~~ firearms seasons. The transportation requirements of section 97B.051 apply to crossbows during the ~~regular~~ firearms deer, bear, or turkey season. Crossbows must meet the requirements of section 97B.106, subdivision 2. A person taking deer, bear, or turkey by crossbow under this section must have a valid ~~firearms~~ license to take the respective game by firearm. This section does not allow the use of a crossbow by licensed muzzleloader hunters during the muzzleloader firearms deer season under section 97B.311.

Sec. 45. Minnesota Statutes 2020, section 97B.055, subdivision 2, is amended to read:

Subd. 2. **Restrictions related to motor vehicles.** (a) A person may not take a wild animal with a firearm or by archery from a motor vehicle except as permitted in this section.

(b) A person may not shoot at a decoy of a wild animal that is placed by a licensed peace officer by:

(1) discharging a firearm from a motor vehicle; or

(2) discharging an arrow from a bow from a motor vehicle.

(c) Notwithstanding section 97B.091, a person may transport a bow uncased while in a motorized watercraft and may take rough fish while in the boat as provided in section 97C.376, subdivision 3.

Sec. 46. Minnesota Statutes 2020, section 97B.071, is amended to read:

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

(a) Except as provided in rules adopted under paragraph ~~(e)~~ (d), a person may not hunt or trap during the open season where deer may be taken by firearms under applicable laws and ordinances, unless the visible portion of the person's cap and outer clothing above the waist, excluding sleeves and gloves, is blaze orange or blaze pink. Blaze orange or blaze pink includes a camouflage pattern of at least 50 percent blaze orange or blaze pink within each foot square. This section does not apply to migratory-waterfowl hunters on waters of this state or in a stationary shooting location or to trappers on waters of this state.

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

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

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

~~(b)~~ (c) Except as provided in rules adopted under paragraph ~~(e)~~ (d), and in addition to the ~~requirement~~ requirements in ~~paragraph~~ paragraphs (a) and (b), a person may not take small game other than turkey, migratory birds, raccoons, and predators, except while trapping, unless a visible portion of at least one article of the person's clothing above the waist is blaze orange or blaze pink.

This paragraph does not apply to a person when in a stationary location while hunting deer by archery or when hunting small game by falconry.

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

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

Sec. 47. Minnesota Statutes 2020, section 97B.086, is amended to read:

**97B.086 POSSESSING NIGHT VISION OR THERMAL IMAGING EQUIPMENT.**

(a) A person may not possess night vision or thermal imaging equipment while taking wild animals or while having in possession, either individually or as one of a group of persons, a firearm, bow, or other implement that could be used to take wild animals.

(b) This section does not apply to a firearm that is:

(1) unloaded;

(2) in a gun case expressly made to contain a firearm that fully encloses the firearm by being zipped, snapped, buckled, tied, or otherwise fastened without any portion of the firearm exposed; and

(3) in the closed trunk of a motor vehicle.

(c) This section does not apply to a bow that is:

(1) completely encased or unstrung; and

(2) in the closed trunk of a motor vehicle.

(d) If the motor vehicle under paragraph (b) or (c) does not have a trunk, the firearm or bow must be placed in the rearmost location of the vehicle.

(e) This section does not apply to night vision, night vision enhanced with an infrared illuminator, or thermal imaging equipment possessed by:

(1) peace officers or military personnel while exercising their duties; or

(2) a person taking coyote or fox as provided under section 97B.075 and rules adopted under section 97B.605, but the equipment must not be possessed during the regular firearms deer season.

Sec. 48. Minnesota Statutes 2020, section 97B.311, is amended to read:

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

(a) Except as provided under paragraph (c), the commissioner may, by rule, prescribe restrictions and designate areas where deer may be taken, including hunter selection criteria for special hunts

established under section 97A.401, subdivision 4. The commissioner may, by rule, prescribe the open seasons for deer within the following periods:

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

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

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

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

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

Sec. 49. Minnesota Statutes 2020, section 97B.415, is amended to read:

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

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

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

Sec. 50. Minnesota Statutes 2020, section 97B.811, subdivision 4a, is amended to read:

Subd. 4a. **Restrictions on certain motorized decoys.** ~~From the opening day of the duck season through the Saturday nearest October 8, a person may not use a motorized decoy, or other motorized device designed to attract migratory waterfowl. During the remainder of the duck season, the commissioner may, by rule, designate all or any portion of a wetland or lake closed to the use of motorized decoys or motorized devices designed to attract migratory waterfowl. On water bodies and lands fully contained within wildlife management area boundaries, a person may not use motorized decoys or motorized devices designed to attract migratory waterfowl at any time during the duck season.~~

Sec. 51. Minnesota Statutes 2020, section 97C.005, subdivision 3, is amended to read:

Subd. 3. **Seasons, limits, and other rules.** The commissioner may, in accordance with the procedures in subdivision 2, paragraphs (c) and (e), or by rule under chapter 14, establish open seasons, limits, methods, and other requirements for taking fish on special management waters. The



commissioner may, by written order published in the State Register, amend daily, possession, or size limits to make midseason adjustments based on available harvest, angling pressure, and population data to manage the fisheries in the 1837 Ceded Territory in compliance with the court orders in *Mille Lacs Band of Chippewa v. Minnesota*, 119 S. Ct. 1187 (1999) and in the state waters of Upper Red Lake. The midseason adjustments in daily, possession, or size limits are not subject to the rulemaking provisions of chapter 14 and section 14.386 does not apply. Before the written order is effective, the commissioner shall attempt to notify persons or groups of persons affected by the written order by public announcement, posting, and other appropriate means as determined by the commissioner.

Sec. 52. Minnesota Statutes 2020, section 97C.211, subdivision 2a, is amended to read:

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

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

- (1) designate approved sources to obtain the desired fish or fish eggs; or
- (2) sell the fish or fish eggs from state fish hatcheries at fair market value.

Sec. 53. Minnesota Statutes 2020, section 97C.342, subdivision 2, is amended to read:

Subd. 2. **Bait restrictions.** (a) Frozen or dead fish on the ~~official list of viral hemorrhagic septicemia susceptible species published by the United States Department of Agriculture, Animal and Plant Health Inspection Services~~ VHS-susceptible-species list under section 17.4982, subdivision 21b; cisco (all *Coregonus*, including lake herring and tullibee); and smelt (all *Osmerus*, *Spirincus*, *Hypomesus*, and *Allosmerus*) being used as bait in waters of the state must originate from water bodies certified disease-free. A water body is certified as disease-free if:

(1) the water body has been tested for viral hemorrhagic septicemia and the testing indicates the disease is not present; or

(2) the water body is located within a viral hemorrhagic septicemia free zone posted on the Minnesota Department of Natural Resources' website.

(b) Certification for these individually tested water bodies is valid for one year from the date of test results. Certification of water bodies within a viral-hemorrhagic-septicemia-free zone posted on the Department of Natural Resources website is valid for the dates included in the posting. A viral-hemorrhagic-septicemia-free certification is also referred to as a fish health certification.

Sec. 54. Minnesota Statutes 2020, section 97C.515, subdivision 2, is amended to read:

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

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

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

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

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

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

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

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

- ~~(1) the date minnows were imported;~~
- ~~(2) the number of pounds or gallons imported;~~
- ~~(3) the facility name from which the minnows originated; and~~
- ~~(4) a fish health certificate for the minnows.~~

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

Sec. 55. Minnesota Statutes 2020, section 97C.805, subdivision 2, is amended to read:

Subd. 2. **Restrictions.** (a) ~~The~~ Netting of lake whitefish and ciscoes is subject to the restrictions in this subdivision.

(b) A person may not use:

- (1) more than ~~two nets~~ one net;

- (2) a net more than 100 feet long; or
- (3) a net more than three feet wide.
- (c) The mesh size of the ~~nets~~ net may not be less than:
  - (1) 1-3/4 inches, stretch measure, for nets used to take ciscoes; and
  - (2) 3-1/2 inches, stretch measure, for all other nets.
- (d) A net may not be set in water, including ice thickness, deeper than six feet.
- (e) The commissioner may designate waters where nets may be set so that portions of the net extend into water deeper than six feet under conditions prescribed by the commissioner to protect game fish. A pole or stake must project at least two feet above the surface of the water or ice at one end of ~~each~~ the net.
- (f) A net may not be set within 50 feet of another net.
- (g) A person may not have angling equipment in possession while netting lake whitefish or ciscoes.

Sec. 56. Minnesota Statutes 2020, section 97C.836, is amended to read:

**97C.836 LAKE SUPERIOR LAKE TROUT; EXPANDED ASSESSMENT HARVEST.**

The commissioner shall provide for taking of lake trout by licensed commercial operators in Lake Superior management zones MN-3 and MN-2 for expanded assessment and sale. The commissioner shall authorize expanded assessment taking and sale of lake trout in Lake Superior management zone MN-3 beginning annually in 2007 and zone MN-2 beginning annually in 2010. Total assessment taking and sale may not exceed 3,000 lake trout in zone MN-3 and 2,000 lake trout in zone MN-2 and may be reduced when necessary to protect the lake trout population or to manage the effects of invasive species or fish disease. Taking lake trout for expanded assessment and sale shall be allowed from June 1 to September 30, but may end earlier in the respective zones if the quotas are reached. The quotas must be reassessed at the expiration of the current ten-year Fisheries Management Plan for the Minnesota Waters of Lake Superior ~~dated September 2006~~.

Sec. 57. Minnesota Statutes 2020, section 103A.212, is amended to read:

**103A.212 WATERSHED MANAGEMENT POLICY.**

Subdivision 1. Purpose. The quality of life of every Minnesotan depends on water. Minnesota's rivers, lakes, streams, wetlands, and groundwater provide a foundation for drinking water and the state's recreational, municipal, commercial, industrial, agricultural, environmental, aesthetic, and economic well-being. The legislature finds that it is in the public interest to manage groundwater and surface water resources from the perspective of aquifers, watersheds, and river basins to achieve protection, preservation, enhancement, and restoration of the state's valuable groundwater and surface water resources.

Subd. 2. **Coordination and cooperation.** In implementing the policy under this section, state agencies and local and regional governments with authority over local water management, conservation, land use, land management, and development plans must take into consideration the manner in which their plans are consistent with the policy. To the extent practicable, state agencies and local and regional governments must endeavor to enter into formal and informal agreements and arrangements to jointly use staff and educational, technical, and financial resources to deliver programs or conduct activities to achieve the purposes of the policy.

Sec. 58. Minnesota Statutes 2020, section 103B.103, is amended to read:

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

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

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

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

- (1) repairing or replacing structures;
- (2) maintaining vegetation and hydrology;
- (3) monitoring;
- (4) landowner contacts;
- (5) records storage and management;
- (6) processing landowner notices;
- (7) requests for approval or amendments;
- (8) enforcement; and
- (9) legal services associated with easement management activities.

(b) When the amount appropriated under paragraph (a) is not sufficient to cover the costs of easements held by the board, the board may use money from the mitigation easement stewardship account and the water and soil conservation easement stewardship account to cover costs associated with:

- (1) legal compliance costs;
- (2) repairing or replacing structures; and
- (3) maintaining vegetation and hydrology.

(c) In addition to the amounts appropriated under paragraph (a), up to 25 percent of the balance on July 1 each year in the water and soil conservation easement stewardship account and 25 percent of the balance on July 1 each year in the mitigation easement stewardship account are annually appropriated to the board for the purposes of paragraph (b). In consultation with the commissioner of management and budget, the board must establish a process, including criteria, for the use of money appropriated under this paragraph. The board must include a summary of how money appropriated under this paragraph in the prior two fiscal years was used in the report required under section 103B.101, subdivision 9, paragraph (a), clause 7.

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

- (1) the estimated annual staff hours needed to manage the conservation easement, taking into consideration factors such as easement type, size, location, and complexity;
- (2) the average hourly wages for the class or classes of state and local employees expected to manage the easement;
- (3) the estimated annual travel expenses to manage the easement;
- (4) the estimated annual miscellaneous costs to manage the easement, including supplies and equipment, information technology support, and aerial flyovers;
- (5) the estimated annualized costs of legal services, including the cost to enforce the easement in the event of a violation; ~~and~~
- (6) the estimated annualized costs for repairing or replacing structures and maintaining vegetation and hydrology; and
- ~~(6)~~ (7) the expected rate of return on investments in the account.

Sec. 59. Minnesota Statutes 2020, section 103C.315, subdivision 4, is amended to read:

Subd. 4. **Compensation.** A supervisor shall receive compensation for services up to ~~\$75~~ \$125 per day, and may be reimbursed for expenses, including traveling expenses, necessarily incurred in the discharge of duties. A supervisor may be reimbursed for the use of the supervisor's own automobile in the performance of official duties at a rate up to the maximum tax-deductible mileage rate permitted under the federal Internal Revenue Code.

Sec. 60. **[103F.05] MINNESOTA RIVER BASIN WATER QUALITY AND STORAGE PROGRAM.**

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

- (1) "board" means the Board of Water and Soil Resources; and
- (2) "local units of government" has the meaning given under section 103B.305, subdivision 5.

Subd. 2. **Establishment.** The board may establish a program to provide financial assistance to local units of government located in the Minnesota River basin to control water volume and rates for the purpose of protecting infrastructure and improving water quality and related public benefits.

Subd. 3. **Financial assistance.** (a) The board may provide financial assistance to local units of government to cover the costs of water storage projects and other water quality practices consistent with a plan approved according to chapter 103B, 103C, or 103D. Eligible costs include costs for site acquisition, design, engineering, and construction. The board may acquire conservation easements under sections 103F.501 to 103F.531 as necessary to implement a project or practice under this section.

(b) The board must enter into agreements with local units of government receiving financial assistance under this section. The agreements must specify the terms of state and local cooperation, including the financial arrangement for constructing any structures and assuring maintenance of the structures after completion.

(c) The board may adopt procedures based on section 103C.501 for cost-sharing contracts needed to implement this subdivision.

Subd. 4. **Local match.** The board may require a local match and may adjust match requirements if federal funds are available for the project.

Subd. 5. **Technical assistance.** (a) The board may employ or contract with an engineer or hydrologist to work on the technical implementation of the program established under this section.

(b) When implementing the program, the board must:

- (1) assist local units of government in achieving the purposes of the program;
- (2) review and analyze projects and project sites; and
- (3) evaluate the effectiveness of completed projects constructed under the program.

(c) The board may enter into cooperative agreements with the commissioner of natural resources, the Natural Resources Conservation Service of the United States Department of Agriculture, and other agencies as needed to analyze hydrological and engineering information on proposed sites.

Subd. 6. **Requirements.** (a) A local unit of government applying for financial assistance under this section must provide a copy of a resolution or other documentation of the local unit of government's support for the project. The documentation must include provisions for local funding and management, the proposed method of obtaining necessary land rights for the proposed project, and an assignment of responsibility for maintaining any structures or practices upon completion of the project.

(b) A local unit of government, with the assistance of the board, must evaluate the environmental and other benefits that are reasonably expected upon completing the proposed project. The evaluation must be submitted to the board before the final design.

Subd. 7. **Interstate cooperation.** The board may enter into or approve working agreements with neighboring states or their political subdivisions to accomplish projects consistent with the program established in this section.

Subd. 8. **Federal aid availability.** The board must regularly complete an analysis of the availability of federal funds and programs to supplement or complement state and local efforts consistent with the purposes of this section.

Sec. 61. Minnesota Statutes 2020, section 103G.271, subdivision 4a, is amended to read:

Subd. 4a. **Mt. Simon-Hinckley aquifer.** ~~(a)~~ The commissioner may not issue new water-use permits that will appropriate water from the Mt. Simon-Hinckley aquifer ~~in a metropolitan county, as defined in section 473.121, subdivision 4,~~ unless the appropriation is for potable water use, there are no feasible or practical alternatives to this source, and a water conservation plan is incorporated with the permit.

~~(b) The commissioner shall terminate all permits authorizing appropriation and use of water from the Mt. Simon-Hinckley aquifer for once-through systems in a metropolitan county, as defined in section 473.121, subdivision 4, by December 31, 1992.~~

Sec. 62. Minnesota Statutes 2020, section 103G.271, is amended by adding a subdivision to read:

Subd. 4b. **Bulk transport or sale.** (a) To maintain the supply of drinking water for future generations and except as provided under paragraph (b), the commissioner may not issue a new water-use permit to appropriate water in excess of one million gallons per year for bulk transport or sale of water for consumptive use to a location more than 50 miles from the point of the proposed appropriation.

(b) Paragraph (a) does not apply to a water-use permit for a public water supply, as defined under section 144.382, subdivision 4, issued to a local unit of government, rural water district established under chapter 116A, or Tribal unit of government if:

(1) the use is solely for the public water supply;

(2) the local unit of government, rural water district established under chapter 116A, or Tribal unit of government has a property interest at the point of the appropriation;

(3) the communities that will use the water are located within 100 miles of the point of appropriation; and

(4) the requirements in sections 103G.265, 103G.285, and 103G.287 are met.

Sec. 63. Minnesota Statutes 2020, section 103G.271, subdivision 7, is amended to read:

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

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

Sec. 64. Minnesota Statutes 2020, section 103G.271, is amended by adding a subdivision to read:

Subd. 8. **Management plans; economic impacts.** Before a management plan for appropriating water is prepared, the commissioner must provide estimates of the economic impact of any new restriction or policy on existing and future groundwater users and local governments in the affected area. Strategies to address economic impacts must be included in the plan.

Sec. 65. Minnesota Statutes 2020, section 103G.287, subdivision 4, is amended to read:

Subd. 4. **Groundwater management areas.** (a) The commissioner may designate groundwater management areas and limit total annual water appropriations and uses within a designated area to ensure sustainable use of groundwater that protects ecosystems, water quality, and the ability of future generations to meet their own needs. Water appropriations and uses within a designated management area must be consistent with a groundwater management area plan approved by the commissioner that addresses water conservation requirements and water allocation priorities established in section 103G.261. During development of a groundwater management area plan, the commissioner and employees and agents of the department may disseminate information related to the timing, location, and agendas of meetings related to the plan, but must otherwise limit public information related to the groundwater management area plan to direct factual responses to public and media inquiries. At least 30 days prior to implementing or modifying a groundwater management area plan under this subdivision, the commissioner shall consult with the advisory team established in paragraph (c).

(b) Notwithstanding section 103G.271, subdivision 1, paragraph (b), and Minnesota Rules, within designated groundwater management areas, the commissioner may require general permits as specified in section 103G.271, subdivision 1, paragraph (c), for water users using less than 10,000 gallons per day or 1,000,000 gallons per year and water suppliers serving less than 25 persons for domestic purposes. The commissioner may waive the requirements under section 103G.281 for



general permits issued under this paragraph, and the fee specified in section 103G.301, subdivision 2, paragraph (c), does not apply to general permits issued under this paragraph.

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

(d) Before designating a groundwater management area, the commissioner must provide estimates of the economic effect of any new restriction or policy on existing and future groundwater users and local governments in the affected area. Strategies to address economic impacts must be included in any plan.

Sec. 66. Minnesota Statutes 2020, section 103G.287, subdivision 5, is amended to read:

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

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

Sec. 67. Minnesota Statutes 2020, section 103G.289, is amended to read:

**103G.289 WELL INTERFERENCE; WELL SEALING VALIDATION; CONTESTED CASE.**

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

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

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

Sec. 68. Minnesota Statutes 2020, section 115A.03, is amended by adding a subdivision to read:

Subd. 1a. **Advanced recycling.** "Advanced recycling" means a manufacturing process for converting post-use polymers and recovered feedstocks into basic hydrocarbon raw materials, feedstocks, chemicals, liquid fuels, and other products like waxes and lubricants through processes that include pyrolysis, gasification, depolymerization, catalytic cracking, reforming, hydrogenation, solvolysis, and other similar technologies. The recycled products produced at advanced recycling facilities include but are not limited to monomers, oligomers, plastics, plastics and chemical feedstocks, basic and unfinished chemicals, crude oil, naphtha, liquid transportation fuels, waxes, lubricants, coatings, and other basic hydrocarbons. Advanced recycling is not processing, treatment, resource recovery, incineration, or waste management.

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

Sec. 69. Minnesota Statutes 2020, section 115A.03, is amended by adding a subdivision to read:

Subd. 1b. **Advanced recycling facility.** "Advanced recycling facility" means a facility that receives, stores, and converts post-use polymers and recovered feedstocks it receives using advanced recycling. An advanced recycling facility is a manufacturing facility subject to applicable agency manufacturing regulations for air, water, waste, and land use. An advanced recycling facility is not a solid waste facility, waste facility, or resource recovery facility.

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

Sec. 70. Minnesota Statutes 2020, section 115A.03, is amended by adding a subdivision to read:

Subd. 7b. **Depolymerization.** "Depolymerization" means a manufacturing process where post-use polymers are broken into smaller molecules such as monomers and oligomers or raw, intermediate, or final products, plastics and chemical feedstocks, basic and unfinished chemicals, crude oil, naphtha, liquid transportation fuels, waxes, lubricants, coatings, and other basic hydrocarbons.

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

Sec. 71. Minnesota Statutes 2020, section 115A.03, is amended by adding a subdivision to read:

Subd. 10b. **Gasification.** "Gasification" means a manufacturing process through which recovered feedstocks are heated and converted into a fuel-gas mixture in an oxygen-deficient atmosphere and the mixture is converted into valuable raw materials and intermediate and final products, including but not limited to plastic monomers, chemicals, waxes, lubricants, chemical feedstocks, crude oil, diesel, gasoline, diesel and gasoline blend stocks, home heating oil, and other fuels including ethanol and transportation fuel, that are returned to economic utility in the form of raw materials, products, or fuels.

