



2.1 **Subd. 3. Legal Services**

2.2 \$525,000 the second year is from the  
2.3 environmental fund for Operations Division  
2.4 legal services that support industrial  
2.5 compliance programs.

2.6 \$3,500,000 the second year is for legal costs.  
2.7 This is a onetime appropriation and is  
2.8 available until June 30, 2027.

2.9 **Subd. 4. Mobile Emissions Monitoring Trailer**

2.10 \$1,025,000 the second year is from the  
2.11 environmental fund to construct and operate  
2.12 a mobile emissions regulatory monitoring  
2.13 trailer. This appropriation is available until  
2.14 June 30, 2027. The base in fiscal year 2026  
2.15 and thereafter is \$535,000.

2.16 **Subd. 5. Researching Climate Adaptation and**  
2.17 **Resilience Study**

2.18 \$750,000 the second year is for the  
2.19 Researching Climate Adaptation and  
2.20 Resilience Costs for Minnesota Study. This is  
2.21 a onetime appropriation and is available until  
2.22 June 30, 2026.

2.23 **Subd. 6. Composting Grants for Multifamily**  
2.24 **Buildings**

2.25 (a) \$2,000,000 the second year is to make  
2.26 grants for pilot projects that encourage  
2.27 composting by residents of multifamily  
2.28 buildings. Notwithstanding Minnesota  
2.29 Statutes, section 16B.98, subdivision 14, the  
2.30 commissioner may use up to five percent of  
2.31 this appropriation for administrative costs.  
2.32 This is a onetime appropriation and is  
2.33 available until June 30, 2027.

3.1 (b) Eligible applicants include: (1) a political  
3.2 subdivision; (2) an owner of a multifamily  
3.3 building; or (3) an organization that is exempt  
3.4 from taxation under section 501(c)(3) of the  
3.5 Internal Revenue Code.

3.6 (c) The commissioner must submit a report  
3.7 on the grants awarded under this subdivision  
3.8 to the chairs and ranking minority members  
3.9 of the senate and house of representatives  
3.10 committees with primary jurisdiction over  
3.11 environment policy and finance. The report  
3.12 must contain, at a minimum, a list of grantees,  
3.13 the amount of each grant awarded, the  
3.14 activities undertaken with grant funds, and, if  
3.15 possible, the results of the grant with respect  
3.16 to encouraging composting in multifamily  
3.17 buildings. The report is due by October 1,  
3.18 2027. This is a onetime appropriation and is  
3.19 available until June 30, 2026.

3.20 **Subd. 7. Electronic Recycling Study**  
3.21 \$150,000 the second year is for a contract with  
3.22 an independent third party to conduct a study  
3.23 that examines the barriers to electronics  
3.24 recycling and recommends ways those barriers  
3.25 may be overcome. Notwithstanding Minnesota  
3.26 Statutes, section 16B.98, subdivision 14, the  
3.27 commissioner may use up to two percent of  
3.28 this appropriation for administrative costs.  
3.29 This is a onetime appropriation.

3.30 **Subd. 8. Critical Materials Recovery Advisory**  
3.31 **Task Force**  
3.32 \$319,000 the second year is from the  
3.33 environmental fund for the costs of the Critical  
3.34 Materials Recovery Advisory Task Force. This  
3.35 is a onetime appropriation.

4.1 **Subd. 9. State Salt Purchase Reporting**

4.2 \$88,000 the second year is from the  
4.3 environmental fund for the annual reporting  
4.4 requirements of the purchase of deicing salt  
4.5 by state agencies under Minnesota Statutes,  
4.6 section 116.2021.

4.7 **Subd. 10. Boat Wrap Product Stewardship**  
4.8 **Program**

4.9 \$219,000 the second year is from the  
4.10 environmental fund for the cost of  
4.11 administering the boat wrap product  
4.12 stewardship program under Minnesota  
4.13 Statutes, section 115A.1416. The base budget  
4.14 for this appropriation is \$363,000 in fiscal year  
4.15 2026, and \$219,000 in fiscal year 2027 and  
4.16 later.

4.17 **Subd. 11. Extending Appropriation Availability**

4.18 The appropriations in Laws 2023, chapter 60,  
4.19 article 1, section 2, subdivision 2, paragraphs  
4.20 (l), (m), and (n), are available until June 30,  
4.21 2025.

4.22 **Subd. 12. Availability of Climate Resiliency and**  
4.23 **Water Infrastructure Grants**

4.24 Of the amount appropriated under Laws 2023,  
4.25 chapter 60, article 1, section 2, subdivision 2,  
4.26 paragraph (k), for a climate resiliency and  
4.27 water infrastructure grant program, up to  
4.28 \$5,000,000 may be used to supplement any  
4.29 federal grant that the commissioner receives  
4.30 under the United States Environmental  
4.31 Protection Agency's Climate Pollution  
4.32 Reduction Grant (CPRG) program.

4.33 **Sec. 3. DEPARTMENT OF NATURAL**  
4.34 **RESOURCES**

5.1 Subdivision 1. Total Appropriation \$ 0 \$ 17,790,000

5.2 Appropriations by Fund

5.3	<u>2024</u>	<u>2025</u>
5.4	<u>General</u> 0	<u>8,300,000</u>
5.5	<u>Game and Fish</u> 0	<u>2,730,000</u>
5.6	<u>Natural Resources</u> 0	<u>6,343,000</u>
5.7	<u>Permanent School</u> 0	<u>417,000</u>

5.8 The amounts that may be spent for each  
 5.9 purpose are specified in the following  
 5.10 subdivisions.

5.11 Subd. 2. Legal Costs

5.12 (a) \$1,000,000 in the second year is for legal  
 5.13 costs. This is a onetime appropriation and is  
 5.14 available until June 30, 2025.

5.15 (b) The commissioner of the Department of  
 5.16 Natural Resources must work with the  
 5.17 commissioners of management and budget,  
 5.18 Pollution Control Agency, and other cabinet  
 5.19 departments that incur significant  
 5.20 litigation-related costs to develop  
 5.21 recommendations for a statewide funding  
 5.22 strategy to address escalating litigation-related  
 5.23 costs across cabinet agencies. That strategy  
 5.24 should consider the unpredictable and outsized  
 5.25 effects that major litigation can have on an  
 5.26 individual agency's budget. The  
 5.27 commissioners must submit a report of the  
 5.28 recommendations to the relevant committee  
 5.29 chairs by December 15, 2024.

5.30 Subd. 3. Public Safety Costs

5.31 \$200,000 in the second year is for public  
 5.32 safety costs. This is a onetime appropriation.

6.1 **Subd. 4. Electronic Licensing System**

6.2 \$2,600,000 in the second year is to support  
6.3 the development and implementation of a  
6.4 modern electronic licensing system. Of this  
6.5 amount: \$330,000 is from the water recreation  
6.6 account; \$80,000 is from the snowmobile  
6.7 account; \$204,000 is from the all-terrain  
6.8 vehicle account; \$7,000 is from the  
6.9 off-highway motorcycle account; \$4,000 is  
6.10 from the off-road vehicle account; and  
6.11 \$1,975,000 is from the game and fish fund.  
6.12 This is a onetime appropriation and is  
6.13 available until June 30, 2026.

6.14 **Subd. 5. Compensation for Conservation Officers**

6.15 (a) \$300,000 in the second year is to maintain  
6.16 current law enforcement service levels. Of this  
6.17 amount, \$30,000 is from the water recreation  
6.18 account; \$15,000 is from the all-terrain vehicle  
6.19 account; and \$255,000 is from the game and  
6.20 fish fund.

6.21 (b) The base for fiscal year 2026 and thereafter  
6.22 is \$1,080,000, and of this amount: \$108,000  
6.23 is from the water recreation account; \$104,000  
6.24 is from the all-terrain vehicle account; and  
6.25 \$918,000 is from the game and fish fund.

6.26 **Subd. 6. Keep it Clean Grants**

6.27 \$1,418,000 the second year is for grants to  
6.28 local units of government and  
6.29 nongovernmental organizations to implement  
6.30 local programs to prevent water pollution due  
6.31 to garbage and human waste left on the ice of  
6.32 state waters during winter use activities.  
6.33 Notwithstanding Minnesota Statutes, section  
6.34 16B.98, subdivision 14, the commissioner may

7.1 use up to five percent of this appropriation for  
7.2 administrative costs. This is a onetime  
7.3 appropriation and is available until June 30,  
7.4 2027.

7.5 **Subd. 7. Unsafe Ice Search and Rescue**  
7.6 **Reimbursement**

7.7 \$200,000 the second year is to reimburse  
7.8 county sheriffs and other local law  
7.9 enforcement agencies for search and rescue  
7.10 operations related to recreational activities on  
7.11 unsafe ice under Minnesota Statutes, section  
7.12 86B.1065. Activities eligible for  
7.13 reimbursement under this appropriation must  
7.14 be of an unusual and nonrecurring nature that  
7.15 are over and above the county sheriff or other  
7.16 agency's regular operating budget and include  
7.17 but are not limited to rental of private  
7.18 equipment and employment of personnel hired  
7.19 expressly for the search and rescue operation.  
7.20 Reimbursement under this appropriation is  
7.21 limited to 50 percent of the reimbursable costs  
7.22 subject to a maximum state payment of \$5,000  
7.23 per agency for each search and rescue  
7.24 operation. This is a onetime appropriation and  
7.25 is available until June 30, 2027.

7.26 **Subd. 8. International Wolf Center**

7.27 \$1,332,000 the second year is for maintenance,  
7.28 repair, energy efficiency improvements,  
7.29 heating and ventilation system replacement,  
7.30 and visitor enhancements to the building  
7.31 currently leased to the International Wolf  
7.32 Center in Ely, Minnesota. This is a onetime  
7.33 appropriation and is available until June 30,  
7.34 2027.

8.1 **Subd. 9. Outdoor School For All Minnesota**  
8.2 **Students**

8.3 (a) \$2,000,000 the second year is for the  
8.4 Outdoor School For All Minnesota Students  
8.5 under Minnesota Statutes, section 84.9766.  
8.6 Notwithstanding Minnesota Statutes, section  
8.7 16B.98, subdivision 14, the commissioner may  
8.8 use up to five percent of this appropriation for  
8.9 administrative costs. This is a onetime  
8.10 appropriation and is available until June 30,  
8.11 2026.

8.12 (b) By January 1, 2027, the commissioner of  
8.13 natural resources must submit a report on the  
8.14 outdoor school for all Minnesota students  
8.15 program to the chairs and ranking minority  
8.16 members of the legislative committees with  
8.17 jurisdiction over education and environment  
8.18 policy and finance. The report must include  
8.19 information on the awarded grants, and any  
8.20 measures that grantees have used to address  
8.21 accessibility of outdoor educational  
8.22 opportunities for underserved students, and  
8.23 students with disabilities.

8.24 **Subd. 10. Condemnation of Certain Land in**  
8.25 **Mille Lacs County**

8.26 \$750,000 in the second year is to initiate  
8.27 condemnation proceedings of the lands  
8.28 described in article 2, section 34. The  
8.29 commissioner may use this appropriation for  
8.30 project costs, including but not limited to  
8.31 valuation expenses, legal fees, closing costs,  
8.32 and transactional staff costs. This is a onetime  
8.33 appropriation and is available until June 30,  
8.34 2027.



9.1 **Subd. 11. Outreach and Education**

9.2 \$1,400,000 the second year is to create new  
9.3 or expand existing outreach and education  
9.4 programs for non-native English speaking  
9.5 communities. Of this amount, \$200,000 is for  
9.6 the commissioner of the Pollution Control  
9.7 Agency and \$200,000 is for the Board of  
9.8 Water and Soil Resources for this purpose. Of  
9.9 the \$1,000,000 for the commissioner of natural  
9.10 resources, \$200,000 is for a competitive grant  
9.11 program for nonprofit organizations to connect  
9.12 youth in underserved communities in  
9.13 metropolitan area environmental justice areas  
9.14 with outdoor experiences, and \$800,000 is for  
9.15 the Fishing in the Neighborhood program for  
9.16 outreach to new and underserved audiences.  
9.17 This appropriation may be used for community  
9.18 outreach consultants for reaching new  
9.19 audiences. This is a onetime appropriation and  
9.20 is available until June 30, 2028.

9.21 **Subd. 12. Nonlethal Beaver Management Grants**

9.22 \$500,000 in the second year is from the  
9.23 heritage enhancement account in the game and  
9.24 fish fund for a nonlethal beaver management  
9.25 grant program in the metropolitan area.  
9.26 Notwithstanding Minnesota Statutes, section  
9.27 16B.98, subdivision 14, the commissioner may  
9.28 use up to five percent of this appropriation for  
9.29 administrative costs. This is a onetime  
9.30 appropriation and is available until June 30,  
9.31 2026.

9.32 **Subd. 13. Report on Recreational Use of**  
9.33 **Permanent School Land**

9.34 \$417,000 in the second year is transferred  
9.35 from the forest suspense account to the

10.1 permanent school fund and is appropriated  
10.2 from the permanent school fund for the Office  
10.3 of School Trust Lands for conducting the  
10.4 study of the recreational use of school trust  
10.5 lands. This is a onetime transfer.

10.6 **Subd. 14. Nonpetroleum Gas Regulatory**  
10.7 **Framework**

10.8 (a) \$750,000 in the second year is from the  
10.9 minerals management account in the natural  
10.10 resources fund for the Gas Production  
10.11 Technical Advisory Committee. This is a  
10.12 onetime appropriation and is available until  
10.13 June 30, 2027.

10.14 (b) \$1,253,000 in the second year is from the  
10.15 minerals management account in the natural  
10.16 resources fund to adopt a regulatory  
10.17 framework for gas and oil production in  
10.18 Minnesota and for rulemaking. This is a  
10.19 onetime appropriation and is available until  
10.20 June 30, 2027.

10.21 **Subd. 15. Legislative Report on Geologic Carbon**  
10.22 **Sequestration**

10.23 \$750,000 in the second year is from the  
10.24 minerals management account in the natural  
10.25 resources fund to develop a geologic carbon  
10.26 sequestration report and chair the Geologic  
10.27 Carbon Sequestration Technical Advisory  
10.28 Committee. This is a onetime appropriation  
10.29 and is available until June 30, 2027.

10.30 **Subd. 16. All-Terrain Vehicle Grant-in-Aid**  
10.31 **Program**

10.32 \$1,500,000 in the second year is from the  
10.33 all-terrain vehicle account in the natural  
10.34 resources fund for the grant-in-aid program  
10.35 under Minnesota Statutes, section 84.927,

11.1 subdivision 2, clause (4). This is a onetime  
11.2 appropriation.

11.3 **Subd. 17. Prospector Loop ATV Trail System**

11.4 \$1,200,000 in the second year is from the  
11.5 all-terrain vehicle account in the natural  
11.6 resources fund for a grant to St. Louis County  
11.7 to construct and maintain the Prospector Loop  
11.8 all-terrain vehicle trail system. This is a  
11.9 onetime appropriation.