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

Sec. 72. Minnesota Statutes 2020, section 115A.03, is amended by adding a subdivision to read:

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

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

(2) is not mixed with solid waste or hazardous waste on site or during processing at the advanced recycling facility;

(3) is used or intended to be used as a feedstock for manufacturing crude oil, fuels, feedstocks, blend stocks, raw materials, or other intermediate products or final products using advanced recycling;

(4) has been sorted from solid waste and other regulated waste but may contain residual amounts of solid waste such as organic material and incidental contaminants or impurities such as paper labels and metal rings; and

(5) is processed at an advanced recycling facility or held at an advanced recycling facility before processing.

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

Sec. 73. Minnesota Statutes 2020, section 115A.03, is amended by adding a subdivision to read:

**Subd. 24d. Pyrolysis.** "Pyrolysis" means a manufacturing process through which post-use polymers are heated in an oxygen-deficient atmosphere until melted and thermally decomposed and then cooled, condensed, and converted into valuable raw materials and intermediate and final products, including but not limited to plastic monomers, chemicals, waxes, lubricants, chemical feedstocks, crude oil, diesel, gasoline, diesel and gasoline blend stocks, home heating oil, and other fuels including ethanol and transportation fuel, that are returned to economic utility in the form of raw materials, products, or fuels.

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

Sec. 74. Minnesota Statutes 2020, section 115A.03, subdivision 25, is amended to read:

**Subd. 25. Processing.** "Processing" means the treatment of waste after collection and before disposal. Processing includes but is not limited to reduction, storage, separation, exchange, resource recovery, physical, chemical, or biological modification, and transfer from one waste facility to another. Processing does not include advanced recycling.

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

Sec. 75. Minnesota Statutes 2020, section 115A.03, subdivision 25d, is amended to read:

**Subd. 25d. Refuse-derived fuel.** "Refuse-derived fuel" means a product resulting from the processing of mixed municipal solid waste in a manner that reduces the quantity of noncombustible material present in the waste, reduces the size of waste components through shredding or other mechanical means, and produces a fuel suitable for combustion in existing or new solid fuel-fired boilers. Fuels produced using advanced recycling are not refuse-derived fuels.

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

Sec. 76. Minnesota Statutes 2020, section 115A.03, is amended by adding a subdivision to read:

Subd. 25e. **Recovered feedstock.** "Recovered feedstock" means one or more of the following materials that has been processed so that it may be used as feedstock in an advanced recycling facility:

(1) post-use polymers; and

(2) materials for which the United States Environmental Protection Agency has made a nonwaste determination under Code of Federal Regulations, title 40, section 241.3(c), or has otherwise determined are feedstocks and not solid waste.

Recovered feedstock does not include unprocessed municipal solid waste. Recovered feedstock is not mixed with solid waste or hazardous waste on site or during processing at an advanced recycling facility.

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

Sec. 77. Minnesota Statutes 2020, section 115A.03, subdivision 27, is amended to read:

Subd. 27. **Resource recovery.** "Resource recovery" means the reclamation for sale, use, or reuse of materials, substances, energy, or other products contained within or derived from waste. Resource recovery does not include advanced recycling.

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

Sec. 78. Minnesota Statutes 2020, section 115A.03, subdivision 28, is amended to read:

Subd. 28. **Resource recovery facility.** "Resource recovery facility" means a waste facility established and used primarily for resource recovery, including related and appurtenant facilities such as transmission facilities and transfer stations primarily serving the resource recovery facility. An advanced recycling facility is not a resource recovery facility.

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

Sec. 79. Minnesota Statutes 2020, section 115A.03, is amended by adding a subdivision to read:

Subd. 32e. **Solvolyis.** "Solvolyis" means a manufacturing process through which post-use polymers are reacted with the aid of solvents while heated at low temperatures or pressurized, or both, to make useful products while allowing additives and contaminants to be separated. The products of solvolyis include but are not limited to monomers, intermediates, and valuable raw materials. The process includes but is not limited to hydrolysis, aminolysis, ammonolysis, methanolysis, and glycolysis.

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

Sec. 80. Minnesota Statutes 2020, section 115A.03, subdivision 34, is amended to read:

Subd. 34. **Waste.** "Waste" means solid waste, sewage sludge, and hazardous waste. Waste does not include post-use polymers or recovered feedstocks.

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

Sec. 81. Minnesota Statutes 2020, section 115A.03, subdivision 35, is amended to read:

Subd. 35. **Waste facility.** "Waste facility" means all property, real or personal, including negative and positive easements and water and air rights, which is or may be needed or useful for the processing or disposal of waste, except property for the collection of the waste and property used primarily for the manufacture of scrap metal or paper. Waste facility includes but is not limited to transfer stations, processing facilities, and disposal sites and facilities. An advanced recycling facility is not a waste facility.

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

Sec. 82. Minnesota Statutes 2020, section 115A.03, subdivision 36, is amended to read:

Subd. 36. **Waste management.** "Waste management" means activities which are intended to affect or control the generation of waste and activities which provide for or control the collection, processing and disposal of waste. Waste management does not include advanced recycling.

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

Sec. 83. **[115A.143] MATTRESS RECYCLING.**

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

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

(c) "Covered entity" means a political subdivision of the state, mattress retailer, permitted transfer station, waste-to-energy facility, health care facility, educational facility, military base, or commercial or nonprofit lodging establishment that possesses a discarded mattress that was used and discarded in this state. Covered entity does not include a renovator, refurbisher, or person that only transports a discarded mattress.

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

(e) "Energy recovery" means the process by which all or a portion of solid waste materials are processed or combusted to use the heat content or other forms of energy derived from the solid waste materials.

(f) "Foundation" means any ticking-covered structure that is used to support a mattress and that is composed of one or more of the following: a constructed frame, foam, or a box spring, whether stationary, adjustable, or foldable. Foundation does not include any bed frame or base made of wood, metal, or other material that rests upon the floor and that serves as a brace for a mattress.

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

sleeping upon. Mattress includes any foundation and any used or renovated mattress. Mattress does not include any mattress pad; mattress topper; sleeping bag; pillow; car bed; carriage; basket; dressing table; stroller; playpen; infant carrier; lounge pad; crib or bassinet mattress; crib bumper; liquid or gaseous filled ticking, including any water bed and any air mattress that does not contain upholstery material between the ticking and the mattress core; or upholstered furniture, including a sleeper sofa.

(h) "Mattress core" means the principal support system that is present in a mattress, including but not limited to springs, foam, air bladder, water bladder, or resilient filling.

(i) "Mattress recycling council" or "council" means the nonprofit organization created by producers or created by any trade association that represents producers who account for a majority of mattress production in the United States to design, submit, and implement the mattress stewardship program described in subdivision 2.

(j) "Mattress stewardship fee" means the amount added to the purchase price of a mattress sold to a consumer or to an ultimate end user in this state that is necessary to cover the cost of collecting, transporting, and processing discarded mattresses by the council according to the mattress stewardship program.

(k) "Mattress stewardship program" or "program" means the statewide program described in subdivision 2 and implemented according to the mattress stewardship plan developed under subdivision 2.

(l) "Mattress topper" means an item that contains resilient filling, with or without ticking, that is intended to be used with or on top of a mattress.

(m) "Performance goal" means a metric proposed by the council to annually measure the performance of the mattress stewardship program, taking into consideration technical and economic feasibilities, in achieving continuous, meaningful improvement in the rate of mattress recycling in the state and any other specified goal of the program.

(n) "Producer" means a person who manufactures or renovates a mattress that is sold, offered for sale, or distributed in the state under the producer's own name or brand. Producer includes:

(1) the owner of a trademark or brand under which a mattress is sold, offered for sale, or distributed in this state, whether or not the trademark or brand is registered in this state; and

(2) a person who imports a mattress into the United States that is sold or offered for sale in this state and that is manufactured or renovated by a person who does not have a presence in the United States.

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

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

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

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

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

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

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

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

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

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

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

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

Subd. 2. **Mattress recycling council; required plan.** (a) Within 180 days after the effective date of this section, each producer or the producer's designee must join the mattress recycling council. Within 180 days after the effective date of this section, the council must submit a plan for approval by the commissioner to establish a statewide mattress stewardship program, as described in this paragraph. Retailers may participate in the council. The mattress stewardship program must, to the extent technologically feasible and economically practical:

(1) provide for free, convenient, and accessible statewide opportunities for receiving discarded mattresses from any person in the state with a discarded mattress that was used and discarded in the state, including but not limited to participating covered entities that accumulate and segregate a minimum of 100 discarded mattresses for collection at one time;

(2) provide for free collection of discarded mattresses from transfer stations that accumulate and segregate fewer than 50 mattresses, provided the transfer stations require the collection due to space or permit requirements;

(3) provide for council-financed end-of-life management for discarded mattresses collected according to clauses (1) and (2);

(4) provide suitable storage containers at or make other mutually agreeable storage and transport arrangements for permitted transfer stations for segregated, discarded mattresses, at no cost to the municipality, provided the transfer station makes space available for the purpose and imposes no fee for placement of the storage container on the transfer station's premises;

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

(6) include a mattress stewardship fee that is sufficient to cover the costs of operating and administering the program.

(b) The plan submitted according to paragraph (a) must:

(1) identify each producer participating in the program;

(2) describe the fee structure for the program;

(3) establish performance goals for the first two years of the program;

(4) identify proposed facilities to be used by the program;

(5) set convenience goals and a timeline for implementing and achieving convenient access to the program;

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

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

(c) The council must set the amount of the mattress stewardship fee that is added to the purchase price of a mattress at the point of sale. The council must establish and implement a fee structure that covers but does not exceed the costs of developing the plan described in paragraph (b), operating and administering the program described in paragraph (a), and maintaining a financial reserve sufficient to operate the program over multiple years in a fiscally prudent and responsible manner. The council must set the fee as a flat rate and not as a percentage of the purchase price. The council must maintain all records relating to the program for not less than three years.

(d) Under the program, recycling is preferred over any other disposal method for mattresses, to the extent that recycling is technologically feasible and economically practical.

(e) The commissioner must approve the plan for establishing the mattress stewardship program if the plan meets the requirements of paragraphs (a) to (d). No later than 90 days after the council submits the plan according to this section, the commissioner must make a determination whether to approve the plan. Before making the determination, the commissioner must post the plan on the agency's website and solicit public comments on the plan. If the commissioner disapproves the plan because the plan does not meet the requirements of paragraphs (a) to (d), the commissioner must describe the reasons for the disapproval in a notice of determination that the commissioner provides to the council. The council must revise and resubmit the plan to the commissioner no later than 45 days after receiving notice of the commissioner's disapproval. No later than 45 days after receiving



the revised plan, the commissioner must review and approve or disapprove the revised plan and provide a notice of determination to the council. The council may resubmit a revised plan to the commissioner for approval no more than twice. If the council fails to submit a plan that is acceptable to the commissioner because it does not meet the requirements of paragraphs (a) to (d), the commissioner must modify a submitted plan to make it conform to the requirements of paragraphs (a) to (d) and approve it. No later than 180 days after approval of a plan according to this paragraph, the council must implement the mattress stewardship program. Regardless of when the program begins, the program's fiscal year begins January 1.

(f) The council must submit any proposed substantial change to the program to the commissioner for approval. If the commissioner does not disapprove a proposed substantial change within 90 days of receiving notice of the proposed substantial change, the proposed substantial change is deemed approved. For purposes of this paragraph, "substantial change" means:

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

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

(g) Within 90 days after the end of the program's second fiscal year, the council must submit updated performance goals to the commissioner that are based on the experience of the program during the first two years of the program.

(h) The council must notify the commissioner of other material changes to the program on an ongoing basis, without resubmitting the plan to the commissioner for approval. Material changes include but are not limited to a change in the composition, officers, or contact information of the council.

(i) Within 90 days after the end of the program's second fiscal year and every two years thereafter, the council must propose a mattress stewardship fee for all mattresses sold in this state. The council may propose a change to the mattress stewardship fee more frequently than once every two years if the council determines the change is needed to avoid funding shortfalls or excesses for the mattress stewardship program. Any proposed mattress stewardship fee must be reviewed by an auditor to ensure that the assessment does not exceed the cost to fund the mattress stewardship program described in paragraph (a) and to maintain financial reserves sufficient to operate the program over multiple years in a fiscally prudent and responsible manner. Not later than 60 days after the council proposes a mattress stewardship fee, the auditor must render an opinion to the commissioner as to whether the proposed mattress stewardship fee is reasonable to achieve the goals set forth in this section. If the auditor concludes that the mattress stewardship fee is reasonable, then the proposed fee goes into effect. If the auditor concludes that the mattress stewardship fee is not reasonable, the auditor must provide the council with written notice explaining the auditor's opinion. No later than 60 days after the council receives the auditor's opinion, the council may either propose a new mattress stewardship fee or provide written comments on the auditor's opinion. If the auditor concludes that the fee is not reasonable, the commissioner must decide, based on the auditor's opinion and any comments provided by the council, whether to approve the proposed mattress stewardship fee. The council must select the auditor. The cost of any work performed by the auditor under this paragraph and paragraph (k) must be paid by the mattress stewardship fee.

(j) Not later than October 15 each year, the council must submit an annual report to the commissioner for the most recently completed fiscal year. The commissioner must post the annual report on the agency's website. The report must include:

(1) the tonnage of mattresses collected under the program from:

(i) transfer stations;

(ii) retailers; and

(iii) all other covered entities;

(2) the tonnage of mattresses diverted for recycling;

(3) the weight of mattress materials recycled, as indicated by the weight of each of the commodities sold to secondary markets;

(4) the weight of mattress materials sent for disposal at:

(i) waste-to-energy facilities;

(ii) landfills; and

(iii) any other facilities;

(5) a summary of the public education that supports the program;

(6) an evaluation of the effectiveness of methods and processes used to achieve performance goals of the program; and

(7) recommendations for any changes to the program.

(k) Two years after the program is implemented according to paragraph (e) and every three years thereafter or upon the request of the commissioner, but not more frequently than once a year, the council must cause an audit of the program to be conducted by an auditor as described in paragraph (i). The audit must review the accuracy of the council's data concerning the program and provide any other information requested by the commissioner, consistent with the requirements of this section, provided the request does not require the disclosure of proprietary information or trade or business secrets. The council must pay for the audit. The council must maintain all records relating to the program for at least three years.

Subd. 3. **Charging fee; producer participation.** Upon implementation of the mattress stewardship program, each manufacturer, renovator, retailer, or distributor that sells a mattress to a consumer or to an ultimate end user in the state must add the mattress stewardship fee to the purchase price for the mattress and must remit the fee collected to the council. In each transaction, the fee must appear on the invoice and must be accompanied by a brief description of the fee. The council must determine the rules and procedures necessary to implement collection of the fee in a fair, efficient, and lawful manner. Any producer who fails to participate in the program must not sell mattresses in this state.

Subd. 4. **Receipt of discarded mattresses.** Upon implementation of the mattress stewardship program according to subdivision 2, paragraph (e), a covered entity that participates in the program must not charge for the receipt of discarded mattresses that are discarded in this state, except that covered entities may charge a fee for providing the service of collecting mattresses and may restrict the acceptance of mattresses by number, source, or physical condition.

Sec. 84. Minnesota Statutes 2020, section 116.06, subdivision 22, is amended to read:

Subd. 22. **Solid waste.** "Solid waste" means garbage, refuse, sludge from a water supply treatment plant or air contaminant treatment facility, and other discarded waste materials and sludges, in solid, semisolid, liquid, or contained gaseous form, resulting from industrial, commercial, mining, and agricultural operations; and from community activities, but does not include:

(1) hazardous waste;

(2) animal waste used as fertilizer;

(3) earthen fill, boulders, or rock;

(4) concrete diamond grinding and saw slurry associated with the construction, improvement, or repair of a road when deposited on the road project site in a manner that is in compliance with best management practices and rules of the agency;

(5) sewage sludge;

(6) solid or dissolved material in domestic sewage or other common pollutants in water resources, such as silt, dissolved or suspended solids in industrial wastewater effluents or discharges ~~which~~ that are point sources subject to permits under section 402 of the Federal Water Pollution Control Act, as amended, or dissolved materials in irrigation return flows; ~~or~~

(7) source, special nuclear, or by-product material as defined by the Atomic Energy Act of 1954, as amended; or

(8) post-use polymers or recovered feedstocks converted at an advanced recycling facility or held at an advanced recycling facility before being converted.

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

Sec. 85. Minnesota Statutes 2020, section 116.07, subdivision 2, is amended to read:

Subd. 2. **Adopting standards.** (a) The Pollution Control Agency shall improve air quality by promoting, in the most practicable way possible, the use of energy sources and waste disposal methods which produce or emit the least air contaminants consistent with the agency's overall goal of reducing all forms of pollution. The agency shall also adopt standards of air quality, not including maximum allowable standards of emission of air contaminants from motor vehicles, recognizing that due to variable factors, no single standard of purity of air is applicable to all areas of the state. In adopting standards the Pollution Control Agency shall give due recognition to the fact that the quantity or characteristics of air contaminants or the duration of their presence in the atmosphere, which may cause air pollution in one area of the state, may cause less or not cause any air pollution in another area of the state, and it shall take into consideration in this connection such factors,

including others which it may deem proper, as existing physical conditions, zoning classifications, topography, prevailing wind directions and velocities, and the fact that a standard of air quality which may be proper as to an essentially residential area of the state, may not be proper as to a highly developed industrial area of the state. Such standards of air quality shall be premised upon scientific knowledge of causes as well as effects based on technically substantiated criteria and commonly accepted practices. No local government unit shall set standards of air quality which are more stringent than those set by the Pollution Control Agency.

(b) The Pollution Control Agency shall promote solid waste disposal control by encouraging the updating of collection systems, elimination of open dumps, and improvements in incinerator practices. The agency shall also adopt standards for the control of the collection, transportation, storage, processing, and disposal of solid waste and sewage sludge for the prevention and abatement of water, air, and land pollution, recognizing that due to variable factors, no single standard of control is applicable to all areas of the state. In adopting standards, the Pollution Control Agency shall give due recognition to the fact that elements of control which may be reasonable and proper in densely populated areas of the state may be unreasonable and improper in sparsely populated or remote areas of the state, and it shall take into consideration in this connection such factors, including others which it may deem proper, as existing physical conditions, topography, soils and geology, climate, transportation, and land use. Such standards of control shall be premised on technical criteria and commonly accepted practices.

(c) The Pollution Control Agency shall also adopt standards describing the maximum levels of noise in terms of sound pressure level which may occur in the outdoor atmosphere, recognizing that due to variable factors no single standard of sound pressure is applicable to all areas of the state. Such standards shall give due consideration to such factors as the intensity of noises, the types of noises, the frequency with which noises recur, the time period for which noises continue, the times of day during which noises occur, and such other factors as could affect the extent to which noises may be injurious to human health or welfare, animal or plant life, or property, or could interfere unreasonably with the enjoyment of life or property. In adopting standards, the Pollution Control Agency shall give due recognition to the fact that the quantity or characteristics of noise or the duration of its presence in the outdoor atmosphere, which may cause noise pollution in one area of the state, may cause less or not cause any noise pollution in another area of the state, and it shall take into consideration in this connection such factors, including others which it may deem proper, as existing physical conditions, zoning classifications, topography, meteorological conditions and the fact that a standard which may be proper in an essentially residential area of the state, may not be proper as to a highly developed industrial area of the state. Such noise standards shall be premised upon scientific knowledge as well as effects based on technically substantiated criteria and commonly accepted practices. No local governing unit shall set standards describing the maximum levels of sound pressure which are more stringent than those set by the Pollution Control Agency.

(d) The Pollution Control Agency shall adopt standards for the identification of hazardous waste and for the management, identification, labeling, classification, storage, collection, transportation, processing, and disposal of hazardous waste, recognizing that due to variable factors, a single standard of hazardous waste control may not be applicable to all areas of the state. In adopting standards, the Pollution Control Agency shall recognize that elements of control which may be reasonable and proper in densely populated areas of the state may be unreasonable and improper in sparsely populated or remote areas of the state. The agency shall consider existing physical conditions, topography, soils, and geology, climate, transportation and land use. Standards of hazardous waste

control shall be premised on technical knowledge, and commonly accepted practices. Hazardous waste generator licenses may be issued for a term not to exceed five years. No local government unit shall set standards of hazardous waste control which are in conflict or inconsistent with those set by the Pollution Control Agency.

(e) A person who generates less than 100 kilograms of hazardous waste per month is exempt from the following agency hazardous waste rules:

(1) rules relating to transportation, manifesting, storage, and labeling for photographic fixer and x-ray negative wastes that are hazardous solely because of silver content; and

(2) any rule requiring the generator to send to the agency or commissioner a copy of each manifest for the transportation of hazardous waste for off-site treatment, storage, or disposal, except that counties within the metropolitan area may require generators to provide manifests.

Nothing in this paragraph exempts the generator from the agency's rules relating to on-site accumulation or outdoor storage. A political subdivision or other local unit of government may not adopt management requirements that are more restrictive than this paragraph.

(f) In any rulemaking proceeding under chapter 14 to adopt standards for air quality, solid waste, or hazardous waste under this chapter, or standards for water quality under chapter 115, the statement of need and reasonableness must include:

(1) an assessment of any differences between the proposed rule and:

(i) existing federal standards adopted under the Clean Air Act, United States Code, title 42, section 7412(b)(2); the Clean Water Act, United States Code, title 33, sections 1312(a) and 1313(c)(4); and the Resource Conservation and Recovery Act, United States Code, title 42, section 6921(b)(1);

(ii) similar standards in states bordering Minnesota; and

(iii) similar standards in states within the Environmental Protection Agency Region 5; and

(2) a specific analysis of the need and reasonableness of each difference.

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

Sec. 86. Minnesota Statutes 2020, section 116.07, subdivision 7, is amended to read:

Subd. 7. **Counties; processing applications for animal lot permits.** (a) Any Minnesota county board may, by resolution, with approval of the Pollution Control Agency, assume responsibility for processing applications for permits required by the Pollution Control Agency under this section for livestock feedlots, poultry lots or other animal lots. The responsibility for permit application processing, if assumed by a county, may be delegated by the county board to any appropriate county officer or employee.

(b) For the purposes of this subdivision, the term "processing" includes:

(1) the distribution to applicants of forms provided by the Pollution Control Agency;

(2) the receipt and examination of completed application forms, and the certification, in writing, to the Pollution Control Agency either that the animal lot facility for which a permit is sought by an applicant will comply with applicable rules and standards, or, if the facility will not comply, the respects in which a variance would be required for the issuance of a permit; and

(3) rendering to applicants, upon request, assistance necessary for the proper completion of an application.

(c) For the purposes of this subdivision, the term "processing" may include, at the option of the county board, issuing, denying, modifying, imposing conditions upon, or revoking permits pursuant to the provisions of this section or rules promulgated pursuant to it, subject to review, suspension, and reversal by the Pollution Control Agency. The Pollution Control Agency shall, after written notification, have 15 days to review, suspend, modify, or reverse the issuance of the permit. After this period, the action of the county board is final, subject to appeal as provided in chapter 14. For permit applications filed after October 1, 2001, section 15.99 applies to feedlot permits issued by the agency or a county pursuant to this subdivision.

(d) For the purpose of administration of rules adopted under this subdivision, the commissioner and the agency may provide exceptions for cases where the owner of a feedlot has specific written plans to close the feedlot within five years. These exceptions include waiving requirements for major capital improvements.

(e) For purposes of this subdivision, a discharge caused by an extraordinary natural event such as a precipitation event of greater magnitude than the 25-year, 24-hour event, tornado, or flood in excess of the 100-year flood is not a "direct discharge of pollutants."

(f) In adopting and enforcing rules under this subdivision, the commissioner shall cooperate closely with other governmental agencies.

(g) The Pollution Control Agency shall work with the Minnesota Extension Service, the Department of Agriculture, the Board of Water and Soil Resources, producer groups, local units of government, as well as with appropriate federal agencies such as the Natural Resources Conservation Service and the Farm Service Agency, to notify and educate producers of rules under this subdivision at the time the rules are being developed and adopted and at least every two years thereafter.

(h) The Pollution Control Agency shall adopt rules governing the issuance and denial of permits for livestock feedlots, poultry lots or other animal lots pursuant to this section. Pastures are exempt from the rules authorized under this paragraph. ~~No feedlot permit shall include any terms or conditions that impose any requirements related to any pastures owned or utilized by the feedlot operator other than restrictions under a manure management plan.~~ A feedlot permit is not required for livestock feedlots with more than ten but less than 50 animal units; provided they are not in shoreland areas. A livestock feedlot permit does not become required solely because of a change in the ownership of the buildings, grounds, or feedlot. These rules apply both to permits issued by counties and to permits issued by the Pollution Control Agency directly. No feedlot permit issued by the Pollution Control Agency shall include terms or conditions that:

(1) impose requirements related to pastures owned or used by the feedlot operator other than restrictions under a manure management plan;

(2) prohibit application of solid manure during February and March;

(3) require establishing a cover crop as a condition of allowing application of manure in September; or

(4) require implementing nitrogen best management practices as a condition of allowing application of manure in October.

(i) The Pollution Control Agency shall exercise supervising authority with respect to the processing of animal lot permit applications by a county.

(j) Any new rules or amendments to existing rules proposed under the authority granted in this subdivision, or to implement new fees on animal feedlots, must be submitted to the members of legislative policy and finance committees with jurisdiction over agriculture and the environment prior to final adoption. The rules must not become effective until 90 days after the proposed rules are submitted to the members.

(k) Until new rules are adopted that provide for plans for manure storage structures, any plans for a liquid manure storage structure must be prepared or approved by a registered professional engineer or a United States Department of Agriculture, Natural Resources Conservation Service employee.

(l) A county may adopt by ordinance standards for animal feedlots that are more stringent than standards in Pollution Control Agency rules.

(m) After January 1, 2001, a county that has not accepted delegation of the feedlot permit program must hold a public meeting prior to the agency issuing a feedlot permit for a feedlot facility with 300 or more animal units, unless another public meeting has been held with regard to the feedlot facility to be permitted.

(n) After the proposed rules published in the State Register, volume 24, number 25, are finally adopted, the agency may not impose additional conditions as a part of a feedlot permit, unless specifically required by law or agreed to by the feedlot operator.

(o) For the purposes of feedlot permitting, a discharge from land-applied manure or a manure stockpile that is managed according to agency rule must not be subject to a fine for a discharge violation.

(p) For the purposes of feedlot permitting, manure that is land applied, or a manure stockpile that is managed according to agency rule, must not be considered a discharge into waters of the state, unless the discharge is to waters of the state, as defined by section 103G.005, subdivision 17, except type 1 or type 2 wetlands, as defined in section 103G.005, subdivision 17b, and does not meet discharge standards established for feedlots under agency rule.

(q) Unless the upgrade is needed to correct an immediate public health threat under section 145A.04, subdivision 8, or the facility is determined to be a concentrated animal feeding operation under Code of Federal Regulations, title 40, section 122.23, in effect on April 15, 2003, the agency may not require a feedlot operator:

(1) to spend more than \$3,000 to upgrade an existing feedlot with less than 300 animal units unless cost-share money is available to the feedlot operator for 75 percent of the cost of the upgrade; or

(2) to spend more than \$10,000 to upgrade an existing feedlot with between 300 and 500 animal units, unless cost-share money is available to the feedlot operator for 75 percent of the cost of the upgrade or \$50,000, whichever is less.

(r) A feedlot operator who stores and applies up to 100,000 gallons per calendar year of private truck wash wastewater resulting from trucks that transport animals or supplies to and from the feedlot does not require a permit to land-apply industrial by-products if the feedlot operator stores and applies the wastewater in accordance with Pollution Control Agency requirements for land applications of industrial by-product that do not require a permit.

(s) A feedlot operator who holds a permit from the Pollution Control Agency to land-apply industrial by-products from a private truck wash is not required to have a certified land applicator apply the private truck wash wastewater if the wastewater is applied by the feedlot operator to cropland owned or leased by the feedlot operator or by a commercial animal waste technician licensed by the commissioner of agriculture under chapter 18C. For purposes of this paragraph and paragraph (r), "private truck wash" means a truck washing facility owned or leased, operated, and used only by a feedlot operator to wash trucks owned or leased by the feedlot operator and used to transport animals or supplies to and from the feedlot.

**EFFECTIVE DATE.** This section is effective retroactively from February 1, 2021.

Sec. 87. Minnesota Statutes 2020, section 116G.07, is amended by adding a subdivision to read:

**Subd. 4. Exemption; Mississippi River Corridor Critical Area.** Plans and regulations of local units of government within the Mississippi River Corridor Critical Area are exempt from subdivisions 1 to 3 and are subject to section 116G.15, subdivision 8.

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

Sec. 88. Minnesota Statutes 2020, section 116G.15, is amended by adding a subdivision to read:

**Subd. 8. Reviewing and approving local plans and regulations.** (a) In the Mississippi River Corridor Critical Area, the commissioner of natural resources is responsible for carrying out the duties of the board and the Metropolitan Council is responsible for carrying out the duties of the regional development commission under sections 116G.07 to 116G.10. Notwithstanding sections 116G.07, subdivisions 2 and 3, and 116G.10, subdivision 3, the responsibilities and procedures for reviewing and approving local plans and regulations in the Mississippi River Corridor Critical Area, and amendments thereto, are subject to this subdivision.

(b) Within 60 days of receiving a draft plan from a local unit of government, the commissioner, in coordination with the Metropolitan Council, must review the plan to determine the plan's consistency with:

(1) this section;



(2) Minnesota Rules, chapter 6106; and

(3) the local unit of government's comprehensive plan.

(c) Within 60 days of receiving draft regulations from a local unit of government, the commissioner must review the regulations to determine the regulations' consistency with:

(1) Minnesota Rules, chapter 6106; and

(2) the commissioner-approved plan adopted by the local unit of government under paragraph (b).

(d) Upon review of a draft plan and regulations under paragraphs (b) and (c), the commissioner must:

(1) conditionally approve the draft plan and regulations by written decision; or

(2) return the draft plan and regulations to the local unit of government for modification, along with a written explanation of the need for modification.

(i) When the commissioner returns a draft plan and regulations to the local unit of government for modification, the local unit of government must revise the draft plan and regulations within 60 days after receiving the commissioner's written explanation and must resubmit the revised draft plan and regulations to the commissioner.

(ii) The Metropolitan Council and the commissioner must review the revised draft plan and regulations upon receipt from the local unit of government as provided under paragraphs (b) and (c).

(iii) If the local unit of government or the Metropolitan Council requests a meeting, a final revision need not be made until a meeting is held with the commissioner on the draft plan and regulations. The request extends the 60-day time limit specified in item (i) until after the meeting is held.

(e) Only plans and regulations receiving final approval from the commissioner have the force and effect of law. The commissioner must grant final approval under this section only if:

(1) the plan is an element of a comprehensive plan that is authorized by the Metropolitan Council according to sections 473.175 and 473.858; and

(2) the local unit of government adopts a plan and regulations that are consistent with the draft plan and regulations conditionally approved under paragraph (d).

(f) The local unit of government must implement and enforce the commissioner-approved plan and regulations after the plan and regulations take effect.

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

Sec. 89. Minnesota Statutes 2020, section 127A.353, subdivision 4, is amended to read:

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

(1) take an oath of office before assuming any duties as the director;

(2) evaluate the school trust land asset position;

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

(4) advise the governor, Executive Council, commissioner of natural resources, and the Legislative Permanent School Fund Commission on the management of school trust lands, including:

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

(ii) leases of school trust lands;

(iii) royalty agreements on school trust lands;

(iv) land sales and exchanges;

(v) cost certification; and

(vi) revenue generating options;

(5) propose to the Legislative Permanent School Fund Commission legislative changes that will improve the asset allocation of the school trust lands;

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

(i) retain core real estate assets;

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

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

(iv) establish priorities for management actions; ~~and~~

(v) balance revenue enhancement and resource stewardship; and

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

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

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

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

- (1) direct and control money appropriated to the director;
- (2) establish job descriptions and employ up to five employees in the unclassified service, within the limitations of money appropriated to the director;
- (3) enter into interdepartmental agreements with any other state agency;
- (4) enter into joint powers agreements under chapter 471;
- (5) evaluate and initiate real estate development projects on school trust lands with the advice of the Legislative Permanent School Fund Commission in order to generate long-term economic return to the permanent school fund;
- (6) serve as temporary trustee of school trust land for school trust lands subject to proposed or active eminent domain proceedings; and
- (7) submit recommendations on strategies for school trust land leases, sales, or exchanges to the commissioner of natural resources and the Legislative Permanent School Fund Commission.

Sec. 90. Minnesota Statutes 2020, section 282.08, is amended to read:

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

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

- (1) the portion required to pay any amounts included in the appraised value under section 282.01, subdivision 3, as representing increased value due to any public improvement made after forfeiture of the parcel to the state, but not exceeding the amount certified by the appropriate governmental authority must be apportioned to the governmental subdivision entitled to it;
- (2) the portion required to pay any amount included in the appraised value under section 282.019, subdivision 5, representing increased value due to response actions taken after forfeiture of the parcel to the state, but not exceeding the amount of expenses certified by the Pollution Control Agency or the commissioner of agriculture, must be apportioned to the agency or the commissioner of agriculture and deposited in the fund from which the expenses were paid;
- (3) the portion of the remainder required to discharge any special assessment chargeable against the parcel for drainage or other purpose whether due or deferred at the time of forfeiture, must be apportioned to the governmental subdivision entitled to it; and
- (4) any balance must be apportioned as follows:
  - (i) The county board may annually by resolution set aside no more than 30 percent of the receipts remaining to be used for forest development on tax-forfeited land and dedicated memorial forests,

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

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

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

(A) according to section 282.09, subdivision 2;

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

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

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

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

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

Sec. 91. Laws 2016, chapter 154, section 16, is amended to read:

**Sec. 16. EXCHANGE OF STATE LAND; AITKIN, BELTRAMI, AND KOOCHICHING COUNTIES.**

(a) Notwithstanding the riparian restrictions in Minnesota Statutes, section 94.342, subdivision 3, and subject to the valuation restrictions described in paragraph (c), the commissioner of natural resources may, with the approval of the Land Exchange Board as required under the Minnesota Constitution, article XI, section 10, and according to the remaining provisions of Minnesota Statutes, sections 94.342 to 94.347, exchange the state-owned land leased for farming wild rice described in paragraph (b).

(b) The state land that may be exchanged is held under the following state leases for farming of wild rice:

(1) Lease LAGR001305, covering 175.1 acres in Aitkin County;

(2) Lease LMIS010040, covering 107.1 acres in Beltrami County;

(3) Lease LMIS010096, covering 137.4 acres in Beltrami County; and

(4) Lease LAGR001295, covering 264.40 acres in Koochiching County.

(c) For the appraisal of the land, no improvements paid for by the lessee shall be included in the estimate of market value.

(d) Additional adjoining state lands may be added to the exchanges if mutually agreed upon by the commissioner and the exchange partner to avoid leaving unmanageable parcels of land in state ownership after an exchange or to meet county zoning standards or other regulatory needs for the wild rice farming operations.

(e) The state land administered by the commissioner of natural resources in Koochiching County borders the Lost River. The lands to be exchanged are not required to provide at least equal opportunity for access to waters by the public, but the lands must be at least equal in value and have the potential to generate revenue for the school trust lands.

(f) Notwithstanding Minnesota Statutes, section 94.343, subdivision 8a, lessees must pay to the commissioner all costs, as determined by the commissioner, that are associated with each exchange transaction, including valuation expenses; legal fees; survey expenses; costs of title work, advertising, and public hearings; transactional staff costs; and closing costs.

Sec. 92. Laws 2016, chapter 154, section 48, is amended to read:

**Sec. 48. EXCHANGE OF STATE LAND; ST. LOUIS COUNTY.**

**Subdivision 1. Exchange of land.** (a) Notwithstanding the riparian restrictions in Minnesota Statutes, section 94.342, subdivision 3, the commissioner of natural resources may, with the approval of the Land Exchange Board as required under the Minnesota Constitution, article XI, section 10, and according to the remaining provisions of Minnesota Statutes, sections 94.342 to 94.347, exchange the riparian land described in paragraph (b).

(b) The state land that may be exchanged is located in St. Louis County and is described as: Government Lot 5, Section 35, Township 64 North, Range 12 West.

(c) The state land administered by the commissioner of natural resources borders Low Lake. The land to be exchanged is forest land that includes areas bordering the Whiteface River. While the land does not provide at least equal opportunity for access to waters by the public, the land to be acquired by the commissioner in the exchange will improve access to adjacent state forest lands.

**Subd. 2. Gifts of land.** Notwithstanding Minnesota Statutes, section 94.342 or 94.343, or any other law to the contrary, the Land Exchange Board may consider a gift of land from the exchange partner pursuant to Minnesota Statutes, section 84.085, subdivision 1, paragraph (d), in addition to land proposed for exchange with the state land referenced in section 1, paragraph (b), in determining whether the proposal is in the best interests of the school trust.

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

Sec. 93. Laws 2019, First Special Session chapter 4, article 1, section 2, subdivision 9, is amended to read:

Subd. 9. <b>Environmental Quality Board</b>	1,774,000	1,274,000
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Appropriations by Fund		
	2020	2021
General	1,081,000	1,081,000
Environmental	393,000	193,000
Remediation	300,000	-0-

(a) \$200,000 the first year is from the environmental fund to begin to develop and assemble the material required under Code of Federal Regulations, title 40, section 233.10, to have the state of Minnesota assume the section 404 permitting program of the Federal Clean Water Act. The Board may execute contracts or interagency agreements to facilitate developing the required agreements and materials. By February 1, ~~2021~~ 2022, the board must submit a report on the additional funding necessary to secure section 404 assumption and the additional funding needed to fully implement the state-assumed program to the chairs and ranking minority members of the legislative committees and divisions with jurisdiction over the environment and natural resources. This is a onetime appropriation and is available until June 30, 2022.

(b) \$300,000 the first year is from the remediation fund to conduct a study of the potential to deploy solar photovoltaic devices on closed landfill program sites. This is a onetime appropriation. By December 1, 2020, the board, in consultation with the Pollution Control Agency and the commissioners of administration, commerce, and management and budget, must provide to the chairs and ranking minority members of the legislative committees and divisions with jurisdiction over environment and natural resources policy and finance and energy policy and finance a report on the use of properties in the state's closed landfill program for solar energy production. The report must include:

(1) identification and assessment of properties in the closed landfill program with

the highest potential for solar energy production;

(2) identification of potential barriers to solar energy production and potential ways to address those barriers; and

(3) policy recommendations that would facilitate solar energy production on closed landfill program sites in a manner that would contribute to state and local government sustainability goals.

**EFFECTIVE DATE.** This section is effective retroactively from January 31, 2021.

Sec. 94. Laws 2019, First Special Session chapter 4, article 3, section 109, as amended by Laws 2020, chapter 83, article 1, section 100, is amended to read:

Sec. 109. **APPLYING STORM WATER RULES TO CITIES AND TOWNSHIPS.**

Until the Pollution Control Agency amends rules for storm water, Minnesota Rules, part 7090.1010, subpart 1, item B, subitem (1), applies only to the portions of a city, ~~a town, and unorganized areas of counties~~ or township that are designated as urbanized under Code of Federal Regulations, title 40, section 122.26 (a)(9)(i)(A), and other platted areas within ~~that jurisdiction~~ those jurisdictions.