11.10 **Subd. 18. Off-Highway Motorcycle Trail**  
11.11 **Ambassador Program**

11.12 (a) \$20,000 in the second year is from the  
11.13 off-highway motorcycle account in the natural  
11.14 resources fund to the commissioner of natural  
11.15 resources for grants to qualifying off-highway  
11.16 motorcycle organizations to assist in providing  
11.17 safety and environmental education and  
11.18 monitoring trails on public lands according to  
11.19 Minnesota Statutes, section 84.9011. Grants  
11.20 awarded under this section must be issued  
11.21 through a formal agreement with the  
11.22 organization.

11.23 (b) By December 15 each year, an  
11.24 organization receiving a grant under this  
11.25 section must report to the commissioner with  
11.26 details on how the money was expended and  
11.27 what outcomes were achieved.

11.28 **Subd. 19. Outdoor Recreation Opportunities for**  
11.29 **Underserved Communities**

11.30 \$200,000 the second year is from the natural  
11.31 resources fund for projects and activities that  
11.32 connect diverse and underserved Minnesotans  
11.33 through expanding cultural environmental  
11.34 experiences, exploration of their environment,  
11.35 and outdoor recreational activities. This



13.1 cost-effective nutrient reduction  
 13.2 implementation strategies; and (4) may include  
 13.3 other state water-quality goals and objectives.

13.4 This is a onetime appropriation and is  
 13.5 available until June 30, 2026.

13.6 (b) In developing the assessment, the Red  
 13.7 River Basin Commission must use available  
 13.8 data and analysis to the extent feasible and  
 13.9 incorporate input from an advisory group that  
 13.10 includes representatives of agriculture, soil  
 13.11 and water conservation districts, watershed  
 13.12 districts, municipalities, and other Minnesota  
 13.13 organizations represented on the board of  
 13.14 directors of the Red River Basin Commission.

13.15 The Red River Basin Commission may also  
 13.16 work with representatives from relevant  
 13.17 organizations from North Dakota, South  
 13.18 Dakota, and Manitoba.

13.19 (c) By June 30, 2026, the Red River Basin  
 13.20 Commission must submit the final assessment  
 13.21 to the chairs and ranking minority members  
 13.22 of the legislative committees with jurisdiction  
 13.23 over agriculture and environment policy and  
 13.24 finance.

13.25 **Sec. 5. METROPOLITAN COUNCIL                    \$                    0 \$                    500,000**

13.26 \$500,000 the second year is from the natural  
 13.27 resources fund for new fishing piers to  
 13.28 increase fishing opportunities on lakes in the  
 13.29 metropolitan parks system. The council shall  
 13.30 solicit applications from member park systems  
 13.31 for proposals under this subdivision. This is a  
 13.32 onetime appropriation and is from revenue  
 13.33 deposited in the natural resources fund under  
 13.34 Minnesota Statutes, section 297A.94,

14.1 paragraph (h), clause (3). This appropriation  
 14.2 is available until June 30, 2026.

14.3 Sec. 6. Laws 2023, chapter 60, article 1, section 3, subdivision 3, is amended to read:

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

14.5 Appropriations by Fund

14.6	2024	2025
14.7 General	27,083,000	26,142,000
14.8 Natural Resources	13,831,000	13,831,000
14.9 Game and Fish	7,824,000	5,824,000

14.10 (a) \$4,222,000 the first year and \$4,222,000  
 14.11 the second year are from the invasive species  
 14.12 account in the natural resources fund and  
 14.13 \$2,831,000 the first year and \$2,831,000 the  
 14.14 second year are from the general fund for  
 14.15 management, public awareness, assessment  
 14.16 and monitoring research, and water access  
 14.17 inspection to prevent the spread of invasive  
 14.18 species; management of invasive plants in  
 14.19 public waters; and management of terrestrial  
 14.20 invasive species on state-administered lands.

14.21 (b) \$6,056,000 the first year and \$6,056,000  
 14.22 the second year are from the water  
 14.23 management account in the natural resources  
 14.24 fund for only the purposes specified in  
 14.25 Minnesota Statutes, section 103G.27,  
 14.26 subdivision 2.

14.27 (c) \$124,000 the first year and \$124,000 the  
 14.28 second year are for a grant to the Mississippi  
 14.29 Headwaters Board for up to 50 percent of the  
 14.30 cost of implementing the comprehensive plan  
 14.31 for the upper Mississippi within areas under  
 14.32 the board's jurisdiction. By December 15,  
 14.33 2025, the board must submit a report to the  
 14.34 chairs and ranking minority members of the

15.1 legislative committees and divisions with  
15.2 jurisdiction over environment and natural  
15.3 resources on the activities funded under this  
15.4 paragraph and the progress made in  
15.5 implementing the comprehensive plan.

15.6 (d) \$10,000 the first year and \$10,000 the  
15.7 second year are for payment to the Leech Lake  
15.8 Band of Chippewa Indians to implement the  
15.9 band's portion of the comprehensive plan for  
15.10 the upper Mississippi River.

15.11 (e) \$300,000 the first year and \$300,000 the  
15.12 second year are for grants for up to 50 percent  
15.13 of the cost of implementing the Red River  
15.14 mediation agreement. The base for this  
15.15 appropriation in fiscal year 2026 and beyond  
15.16 is \$264,000.

15.17 (f) \$2,598,000 the first year and \$2,598,000  
15.18 the second year are from the heritage  
15.19 enhancement account in the game and fish  
15.20 fund for only the purposes specified in  
15.21 Minnesota Statutes, section 297A.94,  
15.22 paragraph (h), clause (1).

15.23 (g) \$1,150,000 the first year and \$1,150,000  
15.24 the second year are from the nongame wildlife  
15.25 management account in the natural resources  
15.26 fund for nongame wildlife management.

15.27 Notwithstanding Minnesota Statutes, section  
15.28 290.431, \$100,000 the first year and \$100,000  
15.29 the second year may be used for nongame  
15.30 wildlife information, education, and  
15.31 promotion.

15.32 (h) Notwithstanding Minnesota Statutes,  
15.33 section 84.943, \$48,000 the first year and  
15.34 \$48,000 the second year from the critical

16.1 habitat private sector matching account may  
16.2 be used to publicize the critical habitat license  
16.3 plate match program.

16.4 (i) \$6,000,000 the first year and \$6,000,000  
16.5 the second year are for the following activities:

16.6 (1) financial reimbursement and technical  
16.7 support to soil and water conservation districts  
16.8 or other local units of government for  
16.9 groundwater-level monitoring;

16.10 (2) surface water monitoring and analysis,  
16.11 including installing monitoring gauges;

16.12 (3) groundwater analysis to assist with  
16.13 water-appropriation permitting decisions;

16.14 (4) permit application review incorporating  
16.15 surface water and groundwater technical  
16.16 analysis;

16.17 (5) precipitation data and analysis to improve  
16.18 irrigation use;

16.19 (6) information technology, including  
16.20 electronic permitting and integrated data  
16.21 systems; and

16.22 (7) compliance and monitoring.

16.23 (j) Notwithstanding Minnesota Statutes,  
16.24 section 297A.94, paragraph (k), \$2,410,000  
16.25 the first year and \$410,000 the second year  
16.26 are from the heritage enhancement account in  
16.27 the game and fish fund and \$500,000 the first  
16.28 year and \$500,000 the second year are from  
16.29 the general fund for grants to the Minnesota  
16.30 Aquatic Invasive Species Research Center at  
16.31 the University of Minnesota to prioritize,  
16.32 support, and develop research-based solutions  
16.33 that can reduce the effects of aquatic invasive



17.1 species in Minnesota by preventing spread,  
17.2 controlling populations, and managing  
17.3 ecosystems and to advance knowledge to  
17.4 inspire action by others. This appropriation is  
17.5 available until June 30, 2028.

17.6 (k) \$268,000 the first year and \$268,000 the  
17.7 second year are for increased capacity for  
17.8 broadband utility licensing for state lands and  
17.9 public waters. This is a onetime appropriation  
17.10 and is available until June 30, 2028.

17.11 (l) \$998,000 the first year and \$568,000 the  
17.12 second year are for protecting and restoring  
17.13 carbon storage in state-administered peatlands  
17.14 by reviewing and updating the state's peatland  
17.15 inventory, piloting a restoration project, and  
17.16 piloting trust fund buyouts. This is a onetime  
17.17 appropriation and is available until June 30,  
17.18 2028.

17.19 (m) \$250,000 the first year is for a grant to the  
17.20 Minnesota Lakes and Rivers Advocates to  
17.21 work with civic leaders to purchase, install,  
17.22 and operate waterless cleaning stations for  
17.23 watercraft; conduct aquatic invasive species  
17.24 education; and implement education upgrades  
17.25 at public accesses to prevent invasive starry  
17.26 stonewort spread beyond the lakes already  
17.27 infested. This is a onetime appropriation and  
17.28 is available until June 30, 2025.

17.29 (n) \$1,720,000 the first year is to prevent and  
17.30 manage invasive carp. This includes activities  
17.31 related to the Mississippi River Lock and Dam  
17.32 and stakeholder engagement. Up to \$325,000  
17.33 may be used for a grant to the Board of  
17.34 Regents of the University of Minnesota to  
17.35 study the Mississippi River Lock Dam 5

18.1 spillway and provide preliminary design to  
18.2 optimize management to reduce invasive carp  
18.3 passage.

18.4 (o) Up to \$6,000,000 the first year is available  
18.5 for transfer from the critical habitat private  
18.6 sector matching account to the reinvest in  
18.7 Minnesota fund to expand Grey Cloud Island  
18.8 Scientific and Natural Area and for other  
18.9 scientific and natural area acquisition,  
18.10 restoration, and enhancement according to  
18.11 Minnesota Statutes, section 84.943,  
18.12 subdivision 5b.

18.13 (p) \$40,000 the first year is for a grant to the  
18.14 Stearns Coalition of Lake Associations to  
18.15 manage aquatic invasive species. The  
18.16 unencumbered balance of the general fund  
18.17 appropriation in Laws 2021, First Special  
18.18 Session chapter 6, article 1, section 3,  
18.19 subdivision 3, paragraph (a), for the grant to  
18.20 the Stearns Coalition of Lake Associations,  
18.21 estimated to be \$40,000, is canceled no later  
18.22 than June 29, 2023.

18.23 (q) \$200,000 the first year is for a grant to the  
18.24 Board of Regents of the University of  
18.25 Minnesota for the University of Minnesota  
18.26 Water Council to develop a scope of work,  
18.27 timeline, and budget for a plan to promote and  
18.28 protect clean water in Minnesota for the next  
18.29 50 years according to this act.

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

18.33 **EFFECTIVE DATE.** This section is effective retroactively from July 1, 2023.

19.1

**ARTICLE 2**

19.2

**ENVIRONMENT AND NATURAL RESOURCES POLICY**19.3 Section 1. **[84.9766] OUTDOOR SCHOOL FOR ALL MINNESOTA STUDENTS;**19.4 **GRANT PROGRAM.**19.5 Subdivision 1. **Establishment.** The commissioner of natural resources must establish19.6 and administer a program to provide grants to learning centers eligible under subdivision19.7 2 for outdoor education programs serving students in grades 4 to 8.19.8 Subd. 2. **Eligibility.** (a) The commissioner may award grants under this section to19.9 accredited overnight outdoor school providers established under section 84.0875.19.10 (b) To be eligible for a grant under this section, the outdoor education program must:19.11 (1) provide a multi-day, residential educational experience that is comprised mainly of19.12 outdoor-based learning activities;19.13 (2) provide students with opportunities to directly experience and understand nature and19.14 the natural world, including field study opportunities for student learning;19.15 (3) use a research-based environmental, ecological, agricultural, or other19.16 natural-resource-based educational curriculum;19.17 (4) be integrated with local school curricula to help students meet academic standards;19.18 (5) provide students with opportunities to develop:19.19 (i) leadership;19.20 (ii) critical thinking;19.21 (iii) self-sufficiency;19.22 (iv) decision-making skills;19.23 (v) social and emotional skills, including understanding the impact of nature and19.24 movement on one's mental health; and19.25 (6) address accessibility of outdoor educational opportunities for underserved students,19.26 including students with disabilities.19.27 Sec. 2. **[86B.1065] COUNTY SHERIFF COSTS FOR UNSAFE ICE SEARCH AND**19.28 **RESCUE.**19.29 (a) A county sheriff may be reimbursed for all costs that are over and above the county19.30 sheriff's regular operating budget and that are incurred from search and rescue operations

20.1 due to recreational activities on unsafe ice. Reimbursement may include reimbursements  
 20.2 made by the commissioner of natural resources with available appropriations, reimbursements  
 20.3 under section 86B.106, or other available federal, state, and local funds. Reimbursement  
 20.4 under this section is limited to 50 percent of the reimbursable costs subject to a maximum  
 20.5 state payment of \$5,000 per agency for each search and rescue operation.

20.6 (b) Nothing in this section is to be construed to make the state or a political subdivision  
 20.7 liable in a contribution claim by a person liable for reimbursement under section 86B.106.

20.8 Sec. 3. Minnesota Statutes 2022, section 93.25, subdivision 1, is amended to read:

20.9 Subdivision 1. **Leases.** The commissioner may issue leases to prospect for, mine, and  
 20.10 remove or extract gas, oil, and minerals other than iron ore ~~upon~~ from any lands owned by  
 20.11 the state, including trust fund lands, lands forfeited for nonpayment of taxes whether held  
 20.12 in trust or otherwise, and lands otherwise acquired, and the beds of any waters belonging  
 20.13 to the state. For purposes of this section, iron ore means iron-bearing material where the  
 20.14 primary product is iron metal. For purposes of this section, "gas" includes both hydrocarbon  
 20.15 and nonhydrocarbon gases.

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

20.17 Sec. 4. Minnesota Statutes 2022, section 93.25, subdivision 2, is amended to read:

20.18 Subd. 2. **Lease requirements.** All leases for nonferrous metallic minerals ~~or petroleum,~~  
 20.19 gas, or oil must be approved by the Executive Council, and any other mineral lease issued  
 20.20 pursuant to this section that covers 160 or more acres must be approved by the Executive  
 20.21 Council. The rents, royalties, terms, conditions, and covenants of all such leases ~~shall~~ must  
 20.22 be fixed by the commissioner according to rules adopted by the commissioner, but no lease  
 20.23 shall be for a longer term than 50 years, and all rents, royalties, terms, conditions, and  
 20.24 covenants ~~shall~~ must be fully set forth in each lease issued. No nonferrous metallic mineral  
 20.25 lease shall be canceled by the state for failure to meet production requirements prior to the  
 20.26 36th year of the lease. The rents and royalties ~~shall~~ must be credited to the funds as provided  
 20.27 in section 93.22. For purposes of this section, "gas" includes both hydrocarbon and  
 20.28 nonhydrocarbon gases.