Sec. 95. **ADDITIONS TO STATE PARKS.**

Subdivision 1. **[85.012] [Subd. 18.] Fort Snelling State Park, Dakota County.** The following areas are added to Fort Snelling State Park, Dakota County:

(1) that part of Section 28, Township 28 North, Range 23 West, Dakota County, Minnesota, bounded by the Dakota County line along the Minnesota River and the following described lines:

Beginning at the intersection of the south line of Lot 18 of Auditor's Subdivision Number 29 of Mendota, according to the plat on file in the Office of the Dakota County Recorder, with the westerly right-of-way line of the existing Sibley Memorial Highway; thence northerly along said westerly right-of-way line to the north line of said Lot 18; thence westerly along the north line of said Lot 18 to the easterly right-of-way line of the Chicago and Northwestern Railroad; thence northerly and northeasterly along said easterly right-of-way to the east line of said Section 28;

(2) that part of Section 33, Township 28 North, Range 23 West, Dakota County, Minnesota, lying westerly of the easterly right-of-way of the Chicago and Northwestern Railroad;

(3) that part of Government Lot 6 of Section 33, Township 28 North, Range 23 West, Dakota County, Minnesota, lying East of the easterly right-of-way of the Chicago and Northwestern Railroad and West of the westerly right-of-way of Sibley Memorial Highway and North of the South 752 feet of said Government Lot 6;

(4) the North 152 feet of the South 752 feet of that part of Government Lot 6 of Section 33, Township 28 North, Range 23 West, Dakota County, Minnesota, lying East of the easterly right-of-way of the Chicago and Northwestern Railroad and West of the westerly right-of-way of Sibley Memorial Highway;

(5) the North 270 feet of the South 600 feet of that part of Government Lot 6 lying between the westerly right-of-way of Sibley Memorial Highway and the easterly right-of-way of the Chicago and Northwestern Railroad in Section 33, Township 28 North, Range 23 West, Dakota County, Minnesota;

(6) that part of the South 20 rods of Government Lot 6 of Section 33, Township 28 North, Range 23 West, Dakota County, Minnesota, lying East of the easterly right-of-way of the Chicago and Northwestern Railroad and West of the westerly right-of-way of Sibley Memorial Highway, excepting therefrom that part described as follows:

Commencing at the southeast corner of said Government Lot 6; thence North 89 degrees 56 minutes 54 seconds West assumed bearing along the south line of said Government Lot 6 a distance of 260.31 feet to the point of beginning of the property to be described; thence continue North 89 degrees 56 minutes 54 seconds West a distance of 71.17 feet; thence northwesterly a distance of 37.25 feet along a nontangential curve concave to the East having a radius of 4,098.00 feet and a central angle of 00 degrees 31 minutes 15 seconds the chord of said curve bears North 23 degrees 31 minutes 27 seconds West; thence northerly a distance of 127.39 feet along a compound curve concave to the East having a radius of 2,005.98 feet and a central angle of 03 degrees 38 minutes 19 seconds; thence North 70 degrees 22 minutes 29 seconds East not tangent to said curve a distance of 65.00 feet; thence southerly a distance of 123.26 feet along a nontangential curve concave to the East having a radius of 1,940.98 feet and a central angle of 03 degrees 38 minutes 19 seconds the chord of said curve bears South 21 degrees 26 minutes 40 seconds East; thence southerly a distance of 65.42 feet to the point of beginning along a compound curve concave to the East having a radius of 4,033.00 feet and a central angle of 00 degrees 55 minutes 46 seconds;

(7) that part of Government Lot 5 of Section 33, Township 28 North, Range 23 West, Dakota County, Minnesota, lying East of the easterly right-of-way of the Chicago and Northwestern Railroad and West of the westerly right-of-way of Sibley Memorial Highway, excepting therefrom that part described as follows:

Commencing at the southeast corner of said Government Lot 5; thence North 89 degrees 56 minutes 18 seconds West assumed bearing along the south line of said Government Lot 5 a distance of 70.48 feet to the point of beginning of the property to be described; thence continue North 89 degrees 56 minutes 18 seconds West along said south line of Government Lot 5 a distance of 40.01 feet; thence North 01 degree 30 minutes 25 seconds East a distance of 6.08 feet; thence northerly a distance of 185.58 feet along a tangential curve concave to the West having a radius of 4,427.00 feet and a central angle of 02 degrees 24 minutes 07 seconds; thence South 89 degrees 06 minutes 18 seconds West not tangent to said curve a distance of 25.00 feet; thence North 00 degrees 53 minutes 42 seconds West a distance of 539.13 feet; thence northerly a distance of 103.77 feet along a tangential curve concave to the West having a radius of 1,524.65 feet and a central angle of 03 degrees 53 minutes 59 seconds; thence northerly a distance of 159.33 feet along a compound curve concave to the West having a radius of 522.45 feet and a



central angle of 17 degrees 28 minutes 23 seconds; thence northwesterly a distance of 86.78 feet along a tangential curve concave to the West having a radius of 1,240.87 feet and a central angle of 04 degrees 00 minutes 25 seconds; thence North 26 degrees 16 minutes 30 seconds West tangent to said curve a distance of 92.39 feet; thence northwesterly a distance of 178.12 feet along a tangential curve concave to the East having a radius of 4,098.00 feet and a central angle of 02 degrees 29 minutes 25 seconds to a point on the north line of said Government Lot 5 which is 331.48 feet from the northeast corner thereof as measured along said north line; thence South 89 degrees 56 minutes 54 seconds East along said north line of Government Lot 5 a distance of 71.17 feet; thence southeasterly a distance of 146.53 feet along a nontangential curve concave to the East having a radius of 4,033.00 feet and a central angle of 02 degrees 04 minutes 54 seconds the chord of said curve bears South 25 degrees 14 minutes 03 seconds East; thence South 26 degrees 16 minutes 30 seconds East tangent to said curve a distance of 92.39 feet; thence southerly a distance of 91.33 feet along a tangential curve concave to the West having a radius of 1,305.87 feet and a central angle of 04 degrees 00 minutes 25 seconds; thence southerly a distance of 179.15 feet along a tangential curve concave to the West having a radius of 587.45 feet and a central angle of 17 degrees 28 minutes 23 seconds; thence southerly a distance of 108.20 feet along a compound curve concave to the West having a radius of 1,589.65 feet and a central angle of 03 degrees 53 minutes 59 seconds; thence South 00 degrees 53 minutes 42 seconds East tangent to said curve a distance of 539.13 feet; thence southerly a distance of 187.26 feet along a tangential curve concave to the West having a radius of 4,467.00 feet and a central angle of 02 degrees 24 minutes 07 seconds; thence South 01 degree 30 minutes 25 seconds West tangent to said curve a distance of 5.07 feet to the point of beginning; and

(8) that part of Government Lot 4 of Section 33, Township 28 North, Range 23 West, Dakota County, Minnesota, lying East of the easterly right-of-way of the Chicago and Northwestern Railroad and northerly of the following described line:

Commencing at the southeast corner of said Government Lot 4; thence North 89 degrees 55 minutes 42 seconds West assumed bearing along the south line of said Government Lot 4 a distance of 312.44 feet to corner B205, MNDOT Right-of-Way Plat No. 19-93, according to the recorded map thereof; thence continue North 89 degrees 55 minutes 42 seconds West along said south line of Government Lot 4 a distance of 318.00 feet to the easterly right-of-way of Chicago and Northwestern Railroad; thence northerly along said railroad right-of-way a distance of 387.97 feet along a nontangential curve concave to the West having a radius of 2,963.54 feet and a central angle of 07 degrees 30 minutes 03 seconds, the chord of said curve bears North 00 degrees 42 minutes 41 seconds East; thence North 03 degrees 02 minutes 21 seconds West tangent to said curve along said railroad right-of-way a distance of 619.45 feet to the point of beginning of the line to be described; thence North 89 degrees 35 minutes 27 seconds East a distance of 417.92 feet; thence North 18 degrees 18 minutes 58 seconds East a distance of 317.52 feet to a point on the north line of said Government Lot 4 which is 135.00 feet from the northeast corner thereof as measured along said north line and there terminating.

Subd. 2. [85.012] [Subd. 38A.] Lake Vermilion-Soudan Underground Mine State Park, St. Louis County. The following areas are added to Lake Vermilion-Soudan Underground Mine State Park, St. Louis County, and are designated as the Granelda Unit:

(1) Lot 3 of Section 28 and Lot 5 of Section 29 in Township 63 North of Range 17, all West of the 4th Principal Meridian, according to the United States Government Survey thereof;

(2) the Northeast Quarter of the Southwest Quarter, the Northwest Quarter, the Southeast Quarter of the Northeast Quarter, the Northeast Quarter of the Northeast Quarter, and Lots numbered 1, 2, 3, and 4 of Section 29 in Township 63 North of Range 17, all West of the 4th Principal Meridian, according to the United States Government survey thereof;

(3) Lots 1 and 2 of Section 32 in Township 63 North of Range 17, all West of the 4th Principal Meridian, according to the United States Government Survey thereof; and

(4) Lot 4 of Section 23 in Township 63 North of Range 18, all West of the 4th Principal Meridian, according to the United States Government Survey thereof.

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

Sec. 96. **ADDITION TO STATE RECREATION AREA.**

**[85.013] [Subd. 12a.] Iron Range Off-Highway Vehicle Recreation Area, St. Louis County.** The following area is added to Iron Range Off-Highway Vehicle Recreation Area, St. Louis County: that part of the South Half of the Northwest Quarter of Section 15, Township 58 North, Range 17 West, St. Louis County, Minnesota, lying northerly of the following described line:

Commencing at the West quarter corner of said Section 15; thence North 01 degree 24 minutes 27 seconds West, bearing assumed, along the west line of said South Half of the Northwest Quarter a distance of 1,034.09 feet to a 3/4-inch rebar with plastic cap stamped "MN DNR LS 44974" (DM) and the point of beginning; thence South 62 degrees 44 minutes 07 seconds East 405.24 feet to a DM; thence South 82 degrees 05 minutes 24 seconds East 314.95 feet to a DM; thence South 86 degrees 18 minutes 01 second East 269.23 feet to a DM; thence North 81 degrees 41 minutes 24 seconds East 243.61 feet to a DM; thence North 71 degrees 48 minutes 05 seconds East 478.17 feet to a DM; thence North 60 degrees 53 minutes 38 seconds East 257.32 feet to a DM; thence South 09 degrees 16 minutes 07 seconds East 179.09 feet to a DM; thence South 49 degrees 16 minutes 00 seconds East 127.27 feet to a DM; thence South 50 degrees 16 minutes 11 seconds East 187.13 feet to a DM; thence South 67 degrees 11 minutes 35 seconds East 189.33 feet to a DM; thence South 67 degrees 13 minutes 16 seconds East 209.43 feet to a DM; thence South 80 degrees 39 minutes 19 seconds East 167.59 feet to a DM on the east line of said South Half of the Northwest Quarter, and there terminating.

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

Sec. 97. **DELETIONS FROM STATE PARKS.**

Subdivision 1. **[85.012] [Subd. 18.] Fort Snelling State Park, Dakota County.** The following areas are deleted from Fort Snelling State Park, Dakota County:

(1) all of Section 33, Township 28 North, Range 23 West of the 4th Principal Meridian lying westerly of the westerly right-of-way line of the existing Minnesota Trunk Highway No. 13, excepting the right-of-way owned by the Chicago and Northwestern railway company; and

(2) all of Section 28, Township 28 North, Range 23 West of the 4th Principal Meridian bounded by the Dakota County line along the Minnesota River and the following described lines: Beginning at the south line of said Section 28 at its intersection with the westerly right-of-way line of the

existing Minnesota Trunk Highway No. 13; thence northerly along the said westerly right-of-way line of existing Minnesota Trunk Highway No. 13 to the southerly right-of-way line of existing Minnesota Trunk Highway Nos. 55 and 100; thence along the existing southerly right-of-way line of Minnesota Trunk Highway Nos. 55 and 100 to the westerly right-of-way line owned by the Chicago and Northwestern railway company; thence northeasterly along the said westerly right-of-way line of the Chicago and Northwestern railway to the east line of said Section 28, excepting therefrom the right-of-way owned by the Chicago and Northwestern railway company.

Subd. 2. [85.012] [Subd. 43.] Minneopa State Park, Blue Earth County. The following area is deleted from Minneopa State Park, Blue Earth County: a tract of land located in the Northwest Quarter of the Northwest Quarter of Section 21, Township 108 North, Range 27 West of the Fifth Principal Meridian, Blue Earth County, Minnesota, more particularly described as follows:

Commencing at the northwest corner of said Section 21; thence on an assumed bearing of South 01 degree 31 minutes 27 seconds East, along the west line of the Northwest Quarter of the Northwest Quarter of said Section 21, a distance of 545.00 feet, to the south line of the North 545.00 feet of the Northwest Quarter of the Northwest Quarter of said Section 21, also being the south line of Minneopa Cemetery and the point of beginning of the tract to be herein described; thence North 88 degrees 22 minutes 26 seconds East, along said south line of Minneopa Cemetery, a distance of 228.95 feet; thence southwesterly 58.5 feet, more or less, to the intersection of the west line of Block 188 and the northerly line of the railroad right-of-way, said point of intersection being 31.90 feet distant, measured at right angles from the south line of said Minneopa Cemetery; thence continue southwesterly along said railroad right-of-way 187 feet, more or less, to a point on the west line of the Northwest Quarter of the Northwest Quarter of said Section 21; thence North 01 degree 31 minutes 27 seconds West, along said west line to the point of beginning.

Subd. 3. [85.012] [Subd. 60.] William O'Brien State Park, Washington County. The following areas are deleted from William O'Brien State Park, Washington County:

(1) those parts of Section 25, Township 32 North, Range 20 West, Washington County, Minnesota, described as follows:

The West two rods of the Southwest Quarter of the Northeast Quarter, the West two rods of the North two rods of the Northwest Quarter of the Southeast Quarter, and the East two rods of the Southeast Quarter of the Northwest Quarter; and

(2) the East two rods over and across the Northeast Quarter of the Northwest Quarter, excepting therefrom the North 200 feet of said Northeast Quarter of the Northwest Quarter. Also, the West 2 rods of the Northwest Quarter of the Northeast Quarter, excepting therefrom the North 266 feet of said Northwest Quarter of the Northeast Quarter. Also, the South 66 feet of the North 266 feet of that part of said Northwest Quarter of the Northeast Quarter lying southwesterly of the existing public road known as 199th Street North.

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

Sec. 98. **PRIVATE SALE OF SURPLUS STATE LAND; CASS COUNTY.**

(a) Notwithstanding Minnesota Statutes, sections 94.09 to 94.16, the commissioner of natural resources may sell by private sale the surplus land that is described in paragraph (c).

(b) The commissioner may make necessary changes to the legal description to correct errors and ensure accuracy.

(c) The land to be conveyed is located in Cass County and is described as: the westerly 20.00 feet of the West Half of the Northeast Quarter, Section 16, Township 139 North, Range 30 West, Cass County, Minnesota. The Grantor, its employees and agents only, reserves a perpetual easement for ingress and egress over and across the above described land.

(d) The Department of Natural Resources has determined that the land is not needed for natural resource purposes and that the state's land management interests would best be served if the land was returned to private ownership.

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

Sec. 99. **PRIVATE SALE OF SURPLUS STATE LAND; LAKE OF THE WOODS COUNTY.**

(a) Notwithstanding Minnesota Statutes, sections 94.09 to 94.16, the commissioner of natural resources may sell by private sale the surplus land that is described in paragraph (c).

(b) The commissioner may make necessary changes to the legal description to correct errors and ensure accuracy.

(c) The land to be conveyed is located in Lake of the Woods County and is described as: a strip of land lying in Government Lot 3, Section 5, Township 163 North, Range 34 West of the Fifth Principal Meridian, Lake of the Woods County, Minnesota; said strip of land being 33.00 feet in width lying 16.50 feet on each side of the following described centerline:

Commencing at the southeast corner of said Government Lot 3; thence North 00 degrees 09 minutes 28 seconds West, assumed bearing, along the east line of said Government Lot 3, a distance of 690 feet, more or less, to the south line of that particular tract of land deeded to the State of Minnesota according to Document No. 75286, on file and of record in the Office of the Recorder, Lake of the Woods County, Minnesota; thence South 89 degrees 50 minutes 32 seconds West, along said south line of that particular tract of land, a distance of 200.00 feet; thence South 00 degrees 09 minutes 28 seconds East, parallel with the east line of said Government Lot 3, a distance of 40.00 feet; thence South 89 degrees 50 minutes 32 seconds West, a distance of 16.50 feet to the point of beginning of the centerline to be herein described; thence South 00 degrees 09 minutes 28 seconds East, parallel with the east line of said Government Lot 3, a distance of 650.5 feet, more or less, to the south line of said Government Lot 3 and said centerline there terminating.

(d) The Department of Natural Resources has determined that the land is not needed for natural resource purposes and that the state's land management interests would best be served if the land was returned to private ownership.

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

Sec. 100. **PRIVATE SALE OF SURPLUS STATE LAND; ST. LOUIS COUNTY.**

(a) Notwithstanding Minnesota Statutes, sections 94.09 to 94.16, the commissioner of natural resources may convey the surplus land that is described in paragraph (c) to a local unit of government for no consideration.

(b) The commissioner may make necessary changes to the legal description to correct errors and ensure accuracy.

(c) The land to be conveyed is located in St. Louis County and is described as: that part of the Southwest Quarter of the Northwest Quarter of Section 27, Township 52 North, Range 17 West, St. Louis County, Minnesota, described as follows:

Commencing at the quarter corner between Sections 27 and 28 of said Township 52 North, Range 17 West; thence running East 624 feet; thence North 629 feet to the point of beginning; thence North 418 feet; thence East 208 feet; thence South 418 feet; thence West 208 feet to the point of beginning.

(d) The Department of Natural Resources has determined that the land is not needed for natural resource purposes and that the state's land management interests would best be served if the land were conveyed to a local unit of government.

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

Sec. 101. **PRIVATE SALE OF TAX-FORFEITED LANDS; ST. LOUIS COUNTY.**

(a) Notwithstanding the public sale provisions of Minnesota Statutes, chapter 282, or other law to the contrary, St. Louis County may sell by private sale the tax-forfeited lands described in paragraph (c).

(b) The conveyances must be in a form approved by the attorney general. The attorney general may make changes to the land descriptions to correct errors and ensure accuracy.

(c) The lands to be sold are located in St. Louis County and are described as:

(1) Lot 5, Block 9, including part of vacated Seafield Street adjacent, Bristol Beach 1st Division, Duluth (parcel 010-0300-01030); and

(2) that part of the Southeast Quarter of the Northwest Quarter, Township 58, Range 15, Section 5, lying northerly of the northerly right-of-way line of the town of White road running in an east-west direction connecting County Road No. 138 with State Highway No. 135 and lying westerly of the following described line: commencing at the northeast corner of Government Lot 3; thence South 89 degrees 46 minutes 22 seconds West along the north line of Government Lot 3 558.28 feet; thence South 27 degrees 50 minutes 01 second West 102.75 feet; thence South 41 degrees 51 minutes 46 seconds West 452.29 feet; thence South 28 degrees 19 minutes 22 seconds West 422.74 feet; thence South 30 degrees 55 minutes 42 seconds West 133.79 feet; thence southwesterly 210.75 feet along a tangential curve concave to the southeast having a radius of 300 feet and a central angle of 40 degrees 15 minutes 00 seconds; thence South 09 degrees 19 minutes 19 seconds East tangent to said curve 100.30 feet, more or less, to the north line of said Southeast Quarter of the Northwest Quarter;

thence North 89 degrees 09 minutes 31 seconds East along said north line 40.44 feet to the point of beginning of the line; thence South 09 degrees 19 minutes 19 seconds East 148 feet, more or less, to said right-of-way line and said line there terminating. Surface only (parcel 570-0021-00112).

(d) The county has determined that the county's land management interests would best be served if the lands were returned to private ownership.

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

Sec. 102. **PUBLIC SALE OF SURPLUS STATE LAND BORDERING PUBLIC WATER; WADENA COUNTY.**

(a) Notwithstanding Minnesota Statutes, section 92.45, the commissioner of natural resources may sell by public sale the surplus land bordering public water that is described in paragraph (c).

(b) The commissioner may make necessary changes to the legal description to correct errors and ensure accuracy.

(c) The land that may be sold is located in Wadena County and is described as: the Northeast Quarter of the Southwest Quarter of Section 26, Township 136 North, Range 34 West, Wadena County, Minnesota, except that part described as follows:

Beginning at the northeast corner of said Northeast Quarter of the Southwest Quarter; thence West 10 rods; thence South 8 rods; thence East 10 rods; thence North 8 rods to the point of beginning and there terminating.

(d) The land borders the Redeye River. The Department of Natural Resources has determined that the land is not needed for natural resource purposes and that the state's land management interests would best be served if the land were returned to private ownership.

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

Sec. 103. **RIVERLANDS STATE FOREST; BOUNDARIES.**

**[89.021] [Subd. 42a.] Riverlands State Forest.** The following areas are designated as the Riverlands State Forest:

(1) those parts of Carlton County in Township 49 North, Range 16 West, described as follows:

(i) Government Lots 4, 5, and 6, the westerly 50 feet of Government Lot 3, the easterly 50 feet of Government Lot 8, and Government Lot 7 except that part conveyed to the State of Minnesota for highway right-of-way, Section 30;

(ii) Government Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, and 12 and all of Government Lot 14 except the North 890 feet of the West 765 feet and except the railroad right-of-way, Section 31; and

(iii) the South Half of the Northwest Quarter and the Southwest Quarter of Section 32;

(2) those parts of St. Louis County in Township 50 North, Range 17 West, described as follows:

(i) Government Lots 1, 2, 3, and 6 and the Southeast Quarter of the Northwest Quarter of Section 7;

(ii) Government Lots 1, 2, and 3, that part of the Northeast Quarter of the Northeast Quarter lying south of Township Road 5703, the Northwest Quarter of the Northwest Quarter, the Northeast Quarter of the Southeast Quarter, the Southwest Quarter of the Southeast Quarter, the Southeast Quarter of the Northeast Quarter, the Northwest Quarter of the Southeast Quarter, and the Southeast Quarter of the Southeast Quarter, Section 15;

(iii) Government Lots 1, 2, 3, and 4, Section 16;

(iv) Government Lots 1, 2, 3, and 4, Section 17;

(v) Government Lots 1 and 2, Section 18;

(vi) Government Lots 3, 7, 8, and 9, Section 22;

(vii) that part of the Southwest Quarter of the Southwest Quarter lying within 50 feet of the St. Louis River in Section 23;

(viii) Government Lots 11 and 12 and that part of Government Lot 6 lying South of the North 700 feet, except the railroad right-of-way, Section 26; and

(ix) Government Lot 3 in Section 27;

(3) those parts of St. Louis County in Township 50 North, Range 18 West, described as follows:

(i) Government Lots 2, 3, 4, 7, 9, and 10, the Southwest Quarter of the Northeast Quarter, the Southeast Quarter of the Northwest Quarter, the Northwest Quarter of the Southeast Quarter, the Northeast Quarter of the Southwest Quarter, reserving a 66-foot-wide access easement across Government Lot 2 for access to Grantor's property in Section 31, Township 51 North, Range 17 West, and that part of Government Lot 6, Section 1, and Government Lot 6, Section 2, described as follows:

Commencing at an iron pin at the centerline curve point of Trunk Highway No. 2, being the Minnesota Department of Transportation Station No. 2637 + 00, said point bears North 76 degrees 18 minutes 00 seconds West, assumed bearing 762.00 feet from the point of intersection of the tangent of said Trunk Highway No. 2, being an aluminum-capped monument on the cap of which are stamped the figures "2644 62.0" and the letters "PI," "Minn Highway Dept. Monument," thence South 13 degrees 42 minutes 00 seconds West 100.00 feet along the prolongation of the radial line from said curve point, to the southerly right-of-way line of said Trunk Highway No. 2, the point of beginning of the tract to be herein described; thence easterly 622.50 feet along said southerly right-of-way line, along a nontangential curve, concave to the North, having a radius of 5,830.00 feet, a central angle of 6 degrees 07 minutes 04 seconds, and the chord of said curve bears South 79 degrees 21 minutes 32 seconds East; thence South 26 degrees 25 minutes 57 seconds West 284.19 feet; thence South 88 degrees 07 minutes 14 seconds West 769 feet, more or less, to the shore of the St. Louis River; thence northerly along said shore to its intersection with a line that bears North 76 degrees 18 minutes 00 seconds West

from the point of beginning; thence South 76 degrees 18 minutes 00 seconds East 274 feet, more or less, to the point of beginning, Section 1; and