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

21.1 **Sec. 5. [93.513] PROHIBITION ON PRODUCTION OF GAS OR OIL WITHOUT**  
21.2 **PERMIT.**

21.3 Except as provided in section 103I.681, a person must not engage in or carry out  
21.4 production of gas or oil from consolidated or unconsolidated formations in the state unless  
21.5 the person has first obtained a permit for the production of gas or oil from the commissioner  
21.6 of natural resources. Any permit under this section must be protective of natural resources  
21.7 and require a demonstration of control of the extraction area through ownership, lease, or  
21.8 agreement. For purposes of this section, "gas" includes both hydrocarbon and nonhydrocarbon  
21.9 gases. For purposes of this section, "Production" includes extraction and beneficiation of  
21.10 gas or oil.

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

21.12 **Sec. 6. [93.514] GAS AND OIL PRODUCTION RULEMAKING.**

21.13 (a) The following agencies may adopt rules governing gas and oil exploration or  
21.14 production, as applicable:

21.15 (1) the commissioner of the Pollution Control Agency may adopt or amend rules  
21.16 regulating air emissions; water discharges, including stormwater management; and storage  
21.17 tanks as it pertains to gas and oil production;

21.18 (2) the commissioner of health may adopt or amend rules on groundwater and surface  
21.19 water protection, exploratory boring construction, drilling registration and licensure, and  
21.20 inspections as it pertains to the exploration and appraisal of gas and oil resources;

21.21 (3) the Environmental Quality Board may adopt or amend rules to establish mandatory  
21.22 categories for environmental review as it pertains to gas and oil production; and

21.23 (4) the commissioner of natural resources must adopt or amend rules pertaining to the  
21.24 conversion of an exploratory boring to a production well, pooling, spacing, unitization, well  
21.25 abandonment, siting, financial assurance, and reclamation for the production of gas and oil.

21.26 (b) An agency adopting rules under this section must use the expedited procedure in  
21.27 section 14.389. Rules adopted or amended under this authority are exempt from the provisions  
21.28 of section 14.125 and section 14.36 does not apply. The agency must publish notice of intent  
21.29 to adopt expedited rules within 24 months of the effective date of this act.

21.30 (c) For purposes of this section, "gas" includes both hydrocarbon and nonhydrocarbon  
21.31 gases. "Production" includes extraction and beneficiation of gas or oil from consolidated  
21.32 or unconsolidated formations in the state.

22.1 (d) Any grant of rulemaking authority in this section is in addition to existing rulemaking  
22.2 authority and does not replace, impair, or interfere with any existing rulemaking authority.

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

22.4 Sec. 7. **[93.516] GAS AND OIL LEASING.**

22.5 Subdivision 1. **Authority to lease.** With the approval of the Executive Council, the  
22.6 commissioner of natural resources may enter into leases for gas or oil exploration and  
22.7 production from lands belonging to the state or in which the state has an interest. For purposes  
22.8 of this section, gas or oil exploration and production includes the exploration and production  
22.9 of both hydrocarbon and nonhydrocarbon gases. "Production" includes extraction and  
22.10 beneficiation of gas or oil from consolidated or unconsolidated formations in the state.

22.11 Subd. 2. **Application.** An application for a lease under this section must be submitted  
22.12 to the commissioner of natural resources. The commissioner must prescribe the information  
22.13 to be included in the application. The applicant must submit with the application a certified  
22.14 check, cashier's check, or bank money order payable to the Department of Natural Resources  
22.15 in the sum of \$100 as a fee for filing the application. The application fee must not be refunded  
22.16 under any circumstances. The right is reserved to the state to reject any or all applications  
22.17 for an oil or gas lease.

22.18 Subd. 3. **Lease terms.** (a) The commissioner must negotiate the terms of each lease  
22.19 entered into under this section on a case-by-case basis, taking into account the unique  
22.20 geological and environmental aspects of each proposal, control of adjacent lands, and the  
22.21 best interests of the state. A lease entered into under this section must be consistent with  
22.22 the following:

22.23 (1) the primary term of the lease may not exceed five years plus the unexpired portion  
22.24 of the calendar year in which the lease is issued. The commissioner and applicant may  
22.25 negotiate the conditions by which the lease may be extended beyond the primary term, in  
22.26 whole or in part;

22.27 (2) a bonus consideration of not less than \$15 per acre must be paid by the applicant to  
22.28 the Department of Natural Resources before the lease is executed;

22.29 (3) the commissioner of natural resources may require an applicant to provide financial  
22.30 assurance to ensure payment of any damages resulting from the production of gas or oil;

22.31 (4) the rental rates must not be less than \$5 per acre per year for the unexpired portion  
22.32 of the calendar year in which the lease is issued and in years thereafter; and

23.1 (5) on gas and oil produced and sold by the lessee from the lease area, the lessee must  
 23.2 pay a production royalty to the Department of Natural Resources of not less than 18.75  
 23.3 percent of the gross sales price of the product sold free on board at the delivery point, and  
 23.4 the royalty must be credited as provided in section 93.22. For purposes of this section, "gross  
 23.5 sales price" means the total consideration paid by the first purchaser that is not an affiliate  
 23.6 of the lessee for gas or oil produced from the leased premises.

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

23.8 Sec. 8. Minnesota Statutes 2022, section 97A.475, subdivision 2, is amended to read:

23.9 Subd. 2. **Resident hunting.** Fees for the following licenses, to be issued to residents  
 23.10 only, are:

23.11 (1) for persons age 18 or over and under age 65 to take small game, \$15.50;

23.12 (2) for persons age 65 or over, \$7 to take small game;

23.13 (3) for persons age 18 or over to take turkey, \$26;

23.14 (4) for persons age 13 or over and under age 18 to take turkey, \$5;

23.15 (5) for persons age 18 or over to take deer with firearms during the regular firearms  
 23.16 season, \$34;

23.17 (6) for persons age 18 or over to take deer by archery, \$34;

23.18 (7) for persons age 18 or over to take deer by muzzleloader during the muzzleloader  
 23.19 season, \$34;

23.20 (8) to take moose, for a party of not more than six persons, \$356;

23.21 (9) for persons age 18 or over to take bear, \$44;

23.22 (10) to take elk, for a party of not more than two persons, \$287;

23.23 ~~(11) to take Canada geese during a special season, \$4;~~

23.24 ~~(12)~~ (11) to take light geese during the light goose conservation order, \$2.50;

23.25 ~~(13)~~ (12) to take sandhill crane during the sandhill crane season, \$3;

23.26 ~~(14)~~ (13) to take prairie chickens, \$23;

23.27 ~~(15)~~ (14) for persons age 13 or over and under age 18 to take deer with firearms during  
 23.28 the regular firearms season, \$5;

23.29 ~~(16)~~ (15) for persons age 13 or over and under age 18 to take deer by archery, \$5;

- 24.1 ~~(17)~~ (16) for persons age 13 or over and under age 18 to take deer by muzzleloader  
24.2 during the muzzleloader season, \$5;
- 24.3 ~~(18)~~ (17) for persons age 10, 11, or 12 to take bear, no fee;
- 24.4 ~~(19)~~ (18) for persons age 13 or over and under age 18 to take bear, \$5;
- 24.5 ~~(20)~~ (19) for persons age 18 or over to take small game for a consecutive 72-hour period  
24.6 selected by the licensee, \$19, of which an amount equal to one-half of the fee for the  
24.7 migratory-waterfowl stamp under subdivision 5, clause (1), shall be deposited in the  
24.8 waterfowl habitat improvement account under section 97A.075, subdivision 2; one-half of  
24.9 the fee for the pheasant stamp under subdivision 5, clause (2), shall be deposited in the  
24.10 pheasant habitat improvement account under section 97A.075, subdivision 4; and one-half  
24.11 of the small-game surcharge under subdivision 4, shall be deposited in the wildlife acquisition  
24.12 account;
- 24.13 ~~(21)~~ (20) for persons age 16 or over and under age 18 to take small game, \$5;
- 24.14 ~~(22)~~ (21) to take wolf, \$30;
- 24.15 ~~(23)~~ (22) for persons age 12 and under to take turkey, no fee;
- 24.16 ~~(24)~~ (23) for persons age 10, 11, or 12 to take deer by firearm, no fee;
- 24.17 ~~(25)~~ (24) for persons age 10, 11, or 12 to take deer by archery, no fee; and
- 24.18 ~~(26)~~ (25) for persons age 10, 11, or 12 to take deer by muzzleloader during the  
24.19 muzzleloader season, no fee.
- 24.20 Sec. 9. Minnesota Statutes 2022, section 97A.475, subdivision 3, is amended to read:
- 24.21 Subd. 3. **Nonresident hunting.** (a) Fees for the following licenses, to be issued to  
24.22 nonresidents, are:
- 24.23 (1) for persons age 18 or over to take small game, \$90.50;
- 24.24 (2) for persons age 18 or over to take deer with firearms during the regular firearms  
24.25 season, \$180;
- 24.26 (3) for persons age 18 or over to take deer by archery, \$180;
- 24.27 (4) for persons age 18 or over to take deer by muzzleloader during the muzzleloader  
24.28 season, \$180;
- 24.29 (5) for persons age 18 or over to take bear, \$225;
- 24.30 (6) for persons age 18 or over to take turkey, \$91;



- 25.1 (7) for persons age 13 or over and under age 18 to take turkey, \$5;
- 25.2 (8) to take raccoon or bobcat, \$178;
- 25.3 ~~(9) to take Canada geese during a special season, \$4;~~
- 25.4 ~~(10)~~ (9) to take light geese during the light goose conservation order, \$2.50;
- 25.5 ~~(11)~~ (10) to take sandhill crane during the sandhill crane season, \$3;
- 25.6 ~~(12)~~ (11) for persons age 13 or over and under age 18 to take deer with firearms during
- 25.7 the regular firearms season in any open season option or time period, \$5;
- 25.8 ~~(13)~~ (12) for persons age 13 or over and under age 18 to take deer by archery, \$5;
- 25.9 ~~(14)~~ (13) for persons age 13 or over and under age 18 to take deer during the muzzleloader
- 25.10 season, \$5;
- 25.11 ~~(15)~~ (14) for persons age 13 or over and under 18 to take bear, \$5;
- 25.12 ~~(16)~~ (15) for persons age 18 or over to take small game for a consecutive 72-hour period
- 25.13 selected by the licensee, \$75, of which an amount equal to one-half of the fee for the
- 25.14 migratory-waterfowl stamp under subdivision 5, clause (1), shall be deposited in the
- 25.15 waterfowl habitat improvement account under section 97A.075, subdivision 2; one-half of
- 25.16 the fee for the pheasant stamp under subdivision 5, clause (2), shall be deposited in the
- 25.17 pheasant habitat improvement account under section 97A.075, subdivision 4; and one-half
- 25.18 of the small-game surcharge under subdivision 4, shall be deposited into the wildlife
- 25.19 acquisition account;
- 25.20 ~~(17)~~ (16) for persons age 16 or 17 to take small game, \$5;
- 25.21 ~~(18)~~ (17) to take wolf, \$250;
- 25.22 ~~(19)~~ (18) for persons age 12 and under to take turkey, no fee;
- 25.23 ~~(20)~~ (19) for persons age 10, 11, or 12 to take deer by firearm, no fee;
- 25.24 ~~(21)~~ (20) for persons age 10, 11, or 12 to take deer by archery, no fee;
- 25.25 ~~(22)~~ (21) for persons age 10, 11, or 12 to take deer by muzzleloader during the
- 25.26 muzzleloader season, no fee; and
- 25.27 ~~(23)~~ (22) for persons age 10, 11, or 12 to take bear, no fee.
- 25.28 (b) A \$5 surcharge shall be added to nonresident hunting licenses issued under paragraph
- 25.29 (a), clauses (1) to (6) and (8). An additional commission may not be assessed on this
- 25.30 surcharge.

26.1 Sec. 10. Minnesota Statutes 2023 Supplement, section 115.03, subdivision 1, is amended  
26.2 to read:

26.3 Subdivision 1. **Generally.** (a) The commissioner is given and charged with the following  
26.4 powers and duties:

26.5 (1) to administer and enforce all laws relating to the pollution of any of the waters of  
26.6 the state;

26.7 (2) to investigate the extent, character, and effect of the pollution of the waters of this  
26.8 state and to gather data and information necessary or desirable in the administration or  
26.9 enforcement of pollution laws, and to make such classification of the waters of the state as  
26.10 it may deem advisable;

26.11 (3) to establish and alter such reasonable pollution standards for any waters of the state  
26.12 in relation to the public use to which they are or may be put as it shall deem necessary for  
26.13 the purposes of this chapter and, with respect to the pollution of waters of the state, chapter  
26.14 116;

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

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

26.22 (i) requiring the discontinuance of the discharge of sewage, industrial waste or other  
26.23 wastes into any waters of the state resulting in pollution in excess of the applicable pollution  
26.24 standard established under this chapter;

26.25 (ii) prohibiting or directing the abatement of any discharge of sewage, industrial waste,  
26.26 or other wastes, into any waters of the state or the deposit thereof or the discharge into any  
26.27 municipal disposal system where the same is likely to get into any waters of the state in  
26.28 violation of this chapter and, with respect to the pollution of waters of the state, chapter  
26.29 116, or standards or rules promulgated or permits issued pursuant thereto, and specifying  
26.30 the schedule of compliance within which such prohibition or abatement must be  
26.31 accomplished;

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

27.4 (iv) requiring the construction, installation, maintenance, and operation by any person  
27.5 of any disposal system or any part thereof, or other equipment and facilities, or the  
27.6 reconstruction, alteration, or enlargement of its existing disposal system or any part thereof,  
27.7 or the adoption of other remedial measures to prevent, control or abate any discharge or  
27.8 deposit of sewage, industrial waste or other wastes by any person;

27.9 (v) establishing, and from time to time revising, standards of performance for new sources  
27.10 taking into consideration, among other things, classes, types, sizes, and categories of sources,  
27.11 processes, pollution control technology, cost of achieving such effluent reduction, and any  
27.12 nonwater quality environmental impact and energy requirements. Said standards of  
27.13 performance for new sources shall encompass those standards for the control of the discharge  
27.14 of pollutants which reflect the greatest degree of effluent reduction which the agency  
27.15 determines to be achievable through application of the best available demonstrated control  
27.16 technology, processes, operating methods, or other alternatives, including, where practicable,  
27.17 a standard permitting no discharge of pollutants. New sources shall encompass buildings,  
27.18 structures, facilities, or installations from which there is or may be the discharge of pollutants,  
27.19 the construction of which is commenced after the publication by the agency of proposed  
27.20 rules prescribing a standard of performance which will be applicable to such source.

27.21 Notwithstanding any other provision of the law of this state, any point source the construction  
27.22 of which is commenced after May 20, 1973, and which is so constructed as to meet all  
27.23 applicable standards of performance for new sources shall, consistent with and subject to  
27.24 the provisions of section 306(d) of the Amendments of 1972 to the Federal Water Pollution  
27.25 Control Act, not be subject to any more stringent standard of performance for new sources  
27.26 during a ten-year period beginning on the date of completion of such construction or during  
27.27 the period of depreciation or amortization of such facility for the purposes of section 167  
27.28 or 169, or both, of the Federal Internal Revenue Code of 1954, whichever period ends first.  
27.29 Construction shall encompass any placement, assembly, or installation of facilities or  
27.30 equipment, including contractual obligations to purchase such facilities or equipment, at  
27.31 the premises where such equipment will be used, including preparation work at such  
27.32 premises;

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

28.1 (vii) requiring the owner or operator of any disposal system or any point source to  
28.2 establish and maintain such records, make such reports, install, use, and maintain such  
28.3 monitoring equipment or methods, including where appropriate biological monitoring  
28.4 methods, sample such effluents in accordance with such methods, at such locations, at such  
28.5 intervals, and in such a manner as the agency shall prescribe, and providing such other  
28.6 information as the agency may reasonably require;

28.7 (viii) notwithstanding any other provision of this chapter, and with respect to the pollution  
28.8 of waters of the state, chapter 116, requiring the achievement of more stringent limitations  
28.9 than otherwise imposed by effluent limitations in order to meet any applicable water quality  
28.10 standard by establishing new effluent limitations, based upon section 115.01, subdivision  
28.11 13, clause (b), including alternative effluent control strategies for any point source or group  
28.12 of point sources to insure the integrity of water quality classifications, whenever the agency  
28.13 determines that discharges of pollutants from such point source or sources, with the  
28.14 application of effluent limitations required to comply with any standard of best available  
28.15 technology, would interfere with the attainment or maintenance of the water quality  
28.16 classification in a specific portion of the waters of the state. Prior to establishment of any  
28.17 such effluent limitation, the agency shall hold a public hearing to determine the relationship  
28.18 of the economic and social costs of achieving such limitation or limitations, including any  
28.19 economic or social dislocation in the affected community or communities, to the social and  
28.20 economic benefits to be obtained and to determine whether or not such effluent limitation  
28.21 can be implemented with available technology or other alternative control strategies. If a  
28.22 person affected by such limitation demonstrates at such hearing that, whether or not such  
28.23 technology or other alternative control strategies are available, there is no reasonable  
28.24 relationship between the economic and social costs and the benefits to be obtained, such  
28.25 limitation shall not become effective and shall be adjusted as it applies to such person;

28.26 (ix) modifying, in its discretion, any requirement or limitation based upon best available  
28.27 technology with respect to any point source for which a permit application is filed after July  
28.28 1, 1977, upon a showing by the owner or operator of such point source satisfactory to the  
28.29 agency that such modified requirements will represent the maximum use of technology  
28.30 within the economic capability of the owner or operator and will result in reasonable further  
28.31 progress toward the elimination of the discharge of pollutants; ~~and~~

28.32 (x) requiring that applicants for wastewater discharge permits evaluate in their  
28.33 applications the potential reuses of the discharged wastewater; and

28.34 (xi) requiring parties who enter into a negotiated agreement to settle an enforcement  
28.35 matter with the agency to reimburse the agency according to this clause for oversight costs

29.1 that are incurred by the agency and associated with implementing the negotiated agreement.  
29.2 The agency may recover oversight costs exceeding \$25,000. Oversight costs may include  
29.3 but are not limited to any costs associated with inspections, sampling, monitoring, modeling,  
29.4 risk assessment, permit writing, engineering review, economic analysis and review, and  
29.5 other record or document review. The agency's legal and litigation costs are not covered by  
29.6 this clause. The commissioner has discretion as to whether to apply this clause in cases  
29.7 when the agency is using schedules of compliance to bring a class of regulated parties into  
29.8 compliance. Reimbursement amounts are appropriated to the commissioner;

29.9 (6) to require to be submitted and to approve plans and specifications for disposal systems  
29.10 or point sources, or any part thereof and to inspect the construction thereof for compliance  
29.11 with the approved plans and specifications thereof;

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

29.17 (8) to conduct such investigations, issue such notices, public and otherwise, and hold  
29.18 such hearings as are necessary or which it may deem advisable for the discharge of its duties  
29.19 under this chapter and, with respect to the pollution of waters of the state, under chapter  
29.20 116, including, but not limited to, the issuance of permits, and to authorize any member,  
29.21 employee, or agent appointed by it to conduct such investigations or, issue such notices and  
29.22 hold such hearings;

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

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

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

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

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

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

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

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

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

30.26 Sec. 11. Minnesota Statutes 2022, section 115.071, subdivision 1, is amended to read:

30.27 Subdivision 1. **Remedies available.** The provisions of sections 103F.701 to 103F.755,  
30.28 this chapter and chapters 114C, 115A, and 116, and sections 325E.10 to 325E.1251 and  
30.29 325E.32 and all rules, standards, orders, stipulation agreements, schedules of compliance,  
30.30 and permits adopted or issued by the agency thereunder or under any other law now in force  
30.31 or hereafter enacted for the prevention, control, or abatement of pollution may be enforced  
30.32 by any one or any combination of the following: criminal prosecution; action to recover

31.1 civil penalties; injunction; action to compel or cease performance; or other appropriate  
31.2 action, in accordance with the provisions of said chapters and this section.

31.3 Sec. 12. Minnesota Statutes 2022, section 115.071, subdivision 4, is amended to read:

31.4 Subd. 4. **Injunctions.** Any violation of the provisions, rules, standards, orders, stipulation  
31.5 agreements, variances, schedules of compliance, or permits specified in this chapter and  
31.6 chapters 114C and 116 ~~shall constitute~~ constitutes a public nuisance and may be enjoined  
31.7 as provided by law in an action, in the name of the state, brought by the attorney general.  
31.8 Injunctive relief under this subdivision may include but is not limited to a requirement that  
31.9 a facility or person immediately cease operation or activities until such time as the  
31.10 commissioner has reasonable assurance that renewed operation or activities will not violate  
31.11 state pollution requirements, cause harm to human health, or result in a serious violation of  
31.12 an applicable permit.

31.13 Sec. 13. Minnesota Statutes 2022, section 115.071, is amended by adding a subdivision  
31.14 to read:

31.15 Subd. 8. **Stipulation agreements.** If a party to a stipulation agreement asserts a good  
31.16 cause or force majeure claim for an extension of time to comply with a stipulated term, the  
31.17 commissioner may deny the extension if the assertion is based solely on increased costs.

31.18 Sec. 14. Minnesota Statutes 2022, section 115.071, is amended by adding a subdivision  
31.19 to read:

31.20 Subd. 9. **Compliance when required permit not obtained.** The commissioner may  
31.21 require a person or facility that fails to obtain a required permit to comply with any terms  
31.22 of a permit that would have been issued had the person or facility obtained a permit, including  
31.23 but not limited to reporting, monitoring, controlling pollutant discharge, and creating and  
31.24 implementing operations and maintenance plans. The person or facility is subject to liability  
31.25 and penalties, including criminal liability, for failing to operate in compliance with a permit  
31.26 not obtained beginning at the time a permit should have been obtained.

31.27 Sec. 15. **[115A.1416] BOAT WRAP; PRODUCT STEWARDSHIP PROGRAM.**

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

31.30 (b) "Boat" has the meaning given to watercraft under section 86B.005, subdivision 18.

32.1 (c) "Boat wrap" means low-density polyethylene plastic that is used to wrap a boat to  
32.2 protect it against moisture, scratches, and other potentially harmful elements during storage.

32.3 (d) "Producer" means a manufacturer of boat wrap.

32.4 Subd. 2. **Product stewardship program.** For boat wrap sold in or into this state, a  
32.5 producer must, individually or through a stewardship organization, implement and finance  
32.6 a statewide product stewardship program that reduces the volume of boat wrap disposed of  
32.7 in landfills, promotes boat wrap recycling, and provides for negotiation and execution of  
32.8 agreements to collect, transport, and process boat wrap for end-of-life recycling and reuse.

32.9 Subd. 3. **Participation required to sell.** (a) On and after July 1, 2025, or three months  
32.10 after program plan approval, whichever is sooner, no producer, wholesaler, or retailer may  
32.11 sell or offer for sale in or into this state boat wrap unless the boat wrap's producer participates  
32.12 in an approved stewardship plan, either individually or through a stewardship organization.

32.13 (b) Each producer must operate a product stewardship program approved by the  
32.14 commissioner or enter into an agreement with a stewardship organization to operate, on the  
32.15 producer's behalf, a product stewardship program approved by the commissioner.

32.16 Subd. 4. **Stewardship plan required.** (a) On or before March 1, 2025, and before  
32.17 offering boat wrap for sale in or into this state, a producer must:

32.18 (1) submit a stewardship plan that complies with subdivision 5 to the commissioner for  
32.19 approval and receive approval of the plan from the commissioner; or

32.20 (2) submit documentation to the commissioner that demonstrates that the producer has  
32.21 entered into an agreement with a stewardship organization to be an active participant in an  
32.22 approved product stewardship program as described in subdivision 2.

32.23 (b) It is the responsibility of the entities responsible for each stewardship plan to notify  
32.24 the commissioner of any proposed changes or modifications to the plan or its implementation.  
32.25 A written plan revision must be submitted to the commissioner for review and may not be  
32.26 implemented without written approval from the commissioner.

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

32.28 (1) certification that the product stewardship program will accept all discarded boat wrap  
32.29 regardless of which producer produced the boat wrap and its individual components;

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



33.1 (3) a description of the methods by which the boat wrap will be collected in all areas in  
33.2 the state without relying on end-of-life fees, including:

33.3 (i) an explanation of how the collection system will be convenient and adequate to serve  
33.4 the needs of boat owners, marinas, and boat storage businesses in both urban and rural areas  
33.5 on an ongoing basis; and

33.6 (ii) a discussion of how existing sites for collecting materials for recycling will be  
33.7 considered when selecting collection sites;

33.8 (4) a description of how the adequacy of the collection program will be measured,  
33.9 monitored, and maintained;

33.10 (5) the names and locations of collectors, transporters, and recyclers that will manage  
33.11 discarded boat wrap;

33.12 (6) a description of how the discarded boat wrap and the boat wrap's components will  
33.13 be safely and securely transported, tracked, and handled from collection through final  
33.14 recycling and processing;

33.15 (7) a description of the method that will be used to reuse, deconstruct, or recycle the  
33.16 discarded boat wrap to ensure that the boat wrap's components, to the extent feasible, are  
33.17 transformed or remanufactured into finished products for use or into new materials capable  
33.18 of being processed into finished products;

33.19 (8) a description of the promotion and outreach activities that will be undertaken to  
33.20 encourage participation in the collection and recycling programs and how the activities'  
33.21 effectiveness will be evaluated and the program modified, if necessary;

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

33.24 (10) five-year performance goals, including an estimate of the percentage of discarded  
33.25 boat wrap that will be collected, reused, and recycled during each of the first five years of  
33.26 the stewardship plan. The stewardship plan must state the methodology used to determine  
33.27 these goals. The performance goals must include a specific goal for the amount of discarded  
33.28 boat wrap that will be collected and recycled during each year of the plan. The performance  
33.29 goals must be based on:

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

33.31 (ii) the estimated amount of boat wrap disposed of annually;

34.1 (iii) the weight of the boat wrap that is expected to be available for collection annually;  
34.2 and

34.3 (iv) actual collection data from other existing boat wrap recycling or stewardship  
34.4 programs; and

34.5 (11) a discussion of the status of end markets for collected boat wrap and what, if any,  
34.6 additional end markets are needed to improve the program.

34.7 Subd. 6. **Consultation required.** Each stewardship organization or individual producer  
34.8 submitting a stewardship plan must consult with stakeholders, including boat owners, owners  
34.9 of marinas and boat storage businesses, contractors, collectors, recyclers, and local  
34.10 government, during the development of a stewardship plan.

34.11 Subd. 7. **Agency review and approval.** Within 90 days after receiving a proposed  
34.12 stewardship plan, the commissioner must determine whether the plan complies with  
34.13 subdivision 5. If the commissioner approves a plan, the commissioner must notify the  
34.14 applicant of the plan approval in writing. If the commissioner rejects a plan, the commissioner  
34.15 must notify the applicant in writing of the reasons for rejecting the plan. An applicant whose  
34.16 plan is rejected by the commissioner must submit a revised plan to the commissioner within  
34.17 60 days after receiving notice of rejection.

34.18 Subd. 8. **Plan availability.** The commissioner must make a draft stewardship plan  
34.19 available on the agency website and at the agency headquarters for public review and  
34.20 comment at least 30 days before the commissioner's decision regarding plan approval. The  
34.21 commissioner must make an approved stewardship plan available on the agency website  
34.22 and at the agency headquarters.

34.23 Subd. 9. **Conduct authorized.** A producer or stewardship organization that organizes  
34.24 collection, transport, and processing of boat wrap under this section is immune from liability  
34.25 for the conduct under state laws relating to antitrust, restraint of trade, unfair trade practices,  
34.26 and other regulation of trade or commerce only to the extent that the conduct is necessary  
34.27 to plan and implement the producer's or organization's chosen organized collection or  
34.28 recycling system.

34.29 Subd. 10. **Producer responsibilities.** Producers of boat wrap or the stewardship  
34.30 organization must provide consumers with educational materials regarding the product  
34.31 stewardship program. The materials must include but are not limited to information regarding  
34.32 available end-of-life management options for boat wrap offered through the product  
34.33 stewardship program.

35.1 Subd. 11. **Recycler responsibilities.** (a) No recycler or downstream recycler who receives  
35.2 boat wrap collected under a stewardship plan approved under this section may use the boat  
35.3 wrap as a feedstock to produce transportation fuels.

35.4 (b) For the purposes of this subdivision, "downstream recycler" means a recycler other  
35.5 than the recycler to whom a collector initially sends boat wrap under a stewardship plan  
35.6 approved under this subdivision.

35.7 Subd. 12. **Retailer responsibilities.** (a) On and after July 1, 2025, or three months after  
35.8 stewardship plan approval, whichever is sooner, no boat wrap may be sold in or into the  
35.9 state unless the boat wrap's producer is participating in a stewardship plan approved by the  
35.10 commissioner under this section.

35.11 (b) A retailer is responsible for reviewing the list of compliant producers on the agency  
35.12 website under subdivision 13 to determine whether a producer is compliant with this section.

35.13 (c) A retailer may elect to participate as a designated collection point as part of a product  
35.14 stewardship program approved under this section and in accordance with applicable law.

35.15 (d) A retailer or distributor is not in violation of this subdivision if, on the date the boat  
35.16 wrap was ordered from a producer or a distributor, the producer was listed as compliant on  
35.17 the agency website.

35.18 Subd. 13. **Agency responsibilities.** The commissioner must maintain on the agency  
35.19 website a list of all compliant producers and brands participating in stewardship plans that  
35.20 the commissioner has approved and a list of all producers and brands the commissioner has  
35.21 identified as noncompliant with this section.