(ii) Government Lot 1, Section 12;

(4) those parts of St. Louis County in Township 51 North, Range 17 West, described as follows:

(i) Government Lots 3, 4, 5, 6, and 8, Section 3;

(ii) Government Lots 1, 2, 3, 4, 5, 6, 7, 8, and 9 and the Northwest Quarter of the Northeast Quarter, Southeast Quarter of the Northwest Quarter, and East Half of the Southeast Quarter, Section 9;

(iii) Government Lots 1, 2, 5, and 8 and the Southwest Quarter of the Southeast Quarter, Section 16;

(iv) Government Lots 2, 3, 4, 5, 6, 7, 8, and 9 and the Southeast Quarter of the Southeast Quarter of the Northwest Quarter of the Northwest Quarter, Section 20;

(v) Government Lot 1 and the Southwest Quarter of the Southwest Quarter, Section 29;

(vi) Government Lots 4, 5, 6, 7, 8, 9, 10, 11, and 12 and the Northeast Quarter of Southwest Quarter, Section 30; and

(vii) Government Lots 1, 2, 3, 4, 5, and 6, Section 31;

(5) those parts of St. Louis County in Township 51 North, Range 18 West, described as follows:

(i) Government Lots 1 and 2, Section 27;

(ii) Government Lot 1, Section 28, except railroad right-of-way;

(iii) Government Lots 2, 3, and 4, Section 28;

(iv) Government Lots 3 and 4, Section 29;

(v) Government Lots 2, 3, and 4, Section 30;

(vi) Government Lots 3 and 4, Section 35; and

(vii) Government Lots 1, 2, 3, 4, 5, 6, 7, and 8 and the Northeast Quarter of the Northwest Quarter, Northeast Quarter of the Southeast Quarter, Southeast Quarter of the Southeast Quarter, and Southwest Quarter of the Southeast Quarter, Section 36, reserving a 66-foot-wide access easement across Government Lots 5 and 6 and the Southwest Quarter of the Southeast Quarter for access to Grantor's property in Section 31, Township 51 North, Range 17 West;

(6) those parts of St. Louis County in Township 51 North, Range 19 West, described as follows:

(i) that part of Government Lots 1, 2, and 3, Section 26, lying North of the St. Louis River and Government Lot 7, Section 28;



(ii) Government Lot 8, Section 28, lying northerly of G.N. right-of-way and Government Lot 5, Section 30;

(iii) Government Lots 7 and 10, Section 30, except right-of-way;

(iv) Government Lot 9, Section 30; and

(v) Government Lot 1, Section 31, lying northerly of the northerly railroad right-of-way line;

(7) those parts of St. Louis County in Township 51 North, Range 20 West, described as follows:

(i) Government Lot 2, Section 16;

(ii) Government Lot 8, Section 22;

(iii) Government Lot 3, Section 26;

(iv) Government Lots 1, 2, 3, and 4, Section 36; and

(v) Government Lots 6, 7, and 8, Section 36, except railroad right-of-way;

(8) those parts of St. Louis County in Township 52 North, Range 15 West, described as follows:

(i) Government Lots 3, 4, 5, and 6, Section 16;

(ii) Government Lots 1, 2, 3, 4, 5, 7, and 8, Section 17, and Government Lot 6, Section 17, except the West 330 feet; and

(iii) Government Lots 3, 4, 5, 6, and 7, Section 19;

(9) those parts of St. Louis County in Township 52 North, Range 16 West, described as follows:

(i) Government Lots 1, 2, 3, 4, and 5 and the Southeast Quarter of the Southeast Quarter, Northeast Quarter of the Southwest Quarter, and Southwest Quarter of the Southwest Quarter, Section 21;

(ii) Government Lots 2, 3, 4, 5, 6, 7, 8, 9, and 10 and the Northeast Quarter of the Northwest Quarter and Northwest Quarter of the Northwest Quarter, Section 22;

(iii) Government Lot 3, Section 23;

(iv) Government Lot 2, Section 24;

(v) Government Lots 1, 4, 5, 6, 7, 8, 9, and 10, Section 25;

(vi) Government Lot 1, Section 26;

(vii) Government Lots 2 and 7, Section 26;

(viii) Government Lots 3 and 4, Section 27, reserving unto Grantor and Grantor's successors and assigns a 66-foot-wide access road easement across said Government Lot 3 for the purpose of access to Grantor's or Grantor's successors or assigns land and Grantor's presently owned land that

may be sold, assigned, or transferred in Government Lot 1, Section 27, said access road being measured 33 feet from each side of the centerline of that road that is presently existing at various widths and running in a generally southwesterly-northeasterly direction;

(ix) Government Lots 1 and 2, Section 28;

(x) Government Lots 1, 2, 3, and 5 and the Northeast Quarter of the Northeast Quarter and Southwest Quarter of the Northeast Quarter, Section 29;

(xi) Government Lots 1, 2, 3, and 4, Section 31, reserving unto Grantor and Grantor's successors and assigns a 66-foot-wide access road easement across said Government Lots 1, 2, and 3 for the purpose of access to Grantor's or Grantor's successors or assigns land and Grantor's presently owned lands that may be sold, assigned, or transferred in Government Lot 4, Section 29, said access road being measured 33 feet from each side of the centerline of that road that is presently existing at various widths and running in a generally East-West direction and any future extensions thereof as may be reasonably necessary to provide the access contemplated herein;

(xii) Government Lots 5, 7, 8, and 9, Section 31;

(xiii) Government Lots 1 and 2, an undivided two-thirds interest in the Northeast Quarter of the Northwest Quarter, an undivided two-thirds interest in the Southeast Quarter of the Northwest Quarter, and an undivided two-thirds interest in the Southwest Quarter of the Northwest Quarter, Section 32, reserving unto Grantor and Grantor's successors and assigns an access road easement across the West 66 feet of the North 66 feet of said Government Lot 1 for the purpose of access to Grantor's or Grantor's successors or assigns land and Grantor's presently owned land that may be sold, assigned, or transferred in Government Lot 4, Section 29; and

(xiv) Northeast Quarter of Northeast Quarter, Section 35;

(10) those parts of St. Louis County in Township 52 North, Range 17 West, described as follows:

(i) the Southwest Quarter of the Southeast Quarter and Southeast Quarter of the Southwest Quarter, Section 24, reserving unto Grantor and Grantor's successors and assigns a 66-foot-wide access road easement across said Southwest Quarter of the Southeast Quarter for the purpose of access to Grantor's or Grantor's successors or assigns land and Grantor's presently owned land that may be sold, assigned, or transferred in Government Lot 4, Section 29, Township 52 North, Range 16 West, said access road being measured 33 feet from each side of the centerline of that road that is presently existing at various widths and running in a generally North-South direction;

(ii) Government Lots 2, 3, 4, 5, and 7 and the Southwest Quarter of the Northeast Quarter, Section 25, reserving unto Grantor and Grantor's successors and assigns a 66-foot-wide access road easement across said Government Lots 2 and 5 for the purpose of access to Grantor's or Grantor's successors or assigns land and Grantor's presently owned land that may be sold, assigned, or transferred in Government Lot 6, Section 25, said access road being measured 33 feet from each side of the centerline of that road that is presently existing at various widths and running in a generally northwesterly-southeasterly direction and any future extensions thereof as may be reasonably necessary to provide the access contemplated herein;

(iii) Government Lots 2, 4, 5, and 6 and all that part of Government Lot 3 lying East of U.S. Highway 53, Section 26, reserving unto Grantor and Grantor's successors and assigns a 66-foot-wide access road easement across said Government Lots 2 and 3 for the purpose of access to Grantor's or Grantor's successors or assigns land and Grantor's presently owned land that may be sold, assigned, or transferred in Government Lot 1, Section 26, said access road being measured 33 feet from each side of the centerline of that road that is presently existing at various widths and running in a generally southwesterly-northeasterly direction and reserving unto Grantor and Grantor's successors and assigns a 66-foot-wide access road easement across said Government Lots 4, 5, and 6 for the purpose of access to Grantor's or Grantor's successors or assigns land and Grantor's presently owned land that may be sold, assigned, or transferred in Government Lot 6, Section 25, said access road being measured 33 feet from each side of the centerline of that road that is presently existing at various widths and running in a generally southwesterly-northeasterly direction and any future extensions thereof as may be reasonably necessary to provide the access contemplated herein; and

(iv) Government Lots 1, 2, and 3, Section 36, reserving unto Grantor and Grantor's successors and assigns an access road easement across the West 66 feet of said Government Lot 2 for the purpose of access to Grantor's or Grantor's successors or assigns land and Grantor's presently owned land that may be sold, assigned, or transferred in the Southwest Quarter of the Northeast Quarter, Section 36;

(11) those parts of St. Louis County in Township 52 North, Range 19 West, described as follows:

(i) Government Lot 1, Section 16;

(ii) Government Lots 1 and 2, Section 17; and

(iii) Government Lot 1, Section 19;

(12) those parts of St. Louis County in Township 52 North, Range 20 West, described as follows:

(i) Government Lots 2, 3, and 4, Section 13;

(ii) Government Lot 6, Section 24;

(iii) that part of Government Lot 8, Section 24, described as follows:

Commencing at the West Quarter corner of said Section 24, which is also the northwest corner of Government Lot 8; thence South 01 degree 36 minutes 01 second East (bearing assigned) 1,230.11 feet along the west line of Government Lot 8 to the centerline of St. Louis County Highway 29 and the point of beginning; thence North 46 degrees 59 minutes 59 seconds East along said centerline 445.91 feet; thence South 43 degrees 00 minutes 01 second East 82.57 feet to an iron pipe monument on the westerly bank of the St. Louis River; thence continuing South 43 degrees 00 minutes 01 second East 30 feet, more or less, to the water's edge of the St. Louis River; thence southwesterly along said water's edge to the west line of said Government Lot 8; thence North 01 degree 36 minutes 01 second West along the west line of said Government Lot 8 to the point of beginning;

(iv) Government Lots 3, 4, and 5 and the Southeast Quarter of the Southwest Quarter, Section 26; and

(v) Government Lots 1, 2, 3, and 4, Section 34;

(13) those parts of St. Louis County in Township 53 North, Range 13 West, described as follows:

(i) all that part of the Northwest Quarter of the Northwest Quarter lying North and West of the Little Cloquet River, Section 4;

(ii) Government Lots 1, 2, 3, 4, and 5, the Northeast Quarter of the Northeast Quarter, Northwest Quarter of the Northeast Quarter, Southwest Quarter of the Northeast Quarter, Northeast Quarter of the Northwest Quarter, Southeast Quarter of the Northwest Quarter, Northeast Quarter of the Southwest Quarter, and Southwest Quarter of the Northwest Quarter, Section 5;

(iii) Government Lots 1, 2, and 4 and the Northwest Quarter of the Southeast Quarter, Southeast Quarter of the Southeast Quarter, Southwest Quarter of the Southeast Quarter, Southeast Quarter of the Southwest Quarter, and Southwest Quarter of the Southwest Quarter, Section 6;

(iv) Government Lots 1, 2, 3, 4, 5, 6, and 7 and the Northwest Quarter of the Northeast Quarter, Northeast Quarter of the Northwest Quarter, Northwest Quarter of the Northwest Quarter, Southeast Quarter of the Northwest Quarter, Southwest Quarter of the Northwest Quarter, Southeast Quarter of the Southeast Quarter, and Northeast Quarter of the Southwest Quarter, Section 7;

(v) Government Lots 1 and 2 and the Northeast Quarter of the Northeast Quarter, Northwest Quarter of the Northeast Quarter, Southeast Quarter of the Northeast Quarter, Southwest Quarter of the Northeast Quarter, Northeast Quarter of the Southwest Quarter, Northwest Quarter of the Southwest Quarter, and Southwest Quarter of the Southwest Quarter, Section 8;

(vi) the Northeast Quarter of the Northwest Quarter, Northwest Quarter of the Northwest Quarter, Southeast Quarter of the Northwest Quarter, and Southwest Quarter of the Northwest Quarter, Section 17;

(vii) Government Lots 1 and 4, Section 29;

(viii) Government Lots 1 and 2 and the Northeast Quarter of the Northeast Quarter, Northwest Quarter of the Northeast Quarter, Southeast Quarter of the Northeast Quarter, Northeast Quarter of the Northwest Quarter, Northwest Quarter of the Northwest Quarter, Southeast Quarter of the Northwest Quarter, and Southwest Quarter of the Northwest Quarter, Section 30; and

(ix) Government Lots 1, 2, 3, and 4, Section 31;

(14) Government Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, and 10, Section 36, Township 53 North, Range 14 West, St. Louis County;

(15) those parts of St. Louis County in Township 53 North, Range 18 West, described as follows:

(i) Government Lots 3, 6, 7, and 8, Section 6; and

(ii) Government Lots 1 and 2, Section 7;

(16) those parts of St. Louis County in Township 53 North, Range 19 West, described as follows:

(i) all that part of Government Lot 5 lying within 50 feet of the St. Louis River, Section 5, and Government Lots 1, 2, 5, 6, 7, and 8, Section 12;

(ii) Government Lots 1, 2, 3, 5, 8, and 9, Section 13;

(iii) all that portion of Government Lot 1, Section 23, that lies within 50 feet of the East bank of the Whiteface River at mean stage of water;

(iv) all that portion of Government Lots 2, 4, and 5, Section 23, that lies within 50 feet of the West bank of the Whiteface River at mean stage of water;

(v) all that part of Government Lot 7, Section 23, lying West of the former DM&IR railroad right-of-way;

(vi) Government Lots 8 and 10, Section 23;

(vii) all that part of the Northwest Quarter of the Southeast Quarter, Section 23, lying West of the former DM&IR railroad right-of-way;

(viii) Government Lots 5, 7, and 8, Section 31; and

(ix) Government Lot 5, Section 33;

(17) those parts of St. Louis County in Township 54 North, Range 13 West, described as follows:

(i) Government Lots 1, 4, 5, 6, and 7, Section 20;

(ii) Government Lots 3, 4, 6, 7, and 8 and the Southeast Quarter of the Southwest Quarter, Section 21;

(iii) Government Lots 1, 2, 3, 4, 5, and 7, Section 29;

(iv) Government Lots 1, 2, 3, 4, 9, and 10, Section 30; and

(v) Government Lots 5, 6, and 7 and the Northeast Quarter of the Northeast Quarter, Northwest Quarter of the Northeast Quarter, Southwest Quarter of the Northeast Quarter, Southeast Quarter of the Northwest Quarter, and Northwest Quarter of the Southeast Quarter, Section 31;

(18) those parts of St. Louis County in Township 54 North, Range 16 West, described as follows:

(i) Government Lots 2, 3, and 4 and the Northwest Quarter of the Southwest Quarter, Southeast Quarter of the Northwest Quarter, Southeast Quarter of the Northeast Quarter, and Southwest Quarter of the Northeast Quarter, Section 1;

(ii) Government Lots 1, 2, 3, 4, 6, 7, and 8 and the Northwest Quarter of the Southeast Quarter, Northeast Quarter of the Southeast Quarter, Southwest Quarter of the Southeast Quarter, Southeast Quarter of the Southeast Quarter, Southeast Quarter of the Southwest Quarter, and Southeast Quarter of the Northeast Quarter, Section 2;

(iii) all that part of Government Lot 9 lying South of the Whiteface River and West of County Road 547, also known as Comstock Lake Road, Section 3; and

(iv) Government Lots 3 and 4 and the Southeast Quarter of the Northeast Quarter and Southwest Quarter of the Northeast Quarter, Section 10;

(19) those parts of St. Louis County in Township 54 North, Range 18 West, described as follows:

(i) the South Half of the Southwest Quarter, except the railroad right-of-way, Section 15;

(ii) Government Lot 2, except the North 660 feet of the East 990 feet, Section 16;

(iii) Government Lots 1, 3, 4, 5, 6, 7, and 8, Section 16;

(iv) Government Lot 3, Section 20;

(v) Government Lots 1, 2, 3, 4, and 5, Section 21;

(vi) Government Lots 1, 4, 5, and 7, Section 22;

(vii) those parts of Government Lots 2 and 9, except railroad right-of-way, Section 22;

(viii) all that part of Government Lot 6, Section 22, lying West of the Duluth Mesaba and Northern Railway Company's right-of-way;

(ix) Government Lot 9, Section 22, except the following parcels:

(A) beginning at a point where the south line of company road, called Kelsey Road, intersects with the west line of the right-of-way of the Duluth, Missabe and Northern Railway on the Northeast Quarter of the Southeast Quarter, Section 22, Township 54, Range 18; thence West along the south line of said company road 627 feet; thence South 348 1/3 feet; thence East 627 feet to the west line of the right-of-way of the Duluth, Missabe and Northern Railway; thence North on the west line of said right-of-way 348 1/3 feet to commencement;

(B) beginning at the quarter corner between Sections 22 and 23, Township 54, Range 18; thence running North along the section line 114 feet, 6 inches, to the south line of Kelsey Road; thence northwesterly along the south line of Kelsey Road 348 feet, 8 inches, to the boundary of the right-of-way of the Duluth, Missabe and Northern Railway, thence South along the easterly boundary of the right-of-way of the Duluth, Missabe and Northern Railway 274 feet to the quarter line on Section 22; thence easterly along said quarter line 304 feet, 6 inches, to the point of beginning; and

(C) commencing at the southwest corner of Riverside Cemetery as recorded in "P" of Plats, Page 15; thence easterly along the south line of said cemetery to a point where said cemetery line intersects the westerly line of Highway No. 7, also known as Mesaba Trunk Highway; thence southerly along the westerly line of said Highway No. 7 to a point where said westerly line of said Highway No. 7 intersects the south line of Lot 9, Section 22, Township 54, Range 18; thence westerly along the southerly line of said Lot 9 to a point where the southerly line intersects the easterly line of the DM & N Railway Company's right-of-way; thence northerly along the easterly side of said DM & N Railway Company's right-of-way to beginning;

(x) Government Lots 2, 3, 4, 5, 6, 7, and 8, Section 29;

(xi) Government Lots 5 and 6, Section 30; and

(xii) Government Lots 3, 4, 5, 6, 9, 10, 11, and 12, Section 31;

(20) those parts of St. Louis County in Township 54 North, Range 19 West, described as follows:

(i) Government Lots 5, 6, 7, 8, and 9, Section 5;

(ii) Government Lots 1, 2, 3, 4, 5, 6, 7, and 8, Section 8;

(iii) Government Lots 1, 2, 3, 4, 5, 6, 7, and 8, Section 20;

(iv) Government Lots 2 and 3, Section 29;

(v) Government Lot 1, Section 32;

(vi) Government Lot 5, except the South 1,320 feet, Section 32; and

(vii) Government Lot 2, Section 33;

(21) those parts of St. Louis County in Township 55 North, Range 15 West, described as follows:

(i) Governments Lot 1 and 2, Section 11;

(ii) Government Lot 9, except Highway 4 right-of-way, Section 11;

(iii) Government Lot 10, except Highway 4 right-of-way, Section 11;

(iv) Government Lots 2, 3, 4, 5, 6, and 7, Section 15;

(v) Government Lots 2, 3, 5, 6, 7, and 8 and the Northeast Quarter of Southwest Quarter, Section 21;

(vi) the Southwest Quarter of the Northeast Quarter, reserving unto Grantor and Grantor's successors and assigns a 66-foot-wide access easement across said Southwest Quarter of the Northeast Quarter for the purpose of access to Grantor's or Grantor's successors or assigns land and Grantor's presently owned land that may be sold, assigned, or transferred in Government Lot 4, Section 21, Township 55 North, Range 15 West, said access road being measured 33 feet on each side of the centerline of that road that is presently existing and known as the Whiteface Truck Trail, Section 21;

(vii) Government Lots 1, 2, and 3, Section 22;

(viii) Government Lots 1 and 2 and the Northeast Quarter of the Northwest Quarter, Section 28;

(ix) Government Lots 1, 4, 6, 8, and 9 and the Northeast Quarter of the Northeast Quarter, Northeast Quarter of the Southeast Quarter, and Northwest Quarter of the Southwest Quarter, Section 29;

(x) Government Lots 3 and 4 and the Northeast Quarter of the Southeast Quarter, Northeast Quarter of the Southwest Quarter, and Southeast Quarter of the Southwest Quarter, Section 30;

(xi) Government Lots 2, 3, 4, 5, 6, 8, 9, 10, and 11 and the Northeast Quarter of the Southwest Quarter, Section 31; and

(xii) Government Lot 1, Section 32;

(22) those parts of St. Louis County in Township 55 North, Range 16 West, described as follows:

(i) the Southwest Quarter of the Southeast Quarter, reserving unto Grantor and Grantor's successors and assigns a 66-foot-wide access road easement across said Southwest Quarter of the Southeast Quarter for the purpose of access to Grantor's or Grantor's successors or assigns land and Grantor's presently owned land that may be sold, assigned, or transferred in Government Lot 5, Section 1, Township 54 North, Range 16 West, Section 35; and