35.22 Subd. 14. **Stewardship reports.** Beginning October 1, 2026, producers of boat wrap  
35.23 sold in or into the state must individually or through a stewardship organization submit an  
35.24 annual report to the commissioner describing the product stewardship program. At a  
35.25 minimum, the report must contain:

35.26 (1) a description of the methods used to collect, transport, and process boat wrap in all  
35.27 regions of the state;

35.28 (2) the weight of all boat wrap collected in all regions of the state and a comparison to  
35.29 the performance goals and recycling rates established in the stewardship plan;

35.30 (3) the amount of unwanted boat wrap collected in the state by method of disposition,  
35.31 including reuse, recycling, and other methods of processing;

36.1 (4) samples of educational materials provided to consumers and an evaluation of the  
36.2 effectiveness of the materials and the methods used to disseminate the materials; and  
36.3 (5) an independent financial audit of stewardship organization activities.

36.4 Subd. 15. **Data classification.** Trade secret information, as defined under section 13.37,  
36.5 submitted to the commissioner under this section are private or nonpublic data under section  
36.6 13.37.

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

36.8 Sec. 16. Minnesota Statutes 2022, section 116.07, subdivision 9, is amended to read:

36.9 Subd. 9. **Orders; investigations.** ~~The agency shall have~~ commissioner has the following  
36.10 powers and duties for ~~the enforcement of~~ enforcing any provision of this chapter and chapter  
36.11 114C, relating to air contamination or waste:

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

36.14 (2) to require the owner or operator of any emission facility, air contaminant treatment  
36.15 facility, potential air contaminant storage facility, or any system or facility related to the  
36.16 storage, collection, transportation, processing, or disposal of waste to establish and maintain  
36.17 records; to make reports; to install, use, and maintain monitoring equipment or methods;  
36.18 and to make tests, including testing for odor where a nuisance may exist, in accordance with  
36.19 methods, at locations, at intervals, and in a manner as the agency shall prescribe; and to  
36.20 provide other information as the agency may reasonably require;

36.21 (3) to conduct investigations, issue notices, public and otherwise, and order hearings as  
36.22 it may deem necessary or advisable for the discharge of its duties under this chapter and  
36.23 chapter 114C, including but not limited to the issuance of permits; and to authorize any  
36.24 member, employee, or agent appointed by it to conduct the investigations and issue the  
36.25 notices; and

36.26 (4) to require parties who enter into a negotiated agreement to settle an enforcement  
36.27 matter with the agency to reimburse the agency according to this clause for oversight costs  
36.28 that are incurred by the agency and associated with implementing the negotiated agreement.  
36.29 The agency may recover oversight costs exceeding \$25,000. Oversight costs may include  
36.30 but are not limited to any costs associated with inspections, sampling, monitoring, modeling,  
36.31 risk assessment, permit writing, engineering review, economic analysis and review, and  
36.32 other record or document review. The agency's legal and litigation costs are not covered by  
36.33 this clause. The commissioner has discretion as to whether to apply this clause in cases

37.1 where the agency is using schedules of compliance to bring a class of regulated parties into  
37.2 compliance. Reimbursement amounts are appropriated to the commissioner.

37.3 Sec. 17. Minnesota Statutes 2022, section 116.07, is amended by adding a subdivision to  
37.4 read:

37.5 Subd. 9a. **Stipulation agreements.** If a party to a stipulation agreement asserts a good  
37.6 cause or force majeure claim for an extension of time to comply with a stipulated term, the  
37.7 commissioner may deny the extension if the assertion is based solely on increased costs.

37.8 Sec. 18. Minnesota Statutes 2022, section 116.07, is amended by adding a subdivision to  
37.9 read:

37.10 Subd. 9b. **Compliance when required permit not obtained.** The commissioner may  
37.11 require a person or facility that fails to obtain a required permit to comply with any terms  
37.12 of a permit that would have been issued had the person or facility obtained a permit, including  
37.13 but not limited to reporting, monitoring, controlling pollutant discharge, and creating and  
37.14 implementing operations and maintenance plans. The person or facility is subject to liability  
37.15 and penalties, including criminal liability, for failing to operate in compliance with a permit  
37.16 not obtained beginning at the time a permit should have been obtained.

37.17 Sec. 19. Minnesota Statutes 2022, section 116.11, is amended to read:

37.18 **116.11 EMERGENCY POWERS.**

37.19 Subdivision 1. **Imminent and substantial danger.** If there is imminent and substantial  
37.20 danger to the health and welfare of the people of the state, or of any of them, as a result of  
37.21 the pollution of air, land, or water, the agency commissioner may by emergency order direct  
37.22 the immediate discontinuance or abatement of the pollution without notice and without a  
37.23 hearing or at the request of the agency commissioner, the attorney general may bring an  
37.24 action in the name of the state in the appropriate district court for a temporary restraining  
37.25 order to immediately abate or prevent the pollution. The agency commissioner's order or  
37.26 temporary restraining order ~~shall remain~~ is effective until notice, hearing, and determination  
37.27 pursuant to other provisions of law, or, in the interim, as otherwise ordered. A final order  
37.28 of the agency commissioner in these cases ~~shall be~~ is appealable in accordance with chapter  
37.29 14.

37.30 Subd. 2. **Other acts of concern.** (a) The commissioner may exercise the authority under  
37.31 paragraph (b) when the commissioner has evidence of any of the following:

37.32 (1) falsification of records;

38.1 (2) a history of noncompliance with schedules of compliance or terms of a stipulation  
38.2 agreement;

38.3 (3) chronic or substantial permit violations; or

38.4 (4) operating with or without a permit where there is evidence of danger to the health  
38.5 or welfare of the people of the state or evidence of environmental harm.

38.6 (b) When the commissioner has evidence of behavior specified in paragraph (a),  
38.7 regardless of the presence of imminent and substantial danger, the commissioner may  
38.8 investigate and may:

38.9 (1) suspend or revoke a permit;

38.10 (2) issue an order to cease operation or activities;

38.11 (3) require financial assurances;

38.12 (4) reopen and modify a permit to require additional terms;

38.13 (5) require additional agency oversight; or

38.14 (6) pursue other actions deemed necessary to abate pollution and protect human health.

38.15 Sec. 20. [116.2021] STATE SALT PURCHASE REPORT AND REDUCTION GOAL.

38.16 Subdivision 1. **Definition.** For the purposes of this section, "deicing salt" refers to salt  
38.17 in its solid form used to melt snow and ice, excluding salt used on roads managed by the  
38.18 Department of Transportation.

38.19 Subd. 2. **Salt purchase report.** By February 1, 2025, and every year thereafter, the  
38.20 commissioner of the Pollution Control Agency, in cooperation with other state agencies,  
38.21 must submit a report to the legislative committees and divisions with jurisdiction over  
38.22 environment and natural resources policy and finance that details the purchase of deicing  
38.23 salt by state agencies, excluding the Department of Transportation, and strategies to meet  
38.24 the salt reduction goal established in subdivision 3.

38.25 Subd. 3. **Reduction goal.** It is the goal of the state that no later than January 1, 2030,  
38.26 state agencies will reduce the purchase of deicing salt by 25 percent from the level first  
38.27 reported under subdivision 2.

39.1 Sec. 21. Minnesota Statutes 2022, section 116.92, is amended by adding a subdivision to  
39.2 read:

39.3 Subd. 7b. **Ban; mercury-containing general purpose lighting.** (a) For purposes of this  
39.4 subdivision, the following terms have the meanings given:

39.5 (1) "compact fluorescent lamp" means a compact low-pressure, mercury-containing,  
39.6 electric-discharge light source:

39.7 (i) of any tube diameter or tube length;

39.8 (ii) of any lamp size or shape for directional and nondirectional installations, including  
39.9 but not limited to PL, spiral, twin tube, triple twin, 2D, U-bend, and circular;

39.10 (iii) in which a fluorescent coating transforms some of the ultraviolet energy generated  
39.11 by the mercury discharge into visible light;

39.12 (iv) that has one base or end cap of any type, including but not limited to screw, bayonet,  
39.13 two pins, and four pins;

39.14 (v) that is integrally ballasted or non-integrally ballasted; and

39.15 (vi) that has light emission between a correlated color temperature of 1700K and 24000K  
39.16 and a Duv of +0.024 and -0.024 in the International Commission on Illumination (CIE)  
39.17 Uniform Color Space (CAM02-UCS);

39.18 (2) "linear fluorescent lamp" means a low-pressure, mercury-containing, electric-discharge  
39.19 light source:

39.20 (i) of any tube diameter, including but not limited to T5, T8, T10, and T12;

39.21 (ii) with a tube length from 0.5 to 8.0 feet, inclusive;

39.22 (iii) of any lamp shape, including but not limited to linear, U-bend, and circular;

39.23 (iv) in which a fluorescent coating transforms some of the ultraviolet energy generated  
39.24 by the mercury discharge into visible light;

39.25 (v) that has two bases or end caps of any type, including but not limited to single-pin,  
39.26 two-pin, and recessed double contact; and

39.27 (vi) that has light emission between a correlated color temperature of 1700K and 24000K  
39.28 and a Duv of +0.024 and -0.024 in the CIE CAM02-UCS;

39.29 (3) "mercury vapor lamp" means a high-intensity discharge lamp, including clear,  
39.30 phosphor-coated, and self-ballasted screw base lamps, in which the major portion of the

40.1 light is produced by radiation from mercury typically operating at a partial vapor pressure  
40.2 in excess of 100,000 pascals;

40.3 (4) "mercury vapor lamp ballast" means a device that is designed and marketed to start  
40.4 and operate mercury vapor lamps intended for general illumination by providing the necessary  
40.5 voltage and current; and

40.6 (5) "specialty application mercury vapor lamp ballast" means a mercury vapor lamp  
40.7 ballast:

40.8 (i) that is designed and marketed for operating mercury vapor lamps used in quality  
40.9 inspection, industrial processing, or scientific applications, including fluorescent microscopy  
40.10 and ultraviolet curing; and

40.11 (ii) the label of which states "For specialty applications only, not for general illumination"  
40.12 and indicates the specific applications for which the ballast is designed.

40.13 (b) Effective January 1, 2025, a person may not sell, offer for sale, or distribute in the  
40.14 state as a new manufactured product a screw- or bayonet-base type compact fluorescent  
40.15 lamp, a mercury vapor lamp, or a mercury vapor lamp ballast, whether sold separately, in  
40.16 a retrofit kit, or in a luminaire. Effective January 1, 2026, a person may not sell, offer for  
40.17 sale, or distribute in the state as a new manufactured product a pin-base type compact  
40.18 fluorescent lamp or a linear fluorescent lamp.

40.19 (c) This subdivision does not apply to:

40.20 (1) a lamp designed and marketed exclusively for image capture and projection, including  
40.21 for:

40.22 (i) photocopying;

40.23 (ii) printing, directly or in preprocessing;

40.24 (iii) lithography;

40.25 (iv) film and video projection; or

40.26 (v) holography;

40.27 (2) a lamp that has a high proportion of ultraviolet light emission and that:

40.28 (i) has high ultraviolet content and ultraviolet power greater than two milliwatts per  
40.29 kilolumen;

40.30 (ii) is for germicidal use, such as for destroying DNA, and emits a peak radiation of  
40.31 approximately 253.7 nanometers;



41.1 (iii) is designed and marketed exclusively for disinfection or fly-trapping and from  
41.2 which:

41.3 (A) the radiation power emitted between 250 and 315 nanometers represents at least  
41.4 five percent of the total radiation power emitted between 250 and 800 nanometers; or

41.5 (B) the radiation power emitted between 315 and 400 nanometers represents at least 20  
41.6 percent of the total radiation power emitted between 250 and 800 nanometers;

41.7 (iv) is designed and marketed exclusively for generating ozone when the primary purpose  
41.8 is to emit radiation at approximately 185.1 nanometers;

41.9 (v) is designed and marketed exclusively for coral zooxanthellae symbiosis and from  
41.10 which the radiation power emitted between 400 and 480 nanometers represents at least 40  
41.11 percent of the total radiation power emitted between 250 and 800 nanometers; or

41.12 (vi) is designed and marketed exclusively for use in a sunlamp product, as defined in  
41.13 Code of Federal Regulations, title 21, section 1040.20(b)(9) (2022);

41.14 (3) specialty application mercury vapor lamp ballasts; or

41.15 (4) a compact fluorescent lamp used to replace a lamp in a motor vehicle if the motor  
41.16 vehicle was manufactured on or before January 1, 2020.

41.17 (d) Nothing in this section limits the ability of a utility to offer energy-efficient lighting,  
41.18 rebates, or lamp-recycling services or to claim energy savings resulting from such programs  
41.19 through the utility's energy conservation and optimization plans approved by the  
41.20 commissioner of commerce under section 216B.241 or an energy conservation and  
41.21 optimization plan filed by a consumer-owned utility under section 216B.2403.

41.22 **Sec. 22. [282.0197] SALE OF LAND LOCATED WITHIN BOUNDARY OF INDIAN**  
41.23 **RESERVATIONS.**

41.24 Except as provided in section 282.012, if a parcel of land subject to sale under sections  
41.25 282.01 to 282.13 includes land within the boundary of an Indian reservation, the county  
41.26 auditor must first offer the land to the affected band of Indians for sale at the appraised  
41.27 value. The cost of any survey or appraisal must be added to and made a part of the appraised  
41.28 value. To determine whether the band wants to buy the land, the county auditor must give  
41.29 written notice to the band. If the band wants to buy the land, the band must submit a written  
41.30 offer to the county auditor within two weeks after receiving the notice. If the offer is for at  
41.31 least the appraised value, the county auditor must accept the offer.

42.1 Sec. 23. **KEEP IT CLEAN GRANTS.**

42.2 The commissioner of natural resources must develop a grant program to provide money  
42.3 to local units of government and nongovernmental organizations to implement local programs  
42.4 to prevent water pollution due to garbage and human waste left on the ice of state waters  
42.5 during winter use activities. Activities eligible for grants under this section include but are  
42.6 not limited to:

42.7 (1) installing and maintaining public, sanitary, winterized dumping stations at accessible,  
42.8 designated locations near lake access points and major travel corridors;

42.9 (2) providing dedicated seasonal services, facilities, and containers to transport and  
42.10 dispose of human and pet biowaste at preapproved locations;

42.11 (3) increasing enforcement of related state and local ordinances by providing the resources  
42.12 needed to increase state and local law enforcement patrols during the winter months and  
42.13 establishing volunteer county programs for winter lake patrol;

42.14 (4) education and outreach efforts promoting local and regional Keep It Clean activities;

42.15 (5) organizing spring cleanup efforts, excluding cleanup efforts after significant events,  
42.16 including but not limited to festivals, ice fishing contests, and ice races; and

42.17 (6) local advertising and marketing efforts to educate and promote Keep It Clean  
42.18 messaging and provide information about laws and regulations regarding Keep It Clean.

42.19 Sec. 24. **STRATEGIC LAND ASSET MANAGEMENT REPORT.**

42.20 By February 1, 2025, the commissioner of natural resources must submit a report to the  
42.21 chairs and ranking minority members of the house of representatives and senate committees  
42.22 and divisions with jurisdiction over environment on how the Department of Natural  
42.23 Resource's Strategic Land Asset Management (SLAM) program approaches potential  
42.24 transfers of land to Tribal Nations. The report must explain how the department works  
42.25 collaboratively with Tribal Nations and others to consider potential transfers of land and  
42.26 shared land management opportunities. It must also include a list of those opportunities  
42.27 identified by the department.

42.28 Sec. 25. **CRITICAL MATERIALS RECOVERY ADVISORY TASK FORCE.**

42.29 Subdivision 1. **Definition.** For the purposes of this section, "critical materials" means  
42.30 materials on the final 2023 Critical Materials List published by the United States Secretary

43.1 of Energy in the Federal Register on August 4, 2023, as amended, as required under section  
43.2 7002 of the Energy Act of 2020.

43.3 Subd. 2. **Composition of task force.** The commissioner of the Pollution Control Agency  
43.4 must, no later than October 1, 2024, establish and appoint a Critical Materials Recovery  
43.5 Advisory Task Force consisting of 13 members appointed as follows:

43.6 (1) the commissioner of the Pollution Control Agency or the commissioner's designee;

43.7 (2) the commissioner of employment and economic development or the commissioner's  
43.8 designee;

43.9 (3) an expert in the field of industrial metallurgy;

43.10 (4) one representative from the Solid Waste Administrators Association;

43.11 (5) one representative from a company that disassembles electronic waste;

43.12 (6) one representative from an energy advocacy organization;

43.13 (7) one representative from an organization that is primarily involved in environmental  
43.14 justice issues;

43.15 (8) one representative from an industrial labor union;

43.16 (9) one representative from a labor union affiliated with the Building and Construction  
43.17 Trades Council;

43.18 (10) one representative from a manufacturer that uses critical materials as inputs;

43.19 (11) one representative of a Minnesota Tribal government, as defined in Minnesota  
43.20 Statutes, section 10.65, subdivision 2;

43.21 (12) one representative of a utility providing retail electric service to customers in  
43.22 Minnesota; and

43.23 (13) one representative from a recovery infrastructure operator, who shall be a nonvoting  
43.24 member of the task force.

43.25 Subd. 3. **Duties.** (a) The task force must advise the commissioner of the Pollution Control  
43.26 Agency with respect to policy and program options designed to increase the recovery of  
43.27 critical materials from end-of-life products by:

43.28 (1) developing a strategic road map for achieving domestic recovery of critical materials;

44.1 (2) investigating emerging technologies employed to recover critical materials from  
44.2 electronic waste, components of renewable energy generating systems, and other end-of-life  
44.3 products;

44.4 (3) evaluating the economic, environmental, and social costs, benefits, and impacts  
44.5 associated with various methods of recovering critical materials from end-of-life products;

44.6 (4) identifying options to prevent products containing critical materials from being  
44.7 disposed of in a landfill or waste combustor;

44.8 (5) consulting with stakeholders regarding recycling and end-of-life management options  
44.9 for products containing critical materials that enhance the possibility of recovery; and

44.10 (6) identifying infrastructure needed to develop an integrated system to collect, transport,  
44.11 and recycle products for critical materials recovery.

44.12 (b) The task force must convene at least one public meeting to gather comments on  
44.13 issues regarding critical materials recovery.

44.14 Subd. 4. **Task force; administration.** (a) The task force must elect a chair by majority  
44.15 vote at its initial meeting. The task force must meet quarterly. Additional meetings may be  
44.16 held at the call of the chair. The commissioner or the commissioner's designee and the  
44.17 member appointed as an expert in industrial metallurgy shall co-facilitate task force meetings.

44.18 (b) The Pollution Control Agency must serve as staff to the task force.

44.19 Subd. 5. **Report.** No later than December 30, 2025, the task force must submit a written  
44.20 report containing its findings and recommendations for administrative and legislative action  
44.21 to the commissioner of the Pollution Control Agency and the chairs and ranking minority  
44.22 members of the senate and house of representatives committees with primary jurisdiction  
44.23 over solid waste. The task force expires on December 30, 2025, or upon submission of the  
44.24 report required by this subdivision, whichever occurs first.

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

44.26 Sec. 26. **POSTCLOSURE CARE SOLID WASTE DISPOSAL FACILITIES;**  
44.27 **RULEMAKING.**

44.28 (a) The commissioner of the Pollution Control Agency must amend rules related to solid  
44.29 waste disposal facilities to require the commissioner's approval to terminate the postclosure  
44.30 care period.

44.31 (b) The commissioner may use the good cause exemption under Minnesota Statutes,  
44.32 section 14.388, subdivision 1, clause (3), to adopt rules under this section, and Minnesota

45.1 Statutes, section 14.386, does not apply except as provided under Minnesota Statutes, section  
45.2 14.388.

45.3 **Sec. 27. RULEMAKING; CAPITAL ASSISTANCE PROGRAM.**

45.4 The commissioner of the Pollution Control Agency must, using the expedited rulemaking  
45.5 process in Minnesota Statutes, section 14.389, amend the rules related to the capital assistance  
45.6 program in Minnesota Rules, parts 9210.0100 to 9210.0180, to conform with and implement  
45.7 the changes made in Minnesota Statutes, sections 115A.03 and 115A.49 to 115A.54 by  
45.8 Laws 2023, chapter 60, article 3, sections 6 and 9 to 13.

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

45.10 **Sec. 28. REPORT ON RECREATIONAL USE OF PERMANENT SCHOOL LANDS.**

45.11 **Subdivision 1. Office of School Trust Lands.** The school trust lands director shall  
45.12 conduct a study of the recreational use of school trust lands in the state. The study shall be  
45.13 used to determine the amount of money to be allocated to the permanent school fund for  
45.14 fees paid to the state for outdoor recreation purposes. The Department of Natural Resources  
45.15 must assist the office by providing existing outdoor recreation use data. The office may  
45.16 contract for additional survey data to complete the study. The study shall include the  
45.17 following:

45.18 (1) the estimated annual number of daily visits by individuals with a Minnesota hunting  
45.19 license accessing school trust lands, and as a percentage of annual days hunted by all  
45.20 individuals with a Minnesota hunting license;

45.21 (2) the estimated annual number of daily visits by individuals with a Minnesota fishing  
45.22 license using a public water access site that contains school trust lands, and as a percentage  
45.23 of annual days fishing by all individuals with a Minnesota fishing license;

45.24 (3) the estimated annual visits by Minnesota licensed watercrafts to state-owned public  
45.25 water access sites that contain school trust lands, and as a percentage of all visits by  
45.26 Minnesota licensed watercrafts using public water access sites;

45.27 (4) the total number of miles of state-maintained snowmobile trails and all-terrain vehicle  
45.28 trails that are on school trust lands, and as a percentage of total miles of state-operated trails  
45.29 for each purpose;

45.30 (5) the total amount of acres of school trust lands located within state parks and recreation  
45.31 areas, and as a percentage of all acres of land in state parks and recreation areas;

46.1 (6) any other uses of school trust lands for outdoor recreation that include individuals  
46.2 purchasing a permit or paying a fee for access to the school trust lands, and the percentage  
46.3 of the total permits or fees for that purpose;

46.4 (7) the estimated cost of posting signage near entrances to school trust lands declaring  
46.5 that certain portions of the public land that are being used for outdoor recreation is school  
46.6 trust land;

46.7 (8) the estimated cost of updating recreational use maps and other electronic and printed  
46.8 documents to distinctly label school trust lands that are contained within or are part of state  
46.9 recreational areas, parks, and trails.

46.10 Subd. 2. Report to the legislature. By January 15, 2025, the school trust lands director  
46.11 shall report the findings in subdivision 1 to the chairs and ranking minority members of the  
46.12 legislative committees with jurisdiction over environment and natural resources.

46.13 **Sec. 29. GAS PRODUCTION TECHNICAL ADVISORY COMMITTEE.**

46.14 (a) The commissioner of natural resources must appoint a Gas Production Technical  
46.15 Advisory Committee to develop recommendations according to paragraph (c). The  
46.16 commissioner may appoint representatives from the following entities to the technical  
46.17 advisory committee:

46.18 (1) the Pollution Control Agency;

46.19 (2) the Environmental Quality Board;

46.20 (3) the Department of Health;

46.21 (4) the Department of Revenue;

46.22 (5) the University of Minnesota; and

46.23 (6) federal agencies.

46.24 (b) A majority of the committee members must be from state agencies, and all members  
46.25 must have expertise in at least one of the following areas: environmental review; air quality;  
46.26 water quality; taxation; mine permitting; mineral, gas, or oil exploration and development;  
46.27 well construction; or other areas related to gas or oil production.

46.28 (c) The technical advisory committee must make recommendations to the commissioner  
46.29 relating to the production of gas and oil in the state to guide the creation of a temporary  
46.30 regulatory framework that will govern permitting before the rules authorized in Minnesota  
46.31 Statutes, section 93.514, are adopted. The temporary framework must include

47.1 recommendations on statutory and policy changes that govern permitting requirements and  
47.2 processes, financial assurance, taxation, boring monitoring and inspection protocols,  
47.3 environmental review, and other topics that provide for gas and oil production to be  
47.4 conducted in a manner that will reduce environmental impacts to the extent practicable,  
47.5 mitigate unavoidable impacts, and ensure that the production area is left in a condition that  
47.6 protects natural resources and minimizes the need for maintenance. The temporary framework  
47.7 must consider input from stakeholders and Tribes. Recommendations must include draft  
47.8 legislative language.

47.9 (d) By January 15, 2025, the commissioner must submit to the chairs and ranking minority  
47.10 members of the legislative committees and divisions with jurisdiction over environment  
47.11 recommendations for statutory and policy changes to facilitate gas and oil exploration and  
47.12 production in this state to support the issuance of temporary permits in a manner that benefits  
47.13 the people of Minnesota while adequately protecting the state's natural resources.

47.14 (e) For purposes of this section, "gas" includes both hydrocarbon and nonhydrocarbon  
47.15 gases. For purposes of this section, "Production" includes extraction and beneficiation from  
47.16 consolidated or unconsolidated formations in the state.

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

47.18 Sec. 30. **REPORT ON GEOLOGIC CARBON SEQUESTRATION.**

47.19 (a) The commissioner of natural resources must prepare a report on geologic carbon  
47.20 sequestration within the state to guide future decision-making and legislation that will assist  
47.21 in achieving goals for carbon neutrality by 2050 as established in Minnesota's Climate  
47.22 Action Framework. The report must identify geologic carbon sequestration opportunities  
47.23 and include recommendations on statutory and policy changes that govern any geologic  
47.24 carbon sequestration activity while benefiting the people of Minnesota and adequately  
47.25 protecting the state's natural resources.

47.26 (b) The commissioner of natural resources must appoint a Geologic Carbon Sequestration  
47.27 Technical Advisory Committee to advise on the preparation of the report required by  
47.28 paragraph (a). The commissioner may appoint representatives from the following entities  
47.29 to the technical advisory committee:

47.30 (1) the Pollution Control Agency;

47.31 (2) the Environmental Quality Board;

47.32 (3) the Department of Health;

48.1 (4) the Department of Revenue;

48.2 (5) the University of Minnesota; and

48.3 (6) federal agencies.

48.4 (c) A majority of the committee members must be from state agencies and all members  
48.5 must have expertise in at least one of the following areas: geology, hydrogeology, mineralogy,  
48.6 air emissions, well and boring construction and monitoring, direct air capture technology,  
48.7 mineral carbonization, Underground Injection Control class VI permitting and primacy  
48.8 programming, environmental review, property law, and taxation. The committee must hold  
48.9 a meeting to gather and consider input from industry, environmental groups, other  
48.10 stakeholders, and Tribes.

48.11 (d) By January 15, 2025, the commissioner must submit the report to the chairs and  
48.12 ranking minority members of the legislative committees and divisions with jurisdiction over  
48.13 the environment. The report must include recommendations for draft legislative language.

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

48.15 Sec. 31. **MANURE MANAGEMENT GRANTS.**

48.16 (a) Money appropriated in this act to the Board of Water and Soil Resources for manure  
48.17 management grants may be used to enhance groundwater protection and reduce greenhouse  
48.18 gases associated with agriculture. Priority must be given to areas with high groundwater  
48.19 nitrate levels or geology conducive to groundwater pollution, such as those shown on the  
48.20 Department of Agriculture's vulnerable groundwater area map.

48.21 (b) Funded activities may include projects that limit agricultural use of vulnerable land,  
48.22 such as establishing karst feature buffers or conservation easements, and cost-share assistance  
48.23 for constructing manure management and storage facilities. All funded projects must be  
48.24 designed to result in improved water quality or reduced greenhouse gas emissions. Feedlot  
48.25 grant recipients must agree to prepare and complete a nutrient management plan and must  
48.26 operate at fewer than 1,000 animal units. Grants for expanded liquid manure storage capacity  
48.27 must not exceed 12 months of storage based on current animal numbers. Anaerobic digesters  
48.28 are not eligible for grants under this section.

48.29 (c) Grants must prioritize applicants that will manage nutrient application using the  
48.30 Pollution Control Agency's latest published manure management tool and that will comply  
48.31 with the land application requirements and vulnerable field restrictions applicable to permitted  
48.32 feedlots in Minnesota.



49.1 (d) The board may use this appropriation to match federal money. The board must ensure  
49.2 that grant agreements include terms necessary to document implementation of approved  
49.3 plans and activities.

49.4 **Sec. 32. RESEARCHING CLIMATE ADAPTATION AND RESILIENCE COSTS**  
49.5 **FOR MINNESOTA.**

49.6 (a) The commissioner of the Pollution Control Agency must research and report the  
49.7 projected costs in Minnesota of climate change adaptation and resilience measures needed  
49.8 to mitigate the projected impacts for at least two different future scenarios using either the  
49.9 Shared Socioeconomic Pathways or Representative Concentration Pathways as described  
49.10 by the Intergovernmental Panel on Climate Change. The report shall identify what research,  
49.11 data, modeling, stakeholder engagement, and other resources are needed in order to:

49.12 (1) estimate costs for mid-century, late-century, and end-of-century, using 2024 dollars  
49.13 as a baseline;

49.14 (2) estimate costs related to hazards including, but not limited to, precipitation and heat  
49.15 and the impacts of precipitation and heat on soil and lakes; and

49.16 (3) provide an analysis of the projected costs and impacts of additional hazards like  
49.17 flooding, drought, wildfires, high-wind events, extreme cold, and vector-borne illnesses.