(ii) the Southeast Quarter of the Southeast Quarter, reserving unto Grantor and Grantor's successors and assigns a 66-foot-wide access road easement across said Southeast Quarter of the Southeast Quarter for the purpose of access to Grantor's or Grantor's successors or assigns land and Grantor's presently owned land that may be sold, assigned, or transferred in Government Lot 5, Section 1, Township 54 North, Range 16 West, Section 35;

(23) those parts of St. Louis County in Township 55 North, Range 19 West, described as follows:

(i) an undivided two-thirds interest in Government Lot 1, Section 2;

(ii) Government Lots 2, 9, 10, and 12, Section 2;

(iii) Government Lot 11, Section 2, except railroad right-of-way;

(iv) Government Lots 1, 2, 3, 4, and 6, Section 10;

(v) Government Lot 4, Section 11;

(vi) Government Lots 1, 2, 6, 7, and 13, Section 15;

(vii) Government Lots 1 and 2, Section 16;

(viii) Government Lots 1 and 3 and the Southeast Quarter of the Northeast Quarter and Southwest Quarter of the Northeast Quarter, Section 22;

(ix) Government Lots 3, 4, 5, 6, 7, and 8 and the Northeast Quarter of the Northwest Quarter, Section 29;

(x) Government Lot 6, Section 30; and

(xi) Government Lots 4, 7, 8, 9, and 10, Section 31;

(24) those parts of St. Louis County in Township 56 North, Range 17 West, described as follows:

(i) Government Lots 2 and 8 and the Northwest Quarter of the Southeast Quarter and Northeast Quarter of the Southwest Quarter, Section 3;

(ii) Government Lots 4, 5, 6, 7, and 9, Section 3; and



(iii) Government Lots 6 and 9, that part of Government Lot 8 lying North of Highway No. 53, and that part of Government Lot 7 lying West of Highway No. 53, Section 4;

(25) those parts of St. Louis County in Township 56 North, Range 18 West, described as follows:

(i) Government Lots 5 and 6, Section 2;

(ii) Government Lots 5, 7, and 9 and the Northeast Quarter of the Southwest Quarter, Section 3;

(iii) all that part of Government Lot 11, except the following described parcel of land:

Beginning at a point that is located 958 feet North of the southeast corner of said Government Lot 11, which corner is also the southeast corner of said Section 3, and 33 feet West of the east line of said Lot 11; thence running North parallel with the east line of said Lot 11 a distance of 700.5 feet to a point; thence southwesterly to a point that is 331.5 feet West and 1226 feet North of the southeast corner of said Lot 11; thence southerly parallel with the east line of said lot, a distance of 268 feet to a point; thence easterly a distance of 298.5 feet to the place of beginning, Section 3;

(iv) Government Lot 12, Section 3, except the following described parcels of land:

(A) commencing at a point along the East and West One-Quarter line of said Section 3, which point is 33 feet West of the East One-Quarter corner of said Section 3, said point being on the west right-of-way line of County Highway No. 7; thence westerly along said quarter line for a distance of 300 feet to a point; thence southerly at right angles and parallel to the highway right-of-way in question for a distance of 300 feet to a point; thence easterly for a distance of 300 feet to a point in the west right-of-way line of County Highway No. 7; thence northerly along the west right-of-way line of County Highway No. 7 for a distance of 300 feet to the point of beginning;

(B) commencing at the East Quarter corner of said Section 3; thence westerly along the East/West Quarter line of said Section 3 a distance of 33.00 feet to the westerly right-of-way line of County Highway No. 7; thence continuing westerly along said East/West Quarter line a distance of 300.00 feet to the point of beginning; thence southerly, parallel with the westerly right-of-way line of County Highway No. 7 a distance of 400.00 feet; thence westerly, parallel with said East/West Quarter line to the easterly right-of-way line of the DM&IR Railroad; thence northerly along said easterly right-of-way line to said East/West Quarter line; thence easterly along said East/West Quarter line to the point of beginning; and

(C) the East 33 feet of the North 300 feet of said Government Lot 12;

(v) the Southeast Quarter of the Southeast Quarter, Section 4;

(vi) the Southeast Quarter of the Southeast Quarter, Section 7;

(vii) Government Lots 6 and 7, Section 8;

(viii) Government Lots 1 and 2, Section 9;

(ix) Government Lots 2 and 3, Section 17;

(x) Government Lots 5, 6, 7, 9, 10, 11, 12, and 13 and the Southeast Quarter of the Northwest Quarter, Section 18;

(xi) Government Lots 6, 7, 8, 9, 11, and 12 and the Northeast Quarter of the Northwest Quarter, Section 19;

(xii) Government Lots 1, 5, 8, and 9, Section 20;

(xiii) Government Lots 4, 5, 6, 7, and 8 and Government Lot 3, except for 1.0 acre for cemetery, Section 29;

(xiv) Government Lot 9, Section 30;

(xv) Government Lots 1, 2, 3, 6, 8, 9, 10, and 11, Section 31; and

(xvi) Government Lots 1 and 2, Section 32;

(26) those parts of St. Louis County in Township 56 North, Range 19 West, described as follows:

(i) Government Lot 1, Section 35;

(ii) Government Lot 2, Section 35; and

(iii) Government Lots 1, 2, 3, 4, 5, 6, 7, 8, and 9 and the Southeast Quarter of the Southeast Quarter and Southwest Quarter of the Northeast Quarter, Section 36;

(27) those parts of St. Louis County in Township 57 North, Range 16 West, described as follows:

(i) the Southeast Quarter of the Northwest Quarter, Northwest Quarter of the Northeast Quarter, Southwest Quarter of the Southwest Quarter, and Northeast Quarter of the Southwest Quarter, Section 12; and

(ii) the Southeast Quarter of the Northwest Quarter, Section 15; and

(28) those parts of St. Louis County in Township 57 North, Range 17 West, described as follows:

(i) the Northeast Quarter of the Southwest Quarter and Southwest Quarter of the Southwest Quarter, Section 25; and

(ii) the Southeast Quarter of the Southeast Quarter and the Northeast Quarter of the Southeast Quarter, Section 26.

Sec. 104. **PRIVATE SALE OF TAX-FORFEITED LAND; AITKIN COUNTY.**

(a) Notwithstanding the public sale provisions of Minnesota Statutes, chapter 282, or other law to the contrary, Aitkin County may sell by private sale the tax-forfeited land described in paragraph (c).

(b) The conveyance must be in a form approved by the attorney general. The attorney general may make changes to the land description to correct errors and ensure accuracy.

(c) The land to be sold is located in Aitkin County and is described as:

The North Half of the Northeast Quarter of the Northeast Quarter lying East of 275th Avenue in Section 11, Township 47 North, Range 25 West, Aitkin County, Minnesota (part of parcel 15-0-017700).

(d) The county has determined that the county's land management interests would best be served if the land was returned to private ownership.

Sec. 105. **GOODHUE COUNTY; LAND TRANSFERS.**

Subdivision 1. **Land transfers.** (a) Notwithstanding Minnesota Statutes, section 373.01, subdivision 1, Goodhue County may sell, lease, or otherwise convey county-owned land that abuts Lake Byllesby to adjoining property owners who after the transfer will have direct access to Lake Byllesby. Any sale, lease, or other conveyance must be for the market value of the property as appraised by the county. A sale, lease, or other conveyance under this section must reserve to the county mineral rights according to Minnesota Statutes, section 373.01, and flowage easements relating to water levels of Lake Byllesby.

(b) This section does not apply to any county-owned land that has been developed by the county as public parkland.

Subd. 2. **Effective date; local approval.** This section is effective the day after the governing body of Goodhue County and its chief clerical officer comply with Minnesota Statutes, section 645.021, subdivisions 2 and 3.

Sec. 106. **PRIVATE SALE OF TAX-FORFEITED LANDS; ITASCA COUNTY.**

(a) Notwithstanding the public sale provisions of Minnesota Statutes, chapter 282, or other law to the contrary, Itasca County may sell by private sale the tax-forfeited lands described in paragraph (c).

(b) The conveyances must be in a form approved by the attorney general. The attorney general may make changes to the land descriptions to correct errors and ensure accuracy.

(c) The lands to be sold are located in Itasca County and are described as:

(1) all that part of Government Lot 2, Section 27, Township 145 North, Range 26 West, lying northeasterly of the northeasterly right-of-way line of CSAH 39 and northwesterly of the following described line: Commencing at the northwest corner of said Government Lot 2; thence South 89 degrees 21 minutes East, along the north line of said Government Lot 2 a distance of 286 feet, more or less, to a point on the northeasterly right-of-way line of the CSAH 39 right-of-way; thence South 51 degrees 01 minute East, 260.41 feet to the point of beginning of the line to be described; thence North 42 degrees 11 minutes East to intersect the water's edge of Ball Club Lake and there said line terminates; and

(2) the South two rods of the East 16 rods of Government Lot 14, Section 4, Township 60 North, Range 26 West of the Fourth Principle Meridian, containing approximately 0.20 acres.

(d) The county has determined that the county's land management interests would best be served if the lands were returned to private ownership.

**Sec. 107. PRIVATE SALE OF SURPLUS LAND BORDERING PUBLIC WATERS; ROSEAU COUNTY.**

(a) Notwithstanding Minnesota Statutes, sections 92.45, 94.09, and 94.10, the commissioner of natural resources may sell by private sale the surplus island located in public water that is described in paragraph (d) to a local unit of government for less than market value.

(b) The commissioner may make necessary changes to the legal description to correct errors and ensure accuracy.

(c) The land described in paragraph (d) may be sold by quit claim deed and the conveyance must provide that the land described in paragraph (d) be used for the public and reverts to the state if the local unit of government fails to provide for public use or abandons the public use of the land. The conveyance is subject to a flowage easement held by the United States of America.

(d) The land that may be conveyed is located in Roseau County and is described as: an unsurveyed island located in the approximate center of the South Half of the Southeast Quarter of Section 29, Township 163 North, Range 36 West, Roseau County, Minnesota; said island contains 6.7 acres, more or less (parcel identification number 563199100).

(e) The island is located in Warroad River and was created after statehood when dredge spoils were deposited on a sandbar in the Warroad River. The Department of Natural Resources has determined that the land is not needed for natural resource purposes, the conveyance would further the public interest, and the state's land management interests would best be served if the land was conveyed to a local unit of government for a public park and other public use.

**Sec. 108. PRIVATE SALE OF TAX-FORFEITED LANDS; ST. LOUIS COUNTY.**

(a) Notwithstanding the public sale provisions of Minnesota Statutes, chapter 282, or other law to the contrary, St. Louis County may sell by private sale the tax-forfeited lands described in paragraph (c).

(b) The conveyances must be in a form approved by the attorney general. The attorney general may make changes to the land descriptions to correct errors and ensure accuracy.

(c) The lands to be sold are located in St. Louis County and are described as:

(1) the South Half of the North Half of the South Half of the Southwest Quarter of the Northwest Quarter, except the East 470 feet and except the part taken for a road, Township 50 North, Range 15 West, Section 29 (parcel identification number 395-0010-08713);

(2) the East 271 feet of the West 371 feet of the North 669.94 feet of the Northwest Quarter of the Northwest Quarter of Section 34, Township 61 North, Range 15 West of the Fourth Principal Meridian. Together with the West 100 feet of the North 669.94 feet of the Northwest Quarter of the Northwest Quarter of Section 34, Township 61 North, Range 15 West of the Fourth Principal

Meridian, which lies South of the North 300 feet thereof (part of parcel identification number 410-0024-00550);

(3) the West 371 feet of the Northwest Quarter of the Northwest Quarter of Section 34, Township 61 North, Range 15 West of the Fourth Principal Meridian, which lies South of the North 669.94 feet thereof (part of parcel identification number 410-0024-00550); and

(4) the Northeast Quarter, except the Southwest Quarter, and the North Half of the Northwest Quarter, Township 52 North, Range 19 West, Section 24 (part of parcel identification number 470-0010-03830).

(d) The county has determined that the county's land management interests would best be served if the lands were returned to private ownership.

**Sec. 109. ST. LOUIS COUNTY; LAND LEASE.**

Subdivision 1. **St. Louis County; lease.** Notwithstanding Minnesota Statutes, sections 16A.695 and 282.04, St. Louis County may lease property legally described as part of Government Lot 5 except the lake portion of Embarrass Mine, Township 58, Range 15 West, Section 5, for use as a water intake and water treatment project under Laws 2018, chapter 214, article 1, section 22, subdivision 6, for consideration of more than \$12,000 per year and for a period exceeding ten years.

Subd. 2. **Department of Natural Resources; lease.** Notwithstanding Minnesota Statutes, section 92.50, or other law to the contrary, the commissioner may lease property in Township 58, Range 15, Section 5, for use as a water intake and water treatment project under Laws 2018, chapter 214, article 1, section 22, subdivision 6, for a period exceeding 21 years, including a lease term of 40 years.

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

**Sec. 110. PRIVATE SALE OF TAX-FORFEITED LAND; BELTRAMI COUNTY.**

(a) Notwithstanding the public sale provisions of Minnesota Statutes, chapter 282, or other law to the contrary, Beltrami County may sell by private sale the tax-forfeited lands described in paragraph (c).

(b) The conveyances must be in a form approved by the attorney general. The attorney general may make changes to the land descriptions to correct errors and ensure accuracy.

(c) The lands to be sold are located in Beltrami County and are described as:

(1) the East 285 feet of the North 55 feet of the South Half of the Southeast Quarter, Section 13, Township 149 North, Range 32 West of the Fifth Principle Meridian (parcel identification number 16.00170.00);

(2) Lot 6, Block 12, Plat of Redby, Section 19, Township 151 North, Range 33 West (parcel identification number 36.00027.00);

(3) Lot 7, Block 16, Plat of Redby, Section 20, Township 151 North, Range 33 West (parcel identification number 36.00052.00);

(4) Lot 8, Block 16, Plat of Redby, Section 20, Township 151 North, Range 33 West (parcel identification number 36.00053.00);

(5) Lot 9, Block 16, Plat of Redby, Section 20, Township 151 North, Range 33 West (parcel identification number 36.00054.00);

(6) Lots 10, 11, and 12, Block 16, Plat of Redby, Section 20, Township 151 North, Range 33 West (parcel identification number 36.00055.00);

(7) the southerly 200 feet of vacated Block 28, Plat of Redby, less the northerly 75 feet of the westerly 150 feet thereof and less the easterly 170 feet thereof, Section 20, Township 151 North, Range 33 West (parcel identification number 36.00077.00);

(8) Lot 4, Block 29, Plat of Redby, Section 20, Township 151 North, Range 33 West (parcel identification number 36.00081.00); and

(9) Lot 1, Block 62, Plat of Redby, Section 19, Township 151 North, Range 33 West (parcel identification number 36.00148.00).

(d) The county has determined that the county's land management interests would best be served if the lands were returned to private ownership.

**Sec. 111. PRIVATE SALE OF SURPLUS LAND BORDERING PUBLIC WATER; SHERBURNE COUNTY.**

(a) Notwithstanding Minnesota Statutes, sections 92.45, 94.09, and 94.10, the commissioner of natural resources may sell by private sale the surplus land bordering public water that is described in paragraph (c) to a local unit of government for less than market value.

(b) The commissioner may make necessary changes to the legal description to correct errors and ensure accuracy.

(c) The land that may be sold is located in Sherburne County and is described as: that part of Government Lot 3, Section 24, Township 33 North, Range 28 West, described as follows:

The East 400 feet of Government Lot 3, Section 24, Township 33 North, Range 28 West, according to the United States Government survey thereof.

(d) The land borders Big Lake. The Department of Natural Resources has determined that the land is not needed for natural resource purposes and that the state's land management interests would best be served if the land were conveyed to a local unit of government.

**Sec. 112. RULEMAKING; WALLEYE AND SAUGER POSSESSION LIMIT.**

(a) By March 1, 2022, the commissioner of natural resources must amend Minnesota Rules, part 6262.0200, subpart 1, item F, to provide that the daily and possession limit for walleye and sauger in all inland waters is six in aggregate and no more than four may be walleye.

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

Sec. 113. **AMENDING FEEDLOT PERMITS.**

The commissioner of the Pollution Control Agency must, when necessary, amend all general and individual permits for feedlots to conform with Minnesota Statutes, section 116.07, subdivision 7, paragraph (h).

**EFFECTIVE DATE.** This section is effective retroactively from February 1, 2021.

Sec. 114. **TIMBER PERMITS; ADDRESSING MARKET CHANGES.**

(a) Notwithstanding Minnesota Statutes, section 90.151, all unexpired timber permits issued before January 1, 2021, are extended two years beyond the expiration date specified in the permit.

(b) Notwithstanding Minnesota Statutes, chapter 90, the holder of a permit to cut and remove timber issued under Minnesota Statutes, chapter 90, before January 1, 2021, may surrender the permit for cancellation to the commissioner of natural resources for a full refund of the permit down payment and security deposit if:

(1) the timber authorized to be cut under the permit is comprised of at least 25 percent spruce, balsam, or birch; and

(2) the permit holder has not begun cutting timber under the permit.

(c) Notwithstanding Minnesota Statutes, chapter 90, when the holder of a permit to cut and remove timber issued under Minnesota Statutes, chapter 90, has begun cutting timber under the permit, the permit holder may surrender the permit for cancellation to the commissioner of natural resources under the terms of paragraph (d) if the timber authorized to be cut under the permit is comprised of at least 25 percent spruce, balsam, or birch.

(d) To be eligible for surrender under paragraph (c), the permit must have been issued before January 1, 2021. The permit holder is liable to the state for the scaled value of the timber cut and is entitled to a refund of the permit down payment only to the extent the amount exceeds the amount due the state. Surrender under paragraph (c) is not a default for purposes of Minnesota Statutes, section 90.161. The permit holder is entitled to a return of the security deposit if the permit holder's financial obligations to the state are fulfilled according to a statement issued by the commissioner of natural resources under Minnesota Statutes, section 90.181.

Sec. 115. **WHOLE EFFLUENT TOXICITY RULEMAKING.**

(a) By January 31, 2022, the commissioner of the Pollution Control Agency must adopt rules on:

(1) evaluating and applying whole effluent toxicity (WET) as water-quality-based effluent limitations and permit conditions for discharges occurring outside the Lake Superior basin; and

(2) the applicability and standards for acute and chronic mixing zones.

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

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

Sec. 116. **INTERIM PROVISIONS.**

(a) From the effective date of this act until the rules under section 115 are adopted, to the extent allowable under the federal Clean Water Act or other federal laws, this section applies to discharges occurring outside the Lake Superior basin.

(b) If a whole effluent toxicity test, as defined under Minnesota Rules, part 7050.0218, subpart 3, item AAA, is performed on the effluent of a point source discharger and results in less than 50 percent mortality of the test organisms or if a demonstration is provided under Minnesota Rules, part 7052.0210, subpart 1, that 0.3 acute toxic units can be met at the edge of an approved acute mixing zone, the effluent must not be considered acutely toxic or lethal to aquatic organisms unless the commissioner of the Pollution Control Agency finds that the test species do not represent sensitive organisms in the affected surface water body or the whole effluent toxicity test was performed on a sample not representative of the effluent quality.

(c) The commissioner of the Pollution Control Agency must establish whole effluent toxicity mixing zones and whole effluent toxicity water-quality-based effluent limitations and permit conditions according to Minnesota Rules, parts 7052.0210, subparts 1 and 2, and 7052.0240.

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

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

Sec. 117. **REPEALER.**

(a) Minnesota Statutes 2020, sections 85.0505, subdivision 3; 85.0507; 85.054, subdivision 19; and 97C.515, subdivisions 4 and 5, are repealed.

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

(c) Minnesota Rules, part 6232.0350, is repealed."

Delete the title and insert:

"A bill for an act relating to state government; modifying provisions for conveying state land interests; adding to and deleting from state parks and recreation areas; authorizing sales of certain state lands; directing commissioner of natural resources to reduce walleye limit; prohibiting certain antler point restrictions; providing for watershed management; establishing program for water quality and storage in Minnesota River basin; repealing certain authority of the Pollution Control Agency related to automobile emissions; modifying requirements of the statewide invasive species management plan; modifying provisions for managing water and issuing permits to appropriate



water; establishing mattress recycling program; repealing recent restrictions on spreading manure and prohibiting future restrictions; modifying certain conditions on water appropriations and wells; modifying deadline to report on funding for section 404 assumption; increasing soil and water conservation district supervisor compensation; modifying requirements for importing minnows; modifying application of storm water rules; modifying terms for certain timber permits; modifying provisions related to certifiable fish diseases; modifying reporting requirement on school trust lands; modifying certain provisions for transporting snowmobiles; modifying definition of all-terrain vehicle; modifying provisions for certain invasive species permits; modifying state park provisions; providing for special-use permits in outdoor recreation system; providing for regulation of possessing, propagating, and selling snakes, lizards, and salamanders; modifying hunting and fishing provisions; modifying review and approval of local regulation in Mississippi River Corridor Critical Area; modifying requirements for exchanging wild rice leases; modifying certain accounts; establishing account to invest financial assurance money from permits to mine; modifying certain submission deadline; modifying provisions for state park permits; prohibiting shooting at decoys from motor vehicles; establishing blaze orange or blaze pink requirements for ground blinds; modifying restrictions on motorized decoys; requiring rulemaking to make whole effluent toxicity requirements for dischargers of effluent consistent statewide; providing for taking nuisance bear by wildlife control operators; modifying provisions for easement stewardship accounts; providing for conveying conservation easements; defining advanced recycling; requiring reimbursement of certain land-transaction costs; establishing new state forest; authorizing private sale of certain tax-forfeited, surplus, and other land; allowing county boards to spend net proceeds from sale of tax-forfeited land for certain purposes; modifying conditions to allow certain land transfers; appropriating money; amending Minnesota Statutes 2020, sections 17.4982, subdivisions 6, 8, 9, 12, by adding subdivisions; 17.4985, subdivisions 2, 3, 5; 17.4986, subdivisions 2, 4; 17.4991, subdivision 3; 17.4992, subdivision 2; 17.4993, subdivision 1; 84.027, subdivisions 13a, 18; 84.415, by adding a subdivision; 84.63; 84.631; 84.82, subdivisions 1a, 7a; 84.92, subdivision 8; 84.946, subdivision 4; 84D.02, subdivision 3; 84D.11, subdivision 1a; 85.052, subdivisions 1, 2; 85.053, subdivision 2; 85.054, subdivision 1; 85.43; 89.021, by adding a subdivision; 89.17; 92.50, by adding a subdivision; 92.502; 97A.015, subdivision 29; 97A.401, subdivision 1, by adding a subdivision; 97A.421, subdivision 1, by adding a subdivision; 97A.505, subdivision 3b; 97B.036; 97B.055, subdivision 2; 97B.071; 97B.086; 97B.311; 97B.415; 97B.811, subdivision 4a; 97C.005, subdivision 3; 97C.211, subdivision 2a; 97C.342, subdivision 2; 97C.515, subdivision 2; 97C.805, subdivision 2; 97C.836; 103A.212; 103B.103; 103C.315, subdivision 4; 103G.271, subdivisions 4a, 7, by adding subdivisions; 103G.287, subdivisions 4, 5; 103G.289; 115A.03, subdivisions 25, 25d, 27, 28, 34, 35, 36, by adding subdivisions; 116.06, subdivision 22; 116.07, subdivisions 2, 7; 116G.07, by adding a subdivision; 116G.15, by adding a subdivision; 127A.353, subdivision 4; 282.08; Laws 2016, chapter 154, sections 16; 48; Laws 2019, First Special Session chapter 4, article 1, section 2, subdivision 9; article 3, section 109, as amended; proposing coding for new law in Minnesota Statutes, chapters 11A; 84; 92; 103F; 115A; repealing Minnesota Statutes 2020, sections 85.0505, subdivision 3; 85.0507; 85.054, subdivision 19; 97C.515, subdivisions 4, 5; Laws 2013, chapter 121, section 53; Minnesota Rules, part 6232.0350."

And when so amended the bill do pass and be re-referred to the Committee on Environment and Natural Resources Finance. Amendments adopted. Report adopted.

**Senator Benson from the Committee on Health and Human Services Finance and Policy, to which was referred**

**S.F. No. 2050:** A bill for an act relating to health care; adjusting appropriations in fiscal year 2021 for certain forecasted programs at the Department of Human Services.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Finance. Report adopted.

**Senator Benson from the Committee on Health and Human Services Finance and Policy, to which was re-referred**

**S.F. No. 1324:** A bill for an act relating to human services; establishing certain temporary modifications to human services programs in response to the COVID-19 pandemic as permanent changes; amending Minnesota Statutes 2020, sections 256B.0625, subdivisions 20, 20b; 256B.0911, subdivisions 1a, 3a, 3f, 4d; 256B.0924, subdivisions 4a, 6; 256B.094, subdivision 6; 256B.49, subdivision 14; 256I.05, subdivision 1c; 256J.08, subdivision 21; 256J.09, subdivision 3; 256J.45, subdivision 1; 256J.95, subdivision 5; 256S.05, subdivision 2.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, delete section 1

Page 4, delete section 2

Page 15, delete section 7

Page 16, delete section 8

Page 18, delete section 9

Renumber the sections in sequence

Amend the title numbers accordingly

And when so amended the bill do pass and be re-referred to the Committee on Human Services Reform Finance and Policy. Amendments adopted. Report adopted.

**Senator Benson from the Committee on Health and Human Services Finance and Policy, to which was re-referred**

**S.F. No. 1160:** A bill for an act relating to health care; modifying coverage for health care services and consultation provided through telehealth; amending Minnesota Statutes 2020, sections 147.033; 151.37, subdivision 2; 245G.01, subdivisions 13, 26; 245G.06, subdivision 1; 254A.19, subdivision 5; 254B.05, subdivision 5; 256B.0596; 256B.0622, subdivision 7a; 256B.0625, subdivisions 3b, 13h, 20, 20b, 46, by adding a subdivision; 256B.0924, subdivisions 4a, 6; 256B.094, subdivision 6; 256B.0943, subdivision 1; 256B.0947, subdivision 6; 256B.0949, subdivision 13; proposing coding for new law in Minnesota Statutes, chapter 62A; repealing Minnesota Statutes 2020, sections 62A.67; 62A.671; 62A.672.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, line 27, delete everything after "conversation" and insert ". Telehealth does not include telemonitoring services as defined in paragraph (i)."

Page 2, delete line 28

Page 3, line 5, before the period insert "subject to the health care provider network available to the enrollee through the enrollee's health plan"

Page 3, line 6, delete "or provide incentives"

Page 3, line 7, delete "to enrollees to use a separate provider network"

Page 3, line 9, before the period insert "or require an enrollee to use a specific provider within the network to receive services through telehealth"

Page 4, after line 12, insert:

"(d) A health carrier or health care provider shall not require an enrollee to pay a fee to download a specific communication technology or application."

Page 19, line 9, delete "section" and insert "subdivision"

Page 19, after line 13, insert:

"(e) For mental health services or assessments delivered through telehealth that are based on an individual treatment plan, the provider may document the client's verbal approval of the treatment plan or change in the treatment plan in lieu of the client's signature in accordance with Minnesota Rules, part 9505.0371."

Page 19, line 14, delete "(e)" and insert "(f)"

Page 19, line 30, delete everything after the period

Page 19, delete lines 31 to 33

Page 20, line 1, after "of" insert "a telephone conversation," and after "e-mail" insert a comma and delete the period and insert a semicolon

Page 20, delete lines 2 and 3

Page 24, line 4, reinstate the stricken language

Page 24, line 5, reinstate the stricken language and delete "in-person"

Page 24, line 6, reinstate the stricken semicolon

Page 24, line 7, reinstate the stricken language and delete the new language

Page 24, delete lines 8 to 11

Page 24, line 12, reinstate the stricken language

Page 24, line 13, reinstate the stricken language and strike "interactive video" and insert "telehealth"

Page 24, lines 14 and 15, reinstate the stricken language

Page 27, line 2, delete "in-person"

Page 27, line 31, delete everything after the period

Page 28, delete lines 1 and 2

Page 29, line 2, delete "in-person"

Page 29, line 31, delete everything after the period

Page 30, delete lines 1 and 2

Page 31, line 32, reinstate the stricken language and delete the new language

Page 32, lines 6 and 13, delete "in-person"

Page 32, after line 13, insert:

"Face-to-face contact under this paragraph may be conducted through telehealth for up to two consecutive contacts following each in-person contact."

Page 41, after line 9, insert:

**"Sec. 23. COMMISSIONER OF HUMAN SERVICES; EXTENSION OF COVID-19 HUMAN SERVICES PROGRAM MODIFICATIONS.**

Notwithstanding Laws 2020, First Special Session chapter 7, section 1, subdivision 2, as amended by Laws 2020, Third Special Session chapter 1, section 3, when the peacetime emergency declared by the governor in response to the COVID-19 outbreak expires, is terminated, or is rescinded by the proper authority, the following modifications issued by the commissioner of human services pursuant to Executive Orders 20-11 and 20-12, and including any amendments to the modification issued before the peacetime emergency expires, shall remain in effect until June 30, 2023:

(1) CV16: expanding access to telemedicine services for Children's Health Insurance Program, Medical Assistance, and MinnesotaCare enrollees;

(2) CV21: allowing telemedicine alternative for school-linked mental health services and intermediate school district mental health services;

(3) CV24: allowing phone or video use for targeted case management visits;

(4) CV30: expanding telemedicine in health care, mental health, and substance use disorder settings; and

(5) CV45: permitting comprehensive assessments to be completed by telephone or video communication and permitting a counselor, recovery peer, or treatment coordinator to provide treatment services from their home by telephone or video communication to a client in their home.

Sec. 24. **EXPANDING TELEHEALTH DELIVERY OPTIONS STUDY.**

The commissioner of human services, in consultation with providers, shall study the viability of the use of audio-only communication as a permitted option for delivering services through telehealth within the public health care programs. The study shall examine the use of audio-only communication in supporting equitable access to health care services, including behavioral health services for the elderly, rural communities, and communities of color, and eliminating barriers for vulnerable and underserved populations. The commissioner shall submit recommendations to the chairs and ranking minority members of the legislative committees with jurisdiction over health and human services policy and finances, by December 15, 2022.

Sec. 25. **STUDY OF TELEHEALTH.**

(a) The commissioner of health, in consultation with the commissioner of human services, shall study the impact of telehealth payment methodologies and expansion under this act on the coverage and provision of telehealth services under public health care programs and private health insurance. The study shall review:

(1) the impacts of telehealth payment methodologies and expansion on access to health care services, quality of care, and value-based payments and innovation in care delivery;

(2) the short-term and long-term impacts of telehealth payment methodologies and expansion in reducing health care disparities and providing equitable access for underserved communities; and

(3) and make recommendations on interstate licensing options for health care professionals by reviewing advances in the delivery of health care through interstate telehealth while ensuring the safety and health of patients.

(b) In conducting the study, the commissioner shall consult with stakeholders and communities impacted by telehealth payment and expansion. The commissioner, notwithstanding Minnesota Statutes, section 62U.04, subdivision 11, may use data available under that section to conduct the study. The commissioner shall report findings to the chairs and ranking minority members of the legislative committees with jurisdiction over health and human services policy and finance and commerce, by February 15, 2024.

Sec. 26. **TASK FORCE ON A PUBLIC-PRIVATE TELEPRESENCE STRATEGY.**

Subdivision 1. **Membership.** (a) The task force on person-centered telepresence platform strategy consists of the following 16 members:

(1) one member of the senate appointed by the senate majority leader;

(2) one member of the house of representatives appointed by the speaker of the house;

(3) two members appointed by the Association of Minnesota Counties representing county services in the areas of human services, public health, and corrections or law enforcement. One of

these members must represent counties outside the metropolitan area defined in Minnesota Statutes, section 473.121, and one of these members must represent the metropolitan area defined in Minnesota Statutes, section 473.121;

(4) one member appointed by the Minnesota American Indian Mental Health Advisory Council;

(5) one member appointed by the Minnesota Medical Association who is a primary care provider practicing in greater Minnesota;

(6) one member appointed by the NAMI of Minnesota;

(7) one member appointed by the Minnesota School Boards Association;

(8) one member appointed by the Minnesota Hospital Association to represent rural hospital emergency departments;

(9) one member appointed by the governor to represent rural community mental health centers;

(10) one member appointed by the Council of Health Plans;

(11) one member from a rural nonprofit foundation with expertise in delivering health and human services via broadband, appointed by the governor;

(12) one member representing child advocacy centers, appointed by the Minnesota Social Service Association;

(13) one member appointed by the Minnesota Social Service Association;

(14) one member appointed by the chief justice of the supreme court; and

(15) the state public defender or a designee.

(b) In addition to the members identified in paragraph (a), the task force shall include the following members as ex officio, nonvoting members:

(1) the commissioner of corrections or a designee;

(2) the commissioner of human services or a designee;

(3) the commissioner of health or a designee; and

(4) the commissioner of education or a designee.

Subd. 2. **Appointment deadline; first meeting; chair.** Appointing authorities must complete appointments by June 15, 2021. The task force shall select a chair from among their members at their first meeting. The task force chair shall convene the first meeting of the task force by July 15, 2021.

Subd. 3. **Duties.** The task force shall:

(1) explore opportunities for improving behavioral health and other health care service delivery through the use of a common interoperable person-centered telepresence platform that provides HIPAA compliant connectivity and technical support to potential users;

(2) review and coordinate state and local innovation initiatives and investments designed to leverage telepresence connectivity and collaboration for Minnesotans;

(3) determine standards for a single interoperable telepresence platform;

(4) determine statewide capabilities for a single interoperable telepresence platform;

(5) identify barriers to providing a telepresence technology, including limited availability of bandwidth, limitations in providing certain services via telepresence, and broadband infrastructure needs;

(6) identify and make recommendations for governance that will assure person-centered responsiveness;

(7) identify how the business model can be innovated to provide an incentive for ongoing innovation in Minnesota's health care, human services, education, corrections, and related ecosystems;

(8) identify criteria for suggested deliverables including:

(i) equitable statewide access;

(ii) evaluating bandwidth availability; and

(iii) competitive pricing;

(9) identify sustainable financial support for a single telepresence platform, including infrastructure costs and startup costs for potential users; and

(10) identify the benefits to partners in the private sector, state, political subdivisions, tribal governments, and the constituents they serve in using a common person-centered telepresence platform for delivering behavioral health services.

Subd. 4. **Administrative support.** The Legislative Coordinating Commission shall provide administrative support to the task force and may use space provided by the Minnesota Social Service Association for meetings.

Subd. 5. **Per diem; expenses.** Public members of the task force may be compensated and have their expenses reimbursed as provided in Minnesota Statutes, section 15.059, subdivision 3.

Subd. 6. **Report.** The task force shall report to the chairs and ranking minority members of the committees in the senate and the house of representatives with primary jurisdiction over health and state information technology by January 15, 2022, with recommendations related to expanding the state's telepresence platform and any legislation required to implement the recommendations.

Subd. 7. **Sunset.** The task force sunsets July 31, 2022, or the day after the task force submits the report required in this section, whichever is earlier.

Sec. 27. APPROPRIATION.

\$90,000 in fiscal year 2022 is appropriated from the general fund to the Legislative Coordinating Commission to administer the task force on a public-private telepresence strategy established in section 26."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 3, after "telehealth" insert "; establishing a task force on creating a person-centered telepresence strategy; appropriating money"

Amend the title numbers accordingly

And when so amended the bill do pass and be re-referred to the Committee on State Government Finance and Policy and Elections. Amendments adopted. Report adopted.

**Senator Ingebrigtsen from the Committee on Environment and Natural Resources Finance, to which was re-referred**

**S.F. No. 1161:** A bill for an act relating to transportation; modifying classification and regulation of electric-assisted bicycles; amending Minnesota Statutes 2020, sections 84.787, subdivision 7; 84.797, subdivision 7; 84.92, subdivision 8; 168.002, subdivision 18; 169.011, subdivisions 27, 42, by adding subdivisions; 169.222, subdivisions 4, 6a, by adding a subdivision.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Transportation Finance and Policy. Report adopted.

**Senator Pratt from the Committee on Jobs and Economic Growth Finance and Policy, to which was referred**

**S.F. No. 1935:** A bill for an act relating to economic development; establishing save our stages grants; providing tax relief for entertainment venues; appropriating money.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 20, delete "because" and insert "or"

And when so amended the bill do pass and be re-referred to the Committee on Taxes. Amendments adopted. Report adopted.

**SECOND READING OF SENATE BILLS**

S.F. Nos. 1913, 1665, 443, and 1417 were read the second time.



**INTRODUCTION AND FIRST READING OF SENATE BILLS**

The following bills were read the first time.

**Senator Housley introduced--**

**S.F. No. 2156:** A bill for an act relating to energy; requiring submission of a decommissioning and demolition plan for a scheduled retirement of an electric generation facility.

Referred to the Committee on Energy and Utilities Finance and Policy.

**Senator Housley introduced--**

**S.F. No. 2157:** A bill for an act relating to capital investment; appropriating money for site preparation for redevelopment of the Allen S. King power plant site in the city of Oak Park Heights; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

**Senator Housley introduced--**

**S.F. No. 2158:** A bill for an act relating to human services; establish licensing standards for alternative adult day services; establishing rates for alternative adult day services; extending the waiver allowing remote delivery of adult day services; amending Minnesota Statutes 2020, sections 245A.02, subdivisions 2a, 10; 256B.0913, subdivision 5; 256B.0922, subdivision 1; 256B.4914, subdivisions 3, 5, 7; 256S.12, subdivision 1; 256S.215, by adding subdivisions; Laws 2020, First Special Session chapter 7, section 1, as amended; proposing coding for new law in Minnesota Statutes, chapter 245A.

Referred to the Committee on Human Services Licensing Policy.

**Senator Kunesh introduced--**

**S.F. No. 2159:** A bill for an act relating to elections; providing for ranked-choice voting in elections for federal and state offices; authorizing jurisdictions to adopt ranked-choice voting for local offices; establishing procedures for adoption, implementation, and use of ranked-choice voting; allowing municipalities to use electronic voting systems with a reallocation feature; authorizing rulemaking; amending Minnesota Statutes 2020, sections 204B.27, by adding a subdivision; 204B.34, subdivision 1; 204B.35, subdivision 1; 204C.19, by adding a subdivision; 204C.21, by adding a subdivision; 204C.24, subdivision 1; 204C.32, subdivision 1; 204C.33, subdivisions 1, 3; 204D.08, subdivisions 4, 5; 204D.10, subdivisions 1, 3; 204D.11, subdivision 1; 205.13, subdivision 2; 206.58, subdivision 1; 206.83; 206.89, subdivisions 2, 3; 207A.12; 208.05; proposing coding for new law in Minnesota Statutes, chapter 206; proposing coding for new law as Minnesota Statutes, chapter 204E.

Referred to the Committee on State Government Finance and Policy and Elections.

**Senator Eken introduced--**

**S.F. No. 2160:** A bill for an act relating to taxation; individual income and corporate franchise; clarifying treatment of section 179 expensing conformity.

Referred to the Committee on Taxes.

**Senator Eken introduced--**

**S.F. No. 2161:** A bill for an act relating to transportation; amending the requirements for detour designations; establishing an appeals process; amending Minnesota Statutes 2020, section 161.25.

Referred to the Committee on Transportation Finance and Policy.

**Senator Eken introduced--**

**S.F. No. 2162:** A bill for an act relating to capital investment; appropriating money for flood hazard mitigation grants; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

**Senator Eken introduced--**

**S.F. No. 2163:** A bill for an act relating to education finance; appropriating money for summer education programs; amending Minnesota Statutes 2020, section 126C.10, subdivision 2d; Laws 2019, First Special Session chapter 11, article 1, section 25, subdivision 2, as amended.

Referred to the Committee on Education Finance and Policy.

**Senator Duckworth introduced--**

**S.F. No. 2164:** A bill for an act relating to early childhood education; modifying the kindergarten readiness assessment; requiring a report; appropriating money; amending Minnesota Statutes 2020, section 124D.162.

Referred to the Committee on Education Finance and Policy.

**Senator Putnam introduced--**

**S.F. No. 2165:** A bill for an act relating to health care; clarifying the prepaid health plan appeals process; amending Minnesota Statutes 2020, sections 256.045, subdivision 3a; 256B.0625, subdivisions 13f, 25; 256B.69, by adding a subdivision.

Referred to the Committee on Health and Human Services Finance and Policy.

**Senator Koran introduced--**

**S.F. No. 2166:** A bill for an act relating to housing; appropriating money to One Roof Housing to build two dormitory-style buildings to house individuals experiencing homelessness; requiring a report.

Referred to the Committee on Housing Finance and Policy.

**Senator Koran introduced--**

**S.F. No. 2167:** A bill for an act relating to elections; amending thresholds for major political party designation; amending nominating petition requirements; allowing political parties to authorize which candidates may affiliate with the party on the ballot; amending Minnesota Statutes 2020, sections 200.02, subdivision 7, by adding a subdivision; 204B.06, subdivision 1; 204B.07, subdivisions 1, 4; 204B.08, subdivisions 2, 3; 204B.09, subdivision 1; 204D.03, subdivision 3; 204D.12; 204D.13, by adding a subdivision; 204D.19, subdivision 2; 204D.22, subdivision 2; 204D.23, subdivision 1; 205.13, subdivisions 1a, 5; repealing Minnesota Statutes 2020, sections 200.02, subdivision 23; 204D.22, subdivision 4.

Referred to the Committee on State Government Finance and Policy and Elections.

**Senator Koran introduced--**

**S.F. No. 2168:** A bill for an act relating to transportation; appropriating money for improvements to marked Trunk Highway 95 and a railroad switch project in the city of Cambridge; authorizing the sale and issuance of state bonds.

Referred to the Committee on Transportation Finance and Policy.

**Senator Nelson introduced--**

**S.F. No. 2169:** A bill for an act relating to taxation; modifying provisions related to partnership audits; providing requirements for reporting federal audit adjustments; making technical changes; amending Minnesota Statutes 2020, sections 270C.445, subdivision 6; 289A.31, subdivision 1; 289A.37, subdivision 2; 289A.38, subdivisions 7, 8, 9, 10; 289A.42; 289A.60, subdivision 24; 290.31, subdivision 1; 297F.17, subdivision 6; 297G.16, subdivision 7; 469.319, subdivision 4; proposing coding for new law in Minnesota Statutes, chapter 289A.

Referred to the Committee on Taxes.