49.18 (b) The report shall identify what research, data, modeling, stakeholder engagement,  
49.19 and other resources are needed in order to estimate the costs of impacts on:

49.20 (1) Minnesota's natural environment including, but not limited to, impacts on:

49.21 (i) working lands and natural lands;

49.22 (ii) water including, but not limited to, surface waters, rivers, drinking water, and Lake  
49.23 Superior;

49.24 (iii) air including, but not limited to, surface temperature and air quality; and

49.25 (iv) the biodiversity of Minnesota's biomes;

49.26 (2) Minnesota's built environment including, but not limited to, impacts on:

49.27 (i) residential, commercial, and public buildings; and

49.28 (ii) critical infrastructure, including but not limited to, the infrastructure that manages  
49.29 stormwater, wastewater, drinking water, transportation, electricity, gas, and communications  
49.30 technologies;

49.31 (3) Minnesota's social environment including, but not limited to, impacts on:

- 50.1 (i) human settlement and migration;
- 50.2 (ii) statewide and regional economies including, but not limited to, impacts on industries
- 50.3 like tourism, agriculture, and forest products; and
- 50.4 (iii) public health including, but not limited to, impacts related to emergency response,
- 50.5 asthma, heat exposure, and vector-borne illnesses;
- 50.6 (4) provide analyses of how these hazards and impacts are experienced differently by
- 50.7 Minnesotans based on demographics, including race, gender, ability, and age, as well as
- 50.8 economic status and geography; and
- 50.9 (5) identify methods for understanding and making decisions about the trade-offs between
- 50.10 the financial and social costs to mitigate climate risks and the level of risk reduction achieved.
- 50.11 (c) The report should recommend best practices for integrating costs estimates with
- 50.12 University of Minnesota's Minnesota CliMAT (Climate Mapping and Analysis Tool), or
- 50.13 any related preceding or successor modeling tools.
- 50.14 (d) To prepare the report, the Pollution Control Agency shall engage subject area experts
- 50.15 and other stakeholders, as needed, to contribute to the report.
- 50.16 (e) By February 1, 2025, the commissioner shall submit a written report to the chairs
- 50.17 and ranking minority members of the legislative committees with primary jurisdiction over
- 50.18 energy, environment, health, transportation, and capital investment summarizing the findings
- 50.19 of the research.

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

50.21 **Sec. 33. CONDEMNATION OF CERTAIN LAND IN MILLE LACS COUNTY.**

50.22 (a) Funds appropriated in this act to the commissioner of natural resources to condemn

50.23 land in Mille Lacs County must be used to initiate condemnation proceedings of the lands

50.24 described in paragraph (b). The commissioner may use this appropriation for project costs,

50.25 including but not limited to valuation expenses, legal fees, closing costs, transactional staff

50.26 costs, and the condemnation award. This is a onetime appropriation and is available until

50.27 spent.

50.28 (b) Notwithstanding Minnesota Statutes, sections 92.45, 94.09 to 94.16, or any other

50.29 provision of law to the contrary, once condemned under paragraph (a), the commissioner

50.30 of natural resources may convey the surplus land bordering public waters that is described

50.31 in paragraph (d) to a federally recognized Indian Tribe for no consideration.

51.1 (c) The commissioner may make necessary changes to the legal description to correct  
51.2 errors and ensure accuracy.

51.3 (d) The land that may be conveyed is located in Mille Lacs County and is described as:  
51.4 Government Lot 2, Section 16, Township 42 North, Range 26 West, including all riparian  
51.5 rights.

51.6 (e) The land borders Mille Lacs Lake and is not contiguous to other state lands. The  
51.7 Department of Natural Resources has determined that the land is not needed for natural  
51.8 resource purposes and that the state's land management interests would best be served if  
51.9 the land was returned to Tribal ownership.

51.10 **Sec. 34. NONLETHAL BEAVER MANAGEMENT GRANT PROGRAM.**

51.11 Subdivision 1. **Establishment.** The commissioner of natural resources must establish a  
51.12 program to:

51.13 (1) provide state matching grants to assist individuals and communities with nonlethal  
51.14 beaver management and beaver damage deterrence; and

51.15 (2) provide recommendations for nonlethal strategies that can be implemented instead  
51.16 of lethal management.

51.17 Subd. 2. **Eligible applicants.** The commissioner may award grants under this section  
51.18 to:

51.19 (1) local units of government, including cities, counties, regional authorities, joint powers  
51.20 boards, towns, townships, Tribal governments, and parks and recreation boards in cities of  
51.21 the first class, that are responding to property damage caused by beaver activity; and

51.22 (2) Minnesota residents that own or lease land where beavers are present and are causing  
51.23 property damage.

51.24 Subd. 3. **Eligible expenditures.** Applicants located in the seven-county metropolitan  
51.25 area are eligible for matching grants of up to 50 percent of costs incurred to deter beaver  
51.26 damage. Eligible expenditures include:

51.27 (1) nonlethally trapping and relocating beavers that are causing property damage;

51.28 (2) fencing and other hardware for tree and plant protection;

51.29 (3) planting native vegetation that is beaver-resistant; and

51.30 (4) creating buffer strips of native vegetation that deter beaver damage to other properties.

52.1 Subd. 4. **Report.** The commissioner must report to the legislature by February 1, 2025,  
 52.2 on the uses and effectiveness of the nonlethal beaver management grant program and make  
 52.3 recommendations for further changes to the program, including possible future funding  
 52.4 amounts and sources of funding.

52.5 Sec. 35. **ELECTRONICS RECYCLING STUDY.**

52.6 (a) The commissioner of the Pollution Control Agency shall contract with an independent  
 52.7 third party to conduct a study that examines the barriers to electronics recycling and  
 52.8 recommends ways those barriers may be overcome. The study must, at a minimum, address:

52.9 (1) the status of end markets for materials recovered from electronics recycling;

52.10 (2) information regarding the toxicity of materials recovered from electronics recycling;

52.11 (3) ways to promote worker safety in facilities that recycle electronics;

52.12 (4) opportunities and methods to recover precious metals from electronic recycling  
 52.13 processes;

52.14 (5) measures to reduce emissions of greenhouse gases from electronic recycling facilities;

52.15 and

52.16 (6) how changes in product design that increase the recyclability of electronics products  
 52.17 can be encouraged.

52.18 (b) No later than March 1, 2026, the commissioner shall submit a written report containing  
 52.19 the findings and recommendations of the study to the chairs and ranking minority members  
 52.20 of the senate and house of representatives committees with primary responsibility over  
 52.21 recycling.

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

52.23 Sec. 36. **REPEALER.**

52.24 Minnesota Statutes 2022, section 97B.802, is repealed.

## 52.25 **ARTICLE 3**

### 52.26 **ENVIRONMENTAL REVIEW AND PERMITTING**

52.27 Section 1. **[84.0265] ENVIRONMENTAL REVIEW AND PERMITTING;**  
 52.28 **COORDINATED PROJECT PLANS.**

52.29 Subdivision 1. **Definitions.** In this section, the following terms have the meanings given:

53.1 (1) "commissioner" means the commissioner of natural resources;

53.2 (2) "coordinated project plan" or "plan" means a plan to ensure that any required  
53.3 environmental review and associated required state agency actions are completed efficiently  
53.4 by coordinating and establishing deadlines for all necessary state agency actions;

53.5 (3) "eligible project" means a project that requires the commissioner to prepare an  
53.6 environmental assessment worksheet or an environmental impact statement under chapter  
53.7 116D and associated permits, unless the project is sponsored by the Department of Natural  
53.8 Resources; and

53.9 (4) "state agency" means the department or any other office, board, commission, authority,  
53.10 department, or other agency of the executive branch of state government.

53.11 Subd. 2. **State policy.** It is the goal of the state to maximize the coordination,  
53.12 effectiveness, transparency, and accountability of environmental review, associated  
53.13 environmental permitting, and other regulatory actions for facilities in Minnesota.

53.14 Subd. 3. **Early communication; identifying issues.** To the extent practicable, the  
53.15 commissioner must establish and provide an expeditious process for a person that requests  
53.16 to confer with the department and other state agencies about an eligible project. The  
53.17 department must provide information about any identified challenging issues regarding the  
53.18 potential environmental impacts related to an eligible project, including any issues that  
53.19 could substantially delay a state agency from completing agency decisions; and issues that  
53.20 must be addressed before an environmental assessment worksheet, environmental impact  
53.21 statement, final scoping decision, permit action, or other required action by a state agency  
53.22 can be started.

53.23 Subd. 4. **Plan preparation; participating agencies.** (a) A person who submits an  
53.24 application for an eligible project to the commissioner may request that the commissioner  
53.25 prepare a coordinated project plan to complete any required environmental review and  
53.26 associated agency actions for the eligible project.

53.27 (b) Within 60 days of receiving a request under paragraph (a), the commissioner must  
53.28 prepare a coordinated project plan in consultation with the requestor and other state agencies  
53.29 identified under paragraph (c). If an eligible project requires or otherwise includes the  
53.30 preparation of an environmental impact statement, the commissioner is required to prepare  
53.31 a coordinated project plan that first covers the period through a final scoping decision.  
53.32 Within 60 days of completion of the final scoping decision, the commissioner must update  
53.33 the coordinated project plan to include the remainder of the environmental review process

54.1 as well as applicable state permits and other state regulatory decisions. The coordinated  
54.2 project plan is subject to modification in accordance with subdivision 7.

54.3 (c) Any state agency that must make permitting or other regulatory decisions over the  
54.4 eligible project must participate in developing a coordinated project plan.

54.5 (d) If an eligible project requires environmental review and the Department of Natural  
54.6 Resources is the responsible governmental unit, then the Department of Natural Resources  
54.7 is the lead agency responsible for preparation of a coordinated project plan under this section.  
54.8 If an eligible project requires environmental review and the Pollution Control Agency is  
54.9 the responsible governmental unit, then the Pollution Control Agency is the lead agency  
54.10 responsible for preparation of a coordinated project under section 116.035.

54.11 Subd. 5. **Plan contents; synchronization; updates.** (a) A coordinated project plan must  
54.12 include:

54.13 (1) a list of all state agencies known to have environmental review, permitting, or other  
54.14 regulatory authority over the eligible project and an explanation of each agency's specific  
54.15 role and responsibilities for actions under the coordinated project plan;

54.16 (2) a schedule for any formal public meetings; and

54.17 (3) a comprehensive schedule of deadlines by which all environmental reviews, permits,  
54.18 and other state agency actions must be completed. The deadlines established under this  
54.19 clause must include intermediate and final completion deadlines for actions by each state  
54.20 agency and must be consistent with subdivision 6, subject to modification in accordance  
54.21 with subdivision 7.

54.22 (b) The commissioner must update a coordinated project plan quarterly.

54.23 Subd. 6. **Required deadlines.** (a) Deadlines established in a coordinated project plan  
54.24 must comply with this subdivision, unless an alternative time period is agreed upon by the  
54.25 commissioner and proposer.

54.26 (b) When an environmental assessment worksheet is prepared for an eligible project for  
54.27 which an environmental impact statement is not mandatory under Minnesota Rules, chapter  
54.28 4410, the decision on the need for an environmental impact statement must be made as  
54.29 expeditiously as possible but no later than 18 months after the environmental assessment  
54.30 worksheet is deemed complete by the commissioner.

54.31 (c) When an environmental impact statement is prepared for an eligible project, the  
54.32 decision on the adequacy of the final environmental impact statement must be made as

55.1 expeditiously as possible but no later than four years after the data submitted for the  
55.2 environmental assessment worksheet is deemed complete.

55.3 (d) If the commissioner includes plan deadlines that are inconsistent with paragraphs  
55.4 (b) and (c), then within 30 days of finalizing the plan, the commissioner must report to the  
55.5 chairs and ranking minority members of the legislative committees and divisions with  
55.6 jurisdiction over natural resources policy to explain how deadlines were established and  
55.7 why the deadlines under paragraphs (b) and (c) are not attainable.

55.8 Subd. 7. **Deadline compliance; modification.** (a) A state agency that participates in the  
55.9 commissioner's development coordinated project plan must comply with deadlines established  
55.10 in the plan. If a participating state agency fails to meet a deadline established in the  
55.11 coordinated project plan or anticipates failing to meet a deadline, the state agency must  
55.12 immediately notify the commissioner to explain the reason for the failure or anticipated  
55.13 failure and to propose a date for a modified deadline.

55.14 (b) The commissioner may modify a deadline established in the coordinated project plan  
55.15 if the project proposer fails to meet a deadline established in the coordinated project plan  
55.16 or provides inadequate information to meet that deadline, or if:

55.17 (1) the commissioner provides the person that requested the plan with a written  
55.18 justification for the modification; and

55.19 (2) the commissioner and the state agency, after consultation with the person that  
55.20 requested the plan, mutually agree on a different deadline.

55.21 (c) If the combined modifications to one or more deadlines established in a coordinated  
55.22 project plan extend the initially anticipated final decision date for an eligible project  
55.23 application by more than 20 percent, the commissioner must report to the chairs and ranking  
55.24 minority members of the legislative committees and divisions with jurisdiction over natural  
55.25 resources policy within 30 days to explain the reason the modifications are necessary. The  
55.26 commissioner must also notify the chairs and ranking minority members within 30 days of  
55.27 any subsequent extensions to the final decision date. The notification must include the reason  
55.28 for the extension and the history of any prior extensions. For purposes of calculating the  
55.29 percentage of time that modifications have extended the anticipated final decision date,  
55.30 modifications made necessary by reasons wholly outside the control of state agencies must  
55.31 not be considered.

55.32 Subd. 8. **Annual report.** As part of the annual permitting efficiency report required  
55.33 under section 84.027, the commissioner must report on progress toward required actions  
55.34 described in this section.

56.1 Subd. 9. **Relation to other law.** Nothing in this section is to be construed to require an  
56.2 act that conflicts with applicable state or federal law. Nothing in this section affects the  
56.3 specific statutory obligations of a state agency to comply with criteria or standards of  
56.4 environmental quality.

56.5 Sec. 2. **[116.035] ENVIRONMENTAL REVIEW AND PERMITTING;**  
56.6 **COORDINATED PROJECT PLANS.**

56.7 Subdivision 1. **Definitions.** In this section, the following terms have the meanings given:

56.8 (1) "commissioner" means the commissioner of the Pollution Control Agency;

56.9 (2) "coordinated project plan" or "plan" means a plan to ensure that any required  
56.10 environmental review and associated required state agency actions are completed efficiently  
56.11 by coordinating and establishing deadlines for all necessary state agency actions;

56.12 (3) "eligible project" means a project that requires the commissioner to prepare an  
56.13 environmental assessment worksheet or an environmental impact statement under chapter  
56.14 116D and associated permits; and

56.15 (4) "state agency" means the agency or any other office, board, commission, authority,  
56.16 department, or other agency of the executive branch of state government.

56.17 Subd. 2. **State policy.** It is the goal of the state to maximize the coordination,  
56.18 effectiveness, transparency, and accountability of environmental review, associated  
56.19 environmental permitting, and other regulatory actions for facilities in Minnesota.

56.20 Subd. 3. **Early communication; identifying issues.** To the extent practicable, the  
56.21 commissioner must establish and provide an expeditious process for a person that requests  
56.22 to confer with the agency and other state agencies about an eligible project. The agency  
56.23 must provide information about any identified challenging issues regarding the potential  
56.24 environmental impacts related to an eligible project, including any issues that could  
56.25 substantially delay a state agency from completing agency decisions and issues that must  
56.26 be addressed before an environmental assessment worksheet, environmental impact statement,  
56.27 final scoping decision, permit action, or other required action by a state agency can be  
56.28 started.