**Senator Nelson introduced--**

**S.F. No. 2170:** A bill for an act relating to early childhood care and learning; establishing a Department of Early Childhood; authorizing rulemaking; amending Minnesota Statutes 2020, sections 15.01; 15.06, subdivision 1; 15A.0815, subdivision 2; 43A.08, subdivision 1a; proposing coding for new law as Minnesota Statutes, chapter 119C.

Referred to the Committee on Education Finance and Policy.

**Senator Nelson introduced--**

**S.F. No. 2171:** A bill for an act relating to human services; modifying the home and community-based employee scholarship program to permit loan forgiveness; temporarily modifying employment requirements for nursing assistants; amending Minnesota Statutes 2020, sections 144.1503; 144A.61, by adding a subdivision.

Referred to the Committee on Health and Human Services Finance and Policy.

**Senator Nelson introduced--**

**S.F. No. 2172:** A bill for an act relating to human services; providing for exemptions to the moratorium on development of housing support beds eligible for supplemental services rates; amending Minnesota Statutes 2020, sections 256I.04, subdivision 3; 256I.05, subdivision 1q, by adding a subdivision.

Referred to the Committee on Human Services Reform Finance and Policy.

**Senator Nelson introduced--**

**S.F. No. 2173:** A bill for an act relating to taxation; sales and use; modifying exemption provisions for construction materials by certain contractors; adding a limited refund provision; amending Minnesota Statutes 2020, sections 297A.71, by adding a subdivision; 297A.75, subdivisions 1, 2, 3.

Referred to the Committee on Taxes.

**Senator Nelson introduced--**

**S.F. No. 2174:** A bill for an act relating to early childhood programs; modifying the quality rating and improvement system; appropriating money; amending Minnesota Statutes 2020, section 124D.142.

Referred to the Committee on Education Finance and Policy.

**Senators Weber, Dahms, and Rosen introduced--**

**S.F. No. 2175:** A bill for an act relating to capital investment; appropriating money for a grant to Farmamerica.

Referred to the Committee on State Government Finance and Policy and Elections.

**Senator Weber introduced--**

**S.F. No. 2176:** A bill for an act relating to taxation; property; authorizing the creation of a fire and ambulance special taxing district.

Referred to the Committee on Taxes.

**Senator Weber introduced--**

**S.F. No. 2177:** A bill for an act relating to capital investment; appropriating money for the Casey Jones State Trail; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

**Senators Benson, Kiffmeyer, and Rosen introduced--**

**S.F. No. 2178:** A bill for an act relating to health care; requiring the commissioner of management and budget to use a reverse auction for the procurement of a pharmacy benefit manager to manage and administer the prescription drug benefit for the State Employees Group Insurance Program; proposing coding for new law in Minnesota Statutes, chapter 43A.

Referred to the Committee on State Government Finance and Policy and Elections.

**Senator Utke introduced--**

**S.F. No. 2179:** A bill for an act relating to game and fish; modifying provisions for nonresident active duty military to obtain license to take fish; amending Minnesota Statutes 2020, section 97A.465, subdivisions 2, 3.

Referred to the Committee on Environment and Natural Resources Policy and Legacy Finance.

**Senator Utke introduced--**

**S.F. No. 2180:** A bill for an act relating to child protection; requiring training for child welfare workers and state agency staff to serve American Indian children and families; appropriating money for a Tribal child welfare partnership; amending Minnesota Statutes 2020, section 256B.094, by adding a subdivision.

Referred to the Committee on Human Services Reform Finance and Policy.

**Senator Putnam introduced--**

**S.F. No. 2181:** A bill for an act relating to higher education; modifying parameters in the state grant program; modifying restrictions on developmental education in state colleges and universities; creating new grant programs within the Office of Higher Education and the Minnesota State Colleges and Universities; requiring reports; appropriating money; amending Minnesota Statutes 2020, sections 136A.121, subdivisions 5, 6, 9; 136F.302, subdivisions 1, 2, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 136A.

Referred to the Committee on Higher Education Finance and Policy.

**Senator Clausen introduced--**

**S.F. No. 2182:** A bill for an act relating to capital investment; appropriating money for capital improvements at the Minnesota Zoological Garden; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

**Senator Senjem introduced--**

**S.F. No. 2183:** A bill for an act relating to telecommunications; appropriating money for transfer to the Legislative Coordinating Commission.

Referred to the Committee on Energy and Utilities Finance and Policy.

**Senator Eichorn introduced--**

**S.F. No. 2184:** A bill for an act relating to arts and cultural heritage; appropriating money for Judy Garland Museum.

Referred to the Committee on Environment and Natural Resources Policy and Legacy Finance.

**Senator Kiffmeyer introduced--**

**S.F. No. 2185:** A bill for an act relating to energy; prohibiting bans by political subdivisions on new natural gas or propane service to any building; proposing coding for new law in Minnesota Statutes, chapter 326.

Referred to the Committee on Energy and Utilities Finance and Policy.

**Senator Rosen introduced--**

**S.F. No. 2186:** A bill for an act relating to clean water; extending a prior appropriation for a multipurpose water management project.

Referred to the Committee on Environment and Natural Resources Finance.

**Senator Rosen introduced--**

**S.F. No. 2187:** A bill for an act relating to economic development; appropriating money for entrepreneurial development; requiring a report.

Referred to the Committee on Jobs and Economic Growth Finance and Policy.

**Senator Dibble introduced--**

**S.F. No. 2188:** A bill for an act relating to human services; appropriating money for shelter, services, and other activities for sexually exploited youth and youth at risk of sexual exploitation.

Referred to the Committee on Human Services Reform Finance and Policy.

**Senator Dibble introduced--**

**S.F. No. 2189:** A bill for an act relating to natural resources; modifying use of critical habitat private sector matching account; appropriating money; amending Minnesota Statutes 2020, section 84.943, subdivisions 3, 5, by adding a subdivision.

Referred to the Committee on Environment and Natural Resources Finance.

**Senators Rarick and Tomassoni introduced--**

**S.F. No. 2190:** A bill for an act relating to economic development; modifying requirements of the 2019 appropriation to a paper mill in Duluth; amending Laws 2019, First Special Session chapter 7, article 1, section 2, subdivision 2, as amended.

Referred to the Committee on Jobs and Economic Growth Finance and Policy.

**Senator Dibble introduced--**

**S.F. No. 2191:** A bill for an act relating to environment; establishing a grant program for pilot projects to encourage and increase composting in multifamily buildings; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 115A.

Referred to the Committee on Environment and Natural Resources Policy and Legacy Finance.

**Senator Dibble introduced--**

**S.F. No. 2192:** A bill for an act relating to human services; appropriating money for grants under the Homeless Youth Act.

Referred to the Committee on Human Services Reform Finance and Policy.

**Senators Benson, Mathews, Koran, and Hoffman introduced--**

**S.F. No. 2193:** A bill for an act relating to government data practices; regulating data collected by the state's COVID-19 vaccine connector tool; classifying data; requiring a legislative report.

Referred to the Committee on Health and Human Services Finance and Policy.

**Senator Dzedzic introduced--**

**S.F. No. 2194:** A bill for an act relating to taxation; sales and use tax; reducing the percentage of June accelerated tax liability of certain vendors based on the November forecast; amending Minnesota Statutes 2020, sections 16A.152, subdivision 2; 289A.20, subdivision 4.

Referred to the Committee on Taxes.

**Senator Dzedzic introduced--**

**S.F. No. 2195:** A bill for an act relating to local governments; allowing counties to collect soil and water conservation district fee on deed transfers and mortgage registration; establishing grant eligibility for counties from clean water fund; amending Minnesota Statutes 2020, section 114D.50, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 103C.

Referred to the Committee on Environment and Natural Resources Policy and Legacy Finance.

**Senators Ruud, Hoffman, Rarick, Weber, and Tomassoni introduced--**

**S.F. No. 2196:** A bill for an act relating to agriculture; appropriating money for grants for meat cutting and butchery training.

Referred to the Committee on Agriculture and Rural Development Finance and Policy.

**Senator Utke introduced--**

**S.F. No. 2197:** A bill for an act relating to employment; relating to limitations on requirements to wear a face mask in the workplace; proposing coding for new law in Minnesota Statutes, chapter 181.

Referred to the Committee on Labor and Industry Policy.

**Senator Bigham introduced--**

**S.F. No. 2198:** A bill for an act relating to retirement; Public Employees Retirement Association; transferring 911 telecommunicators from the general employees retirement plan to the local government correctional plan and transferring eligible service credit; amending Minnesota Statutes 2020, section 353E.02, subdivision 1, by adding a subdivision.

Referred to the Committee on State Government Finance and Policy and Elections.

**Senators Bigham and Duckworth introduced--**

**S.F. No. 2199:** A bill for an act relating to transit; establishing the Metropolitan Transportation Planning Board as part of the Department of Transportation; eliminating the authority for transportation and transit planning and construction from the Metropolitan Council; requiring reports; appropriating money; amending Minnesota Statutes 2020, sections 16A.88, subdivision 2; 473.145; 473.146, subdivision 1; 473.192, subdivision 2; 473.408, subdivision 2a; 473.449; proposing coding for new law in Minnesota Statutes, chapter 473; proposing coding for new law as Minnesota Statutes, chapter 174B; repealing Minnesota Statutes 2020, sections 174.35; 473.146, subdivisions 3, 4; 473.1466; 473.168; 473.371; 473.375, subdivision 9a; 473.391, subdivision 2; 473.399, subdivisions 1, 1a; 473.3993; 473.3994, subdivisions 1a, 2, 3, 4, 5, 7, 8, 9, 10, 14; 473.3995; 473.3997; 473.3999; 473.405, subdivisions 1, 3, 4, 5, 9, 10, 15; 473.4052; 473.41; 473.411, subdivisions 3, 4, 5; 473.4485.

Referred to the Committee on Transportation Finance and Policy.



**MOTIONS AND RESOLUTIONS**

Senator Bigham moved that the name of Senator Fateh be added as a co-author to S.F. No. 370. The motion prevailed.

Senator Torres Ray moved that the name of Senator Pappas be added as a co-author to S.F. No. 424. The motion prevailed.

Senator Utke moved that the name of Senator Tomassoni be added as a co-author to S.F. No. 492. The motion prevailed.

Senator Frenz moved that the name of Senator Pappas be added as a co-author to S.F. No. 543. The motion prevailed.

Senator Nelson moved that the name of Senator Duckworth be added as a co-author to S.F. No. 705. The motion prevailed.

Senator Putnam moved that the name of Senator Rarick be added as a co-author to S.F. No. 1103. The motion prevailed.

Senator Eichorn moved that the name of Senator Cwodzinski be added as a co-author to S.F. No. 1129. The motion prevailed.

Senator Benson moved that the name of Senator Bigham be added as a co-author to S.F. No. 1182. The motion prevailed.

Senator Limmer moved that the name of Senator Clausen be added as a co-author to S.F. No. 1467. The motion prevailed.

Senator Westrom moved that the name of Senator Clausen be added as a co-author to S.F. No. 1570. The motion prevailed.

Senator Pratt moved that the names of Senators Hoffman and Abeler be added as co-authors to S.F. No. 1678. The motion prevailed.

Senator Housley moved that the names of Senators Clausen and Champion be added as co-authors to S.F. No. 1700. The motion prevailed.

Senator Abeler moved that the name of Senator Franzen be added as a co-author to S.F. No. 1753. The motion prevailed.

Senator Housley moved that the name of Senator Putnam be added as a co-author to S.F. No. 1786. The motion prevailed.

Senator Port moved that the name of Senator Duckworth be added as a co-author to S.F. No. 1839. The motion prevailed.

Senator Nelson moved that the name of Senator Hoffman be added as a co-author to S.F. No. 1869. The motion prevailed.

Senator Duckworth moved that the name of Senator Clausen be added as a co-author to S.F. No. 1900. The motion prevailed.

Senator Kunesh moved that the name of Senator Franzen be added as a co-author to S.F. No. 2043. The motion prevailed.

Senator Dahms moved that the names of Senators Lang and Frenz be added as co-authors to S.F. No. 2055. The motion prevailed.

Senator Tomassoni moved that his name be stricken as a co-author to S.F. No. 2065. The motion prevailed.

Senator Draheim moved that the name of Senator Putnam be added as a co-author to S.F. No. 2065. The motion prevailed.

Senator Coleman moved that the name of Senator Cwodzinski be added as a co-author to S.F. No. 2085. The motion prevailed.

Senator Duckworth moved that the name of Senator Wiger be added as a co-author to S.F. No. 2134. The motion prevailed.

Senator Miller moved that the name of Senator Rarick be added as a co-author to S.F. No. 2144. The motion prevailed.

**Senator Newman introduced --**

**Senate Resolution No. 40:** A Senate resolution congratulating Levi Allen Schmidt of Darwin, Minnesota, for earning the rank of Eagle Scout.

Referred to the Committee on Rules and Administration.

President Miller called Senator Mathews to preside.

**Senators Gazelka and Kent introduced --**

**Senate Concurrent Resolution No. 4:** A Senate concurrent resolution relating to adjournment for more than three days.

BE IT RESOLVED by the Senate of the State of Minnesota, the House of Representatives concurring:

1. Upon their adjournments on Thursday, March 25, 2021, the Senate and House of Representatives may each set its next day of meeting for Tuesday, April 6, 2021.

2. Each house consents to adjournment of the other house for more than three days.

Senator Gazelka moved the adoption of the foregoing resolution. The motion prevailed. So the resolution was adopted.

**Senator Gazelka introduced --**

**Senate Concurrent Resolution No. 5:** A Senate concurrent resolution relating to Minnesota's peacetime emergency; terminating the peacetime emergency pursuant to the authority granted under Minnesota Statutes, section 12.31, subdivision 2, paragraph (b).

WHEREAS, Governor Walz signed Executive Order 20-01, a declaration of a peacetime emergency on March 13, 2020; and

WHEREAS, the Executive Council of the State extended that peacetime emergency for up to 30 days, on March 16, 2020; and

WHEREAS, on May 13, 2020, by Executive Order 20-55, Governor Walz extended the peacetime public emergency declared under Executive Order 20-01 and extended in Executive Order 20-35, until June 12, 2020; and

WHEREAS, on June 12, 2020, by Executive Order 20-75, Governor Walz extended the peacetime public emergency declared under Executive Order 20-01 and extended in Executive Orders 20-35 and 20-55 until July 13, 2020; and

WHEREAS, on July 13, 2020, by Executive Order 20-78, Governor Walz extended the peacetime public emergency declared under Executive Order 20-01 and extended in Executive Orders 20-35, 20-55, and 20-75 until August 12, 2020; and

WHEREAS, on August 12, 2020, by Executive Order 20-83, Governor Walz extended the peacetime public emergency declared under Executive Order 20-01 and extended in Executive Orders 20-35, 20-55, 20-75, and 20-78 until September 11, 2020; and

WHEREAS, on September 11, 2020, by Executive Order 20-89, Governor Walz extended the peacetime emergency declared under Executive Order 20-01 and extended under Executive Orders 20-35, 20-55, 20-75, 20-78, and 20-83 until October 12, 2020; and

WHEREAS, on October 12, 2020, by Executive Order 20-92, Governor Walz extended the peacetime emergency declared under Executive Order 20-01 and extended in Executive Orders 20-35, 20-55, 20-75, 20-78, 20-83, and 20-89 until November 12, 2020; and

WHEREAS, on November 12, 2020, by Executive Order 20-97, Governor Walz extended the peacetime emergency declared under Executive Order 20-01 and extended in Executive Orders 20-35, 20-55, 20-75, 20-78, 20-83, 20-89, and 20-92 until December 12, 2020; and

WHEREAS, on December 14, 2020, by Executive Order 20-100, Governor Walz extended the peacetime emergency declared under Executive Order 20-01 and extended in Executive Orders 20-35, 20-55, 20-75, 20-78, 20-83, 20-89, 20-92, and 20-97 until January 13, 2021; and

WHEREAS, on January 13, 2021, by Executive Order 21-04, Governor Walz extended the peacetime emergency declared under Executive Order 20-01 and extended in Executive Orders 20-35, 20-55, 20-75, 20-78, 20-83, 20-89, 20-92, 20-97, and 20-100 until February 12, 2021; and

WHEREAS, on February 12, 2021, by Executive Order 21-08, Governor Walz extended the peacetime emergency declared under Executive Order 20-01 and extended in Executive Orders

20-35, 20-55, 20-75, 20-78, 20-83, 20-89, 20-92, 20-97, 20-100, and 21-04 until March 15, 2021; and

WHEREAS, on March 15, 2020, by Executive Order 21-12, Governor Walz extended the peacetime emergency declared under Executive Order 20-01 and extended in Executive Orders 20-35, 20-55, 20-75, 20-78, 20-83, 20-89, 20-92, 20-97, 20-100, 21-04 and 21-08 until April 14, 2021; NOW, THEREFORE,

BE IT RESOLVED by the Senate of the State of Minnesota, the House of Representatives concurring: that the legislature exercises its authority under Minnesota Statutes, section 12.31, subdivision 2, paragraph (b), terminating the peacetime emergency declared under Executive Order 20-01, and extended under subsequent executive orders, on the day following the adoption of this resolution by the House of Representatives of the State of Minnesota.

BE IT FURTHER RESOLVED that the Secretary of the Senate is directed to prepare an enrolled copy of this resolution, to be authenticated by his signature and those of the Speaker of the House of Representatives, the Chair of the Senate Rules and Administration Committee, and the Chief Clerk of the House of Representatives, and transmit it to the Governor of the State of Minnesota.

Senator Gazelka moved the adoption of the foregoing resolution.

The question was taken on the adoption of the resolution.

The roll was called, and there were yeas 38 and nays 29, as follows:

Those who voted in the affirmative were:

Abeler	Draheim	Howe	Mathews	Ruud
Anderson	Duckworth	Ingebrigtsen	Miller	Senjem
Bakk	Eichorn	Jasinski	Nelson	Tomassoni
Benson	Eken	Johnson	Newman	Utke
Chamberlain	Gazelka	Kiffmeyer	Osmek	Weber
Coleman	Goggin	Koran	Pratt	Westrom
Dahms	Hoffman	Lang	Rarick	
Dornink	Housley	Limmer	Rosen	

Pursuant to Rule 40, Senator Jasinski cast the affirmative vote on behalf of the following Senators: Anderson, Coleman, Newman, Osmek, Rosen, and Senjem.

Those who voted in the negative were:

Bigham	Dziedzic	Isaacson	Marty	Putnam
Carlson	Eaton	Johnson Stewart	McEwen	Rest
Champion	Fateh	Kent	Murphy	Torres Ray
Clausen	Franzen	Klein	Newton	Wiger
Cwodzinski	Frentz	Kunesh	Pappas	Wiklund
Dibble	Hawj	Latz	Port	

Pursuant to Rule 40, Senator Frentz cast the negative vote on behalf of the following Senators: Carlson, Champion, Clausen, Dibble, Eaton, Fateh, Isaacson, Klein, Latz, Marty, McEwen, Newton, Putnam, and Wiklund.

The motion prevailed. So the resolution was adopted.

President Miller resumed the Chair.

### MOTIONS AND RESOLUTIONS - CONTINUED

Pursuant to Rule 26, Senator Gazelka, Chair of the Committee on Rules and Administration, designated H.F. No. 91 a Special Order to be heard immediately.

### SPECIAL ORDER

**H.F. No. 91:** A bill for an act relating to environment; prioritizing expenditures from dry cleaner environmental response and reimbursement account; banning perchloroethylene; canceling a prior appropriation; appropriating money for a cost-share program and for environmental response costs; amending Minnesota Statutes 2020, section 115B.49, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 325E.

H.F. No. 91 was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 67 and nays 0, as follows:

Those who voted in the affirmative were:

Abeler	Draheim	Howe	Marty	Rest
Anderson	Duckworth	Ingebrigtsen	Mathews	Rosen
Bakk	Dziedzic	Isaacson	McEwen	Ruud
Benson	Eaton	Jasinski	Miller	Senjem
Bigham	Eichorn	Johnson	Murphy	Tomassoni
Carlson	Eken	Johnson Stewart	Nelson	Torres Ray
Chamberlain	Fateh	Kent	Newman	Utke
Champion	Franzen	Kiffmeyer	Newton	Weber
Clausen	Frentz	Klein	Osmek	Westrom
Coleman	Gazelka	Koran	Pappas	Wiger
Cwodzinski	Goggin	Kunesh	Port	Wiklund
Dahms	Hawj	Lang	Pratt	
Dibble	Hoffman	Latz	Putnam	
Dornink	Housley	Limmer	Rarick	

Pursuant to Rule 40, Senator Jasinski cast the affirmative vote on behalf of the following Senators: Anderson, Coleman, Newman, Osmek, Rosen, Senjem, and Westrom.

Pursuant to Rule 40, Senator Frentz cast the affirmative vote on behalf of the following Senators: Carlson, Champion, Clausen, Dibble, Eaton, Fateh, Isaacson, Klein, Latz, Marty, McEwen, Newton, Putnam, and Wiklund.

So the bill passed and its title was agreed to.

### MOTIONS AND RESOLUTIONS - CONTINUED

Senator Benson moved that S.F. No. 1636 be withdrawn from the Committee on Civil Law and Data Practices Policy and re-referred to the Committee on Rules and Administration, pursuant to Joint Rule 2.03. The motion prevailed.

**ADJOURNMENT**

Senator Gazelka moved that the Senate do now adjourn until 11:00 a.m., Monday, March 22, 2021. The motion prevailed.

Cal R. Ludeman, Secretary of the Senate