56.29 Subd. 4. **Plan preparation; participating agencies.** (a) A person who submits an  
56.30 application for an eligible project to the commissioner may request that the commissioner  
56.31 prepare a coordinated project plan to complete any required environmental review and  
56.32 associated agency actions for the eligible project.



57.1 (b) Within 60 days of receiving a request under paragraph (a), the commissioner must  
57.2 prepare a coordinated project plan in consultation with the requestor and other state agencies  
57.3 identified under paragraph (c). If an eligible project requires or otherwise includes the  
57.4 preparation of an environmental impact statement, the commissioner is required to prepare  
57.5 a coordinated project plan that first covers the period through a final scoping decision.  
57.6 Within 60 days of completion of the final scoping decision, the commissioner must update  
57.7 the coordinated project plan to include the remainder of the environmental review process  
57.8 as well as applicable state permits and other state regulatory decisions. The coordinated  
57.9 project plan is subject to modification in accordance with subdivision 7.

57.10 (c) Any state agency that must make permitting or other regulatory decisions over the  
57.11 eligible project must participate in developing a coordinated project plan.

57.12 (d) If an eligible project requires environmental review and the Department of Natural  
57.13 Resources is the responsible governmental unit, then the Department of Natural Resources  
57.14 is the lead agency responsible for preparation of a coordinated project plan under section  
57.15 84.0265. If an eligible project requires environmental review and the Pollution Control  
57.16 Agency is the responsible governmental unit, then the Pollution Control Agency is the lead  
57.17 agency responsible for preparation of a coordinated project under this section.

57.18 Subd. 5. **Plan contents; synchronization; updates.** (a) A coordinated project plan must  
57.19 include:

57.20 (1) a list of all state agencies known to have environmental review, permitting, or other  
57.21 regulatory authority over the eligible project and an explanation of each agency's specific  
57.22 role and responsibilities for actions under the coordinated project plan;

57.23 (2) a schedule for any formal public meetings; and

57.24 (3) a comprehensive schedule of deadlines by which all environmental reviews, permits,  
57.25 and other state agency actions must be completed. The deadlines established under this  
57.26 clause must include intermediate and final completion deadlines for actions by each state  
57.27 agency and must be consistent with subdivision 6, subject to modification in accordance  
57.28 with subdivision 7.

57.29 (b) The commissioner must update a coordinated project plan quarterly.

57.30 Subd. 6. **Required deadlines.** (a) Deadlines established in a coordinated project plan  
57.31 must comply with this subdivision unless an alternative time period is agreed upon by the  
57.32 commissioner and proposer.

58.1 (b) When an environmental assessment worksheet is prepared for an eligible project for  
58.2 which an environmental impact statement is not mandatory under Minnesota Rules, chapter  
58.3 4410, the decision on the need for an environmental impact statement must be made as  
58.4 expeditiously as possible but no later than 18 months after the environmental assessment  
58.5 worksheet is deemed complete by the commissioner.

58.6 (c) When an environmental impact statement is prepared for an eligible project, the  
58.7 decision on the adequacy of the final environmental impact statement must be made as  
58.8 expeditiously as possible but no later than four years after the submitted data for the  
58.9 environmental assessment worksheet is deemed complete.

58.10 (d) If the commissioner includes plan deadlines that are inconsistent with paragraphs  
58.11 (b) and (c), then within 30 days of finalizing the plan, the commissioner must report to the  
58.12 chairs and ranking minority members of the legislative committees and divisions with  
58.13 jurisdiction over natural resources policy to explain how deadlines were established and  
58.14 why the deadlines under paragraphs (b) and (c) are not attainable.

58.15 Subd. 7. **Deadline compliance; modification.** (a) A state agency that participates in the  
58.16 commissioner's development coordinated project plan must comply with deadlines established  
58.17 in the plan. If a participating state agency fails to meet a deadline established in the  
58.18 coordinated project plan or anticipates failing to meet a deadline, the state agency must  
58.19 immediately notify the commissioner to explain the reason for the failure or anticipated  
58.20 failure and to propose a date for a modified deadline.

58.21 (b) The commissioner may modify a deadline established in the coordinated project plan  
58.22 if the project proposer fails to meet a deadline established in the coordinated project plan  
58.23 or provides inadequate information to meet that deadline, or if:

58.24 (1) the commissioner provides the person that requested the plan with a written  
58.25 justification for the modification; and

58.26 (2) the commissioner and the state agency, after consultation with the person that  
58.27 requested the plan, mutually agree on a different deadline.

58.28 (c) If the combined modifications to one or more deadlines established in a coordinated  
58.29 project plan extend the initially anticipated final decision date for an eligible project  
58.30 application by more than 20 percent, the commissioner must report to the chairs and ranking  
58.31 minority members of the legislative committees and divisions with jurisdiction over natural  
58.32 resources policy within 30 days to explain the reason the modifications are necessary. The  
58.33 commissioner must also notify the chairs and ranking minority members within 30 days of  
58.34 any subsequent extensions to the final decision date. The notification must include the reason

59.1 for the extension and the history of any prior extensions. For purposes of calculating the  
59.2 percentage of time that modifications have extended the anticipated final decision date,  
59.3 modifications made necessary by reasons wholly outside the control of state agencies must  
59.4 not be considered.

59.5 Subd. 8. **Annual report.** As part of the annual permitting efficiency report required  
59.6 under section 116.03, the commissioner must report on progress toward required actions  
59.7 described in this section.

59.8 Subd. 9. **Relation to other law.** Nothing in this section is to be construed to require an  
59.9 act that conflicts with applicable state or federal law. Nothing in this section affects the  
59.10 specific statutory obligations of a state agency to comply with criteria or standards of  
59.11 environmental quality.

## 59.12 **ARTICLE 4**

### 59.13 **STATE LANDS**

59.14 Section 1. Minnesota Statutes 2022, section 85.015, subdivision 1b, is amended to read:

59.15 Subd. 1b. **Easements for ingress and egress.** (a) Notwithstanding section 16A.695,  
59.16 except as provided in paragraph (b), when a trail is established under this section, a private  
59.17 property owner who has a preexisting right of ingress and egress over the trail right-of-way  
59.18 is granted, without charge, a permanent easement for ingress and egress purposes only. The  
59.19 easement is limited to the preexisting crossing and reverts to the state upon abandonment.  
59.20 Nothing in this subdivision is intended to diminish or alter any written or recorded easement  
59.21 that existed before the state acquired the land for the trail.

59.22 (b) The commissioner of natural resources shall assess the applicant an application fee  
59.23 of \$2,000 for reviewing the application and preparing the easement. The applicant shall pay  
59.24 the application fee to the commissioner of natural resources. The commissioner shall not  
59.25 issue the easement until the applicant has paid the application fee in full. The commissioner  
59.26 shall not return the application fee, even if the application is withdrawn or denied.

59.27 (c) Money received under paragraph (b) must be credited to the land management account  
59.28 in the natural resources fund and is appropriated to the commissioner of natural resources  
59.29 to cover the reasonable costs incurred under this section.

59.30 (d) Notwithstanding paragraphs (a) to (c), the commissioner of natural resources may  
59.31 elect to assume the application fee under paragraph (b) if the commissioner determines that  
59.32 issuing the easement will benefit the state's land management interests.

60.1 Sec. 2. Minnesota Statutes 2022, section 94.343, subdivision 8a, is amended to read:

60.2 Subd. 8a. **Fees.** (a) When a private landowner or governmental unit, except the state,  
60.3 presents to the commissioner an offer to exchange privately or publicly held land for class  
60.4 A land, the private landowner or governmental unit shall pay to the commissioner a  
60.5 ~~determination of value fee and survey fee of not less than one-half of the cost of the~~  
60.6 ~~determination of value and survey fees as determined by the commissioner.~~ fees of not less  
60.7 than one-half of the costs incurred by the commissioner for valuation expenses; survey  
60.8 expenses; legal and professional fees; costs of title work, advertising, and public hearings;  
60.9 transactional staff costs; and closing costs.

60.10 (b) Except as provided in paragraph (c), any payment made under paragraph (a) shall  
60.11 be credited to the account from which the expenses are paid and is appropriated for  
60.12 expenditure in the same manner as other money in the account.

60.13 (c) The fees shall be refunded if the land exchange offer is withdrawn by a private  
60.14 landowner or governmental unit before the money is obligated to be spent.

60.15 Sec. 3. Minnesota Statutes 2022, section 94.3495, is amended by adding a subdivision to  
60.16 read:

60.17 Subd. 9. **Fees.** (a) When a governmental unit presents to the commissioner an offer to  
60.18 exchange publicly held land under this section, the governmental unit must pay to the  
60.19 commissioner fees of not less than one-half of the costs incurred by the commissioner for  
60.20 valuation expenses; survey expenses; legal and professional fees; costs of title work,  
60.21 advertising, and public hearings; transactional staff costs; and closing costs.

60.22 (b) Except as provided in paragraph (c), any payment made under paragraph (a) must  
60.23 be credited to the account from which the expenses are paid and is appropriated to the  
60.24 commissioner for expenditure in the same manner as other money in the account.

60.25 (c) The fees must be refunded if the land exchange offer is withdrawn by the  
60.26 governmental unit before the money is obligated to be spent.

60.27 Sec. 4. **ADDITIONS TO STATE PARKS.**

60.28 Subdivision 1. [85.012] [Subd. 2.] **Banning State Park, Pine County.** The following  
60.29 area is added to Banning State Park: the Northwest Quarter of the Northwest Quarter of  
60.30 Section 22, Township 42 North, Range 20 West, Pine County, Minnesota.

61.1 Subd. 2. [85.012] [Subd. 15.] Father Hennepin State Park, Mille Lacs County. The  
61.2 following areas are added to Father Hennepin State Park, all in Mille Lacs County,  
61.3 Minnesota:

61.4 (1) the Southwest Quarter of the Southwest Quarter of Section 3, Township 42, Range  
61.5 25;

61.6 (2) the Southwest Quarter of the Southeast Quarter of Section 4, Township 42, Range  
61.7 25; and

61.8 (3) the Southeast Quarter of the Southeast Quarter of Section 4, Township 42, Range  
61.9 25.

61.10 Subd. 3. [85.012] [Subd. 36.] Lake Louise State Park, Mower County. Those parts  
61.11 of Section 20, Township 101 North, Range 14 West, Mower County, Minnesota, described  
61.12 as follows are added to Lake Louise State Park:

61.13 (1) the West Half of the South Half of the Southwest Quarter of the Northeast Quarter;

61.14 (2) the West 3/4ths of the North Half of the Southwest Quarter of the Northeast Quarter  
61.15 EXCEPT that portion that lies north and east of the county road; and

61.16 (3) the Northwest Quarter of the Northwest Quarter of the Southeast Quarter EXCEPT  
61.17 the south 334.98 feet of the west 411.24 feet thereof.

61.18 **Sec. 5. STATE PARK ABOLISHMENT.**

61.19 Subdivision 1. [85.012] [Subd. 27b.] Hill-Annex Mine State Park, Itasca  
61.20 County. Hill-Annex Mine State Park is abolished.

61.21 Subd. 2. [85.012] [Subd. 58.] Upper Sioux Agency State Park, Yellow Medicine  
61.22 County. Upper Sioux Agency State Park is abolished and its lands transferred according  
61.23 to Laws 2023, chapter 60, article 4, section 97.

61.24 **Sec. 6. PRIVATE SALE OF TAX-FORFEITED LAND; AITKIN COUNTY.**

61.25 (a) Notwithstanding the public sale provisions of Minnesota Statutes, chapter 282, or  
61.26 other law to the contrary, Aitkin County may sell by private sale the tax-forfeited lands  
61.27 described in paragraph (c).

61.28 (b) The conveyances must be in a form approved by the attorney general. The attorney  
61.29 general may make changes to the land descriptions to correct errors and ensure accuracy.

61.30 (c) The lands to be sold are located in Aitkin County and are described as:

62.1 (1) Lot 3 of "Knox's Irregular Lots in the Village of Aitkin," except the portion thereof  
62.2 described as follows: all that part of Lot 3 which lies East of a line beginning at a point on  
62.3 the north line of said Lot 3 a distance of 79 feet East of the northwest corner of said lot and  
62.4 running southeasterly to a point on the south line of said Lot 3 a distance of 56 feet East of  
62.5 the southwest corner of said lot; and except the portion thereof described as follows:  
62.6 beginning at a point on the north line of Lot 4 of said plat a distance easterly 60.75 feet from  
62.7 the northwest corner of said Lot 4; thence running southeasterly to a point on the south line  
62.8 of said Lot 4 which is 56 feet easterly of the southwest corner of said Lot 4; thence continuing  
62.9 easterly along said south line a distance of 56 feet to the southeast corner of said Lot 4;  
62.10 thence northwesterly to a point on the north line of said Lot 3 which is 16 feet easterly of  
62.11 the northwest corner of said Lot 3; thence westerly along the north line of said Lots 3 and  
62.12 4 to place of beginning. Section 25, Township 47 North, Range 27 West, Aitkin County,  
62.13 Minnesota (0.28 acres)(parcel number 56-1-118100); and

62.14 (2) that part of Government Lot 1, Section 19, Township 46, Range 25, Aitkin County,  
62.15 Minnesota, described as follows: commencing at the southwest corner of said Government  
62.16 Lot 1; thence North 85 degrees 14 minutes 46 seconds East, assumed bearing, 1,000.00 feet  
62.17 along the south line of said Government Lot 1 to the point of beginning of the tract to be  
62.18 described; thence continuing North 85 degrees 14 minutes 46 seconds East 50.79 feet to an  
62.19 iron monument; thence North 19 degrees 46 minutes 21 seconds West 459.76 feet, more or  
62.20 less, to the shore of Rabbit Lake; thence southwesterly along said shore to its intersection  
62.21 with a line bearing North 20 degrees 00 minutes 16 seconds West from the point of beginning;  
62.22 thence South 20 degrees 00 minutes 16 seconds East 433 feet, more or less, to the point of  
62.23 beginning. Together with and subject to the 33.00-foot-wide easement described in the deed  
62.24 to Kendle recorded as Document Number 193583 on file in the office of the county recorder  
62.25 in and for said county. Also subject to any other easements, reservations, or restrictions of  
62.26 record (0.52 acres)(parcel number 09-0-031708).

62.27 (d) The county has determined that the county's land management interests would best  
62.28 be served if the lands were returned to private ownership to resolve encroachment issues.

62.29 **Sec. 7. PRIVATE SALE OF TAX-FORFEITED LAND; AITKIN COUNTY.**

62.30 (a) Notwithstanding the public sale provisions of Minnesota Statutes, chapter 282, or  
62.31 other law to the contrary, Aitkin County may sell by private sale the tax-forfeited lands  
62.32 described in paragraph (c).

62.33 (b) The conveyances must be in a form approved by the attorney general. The attorney  
62.34 general may make changes to the land descriptions to correct errors and ensure accuracy.

63.1 (c) The lands to be sold are located in Aitkin County and are described as:

63.2 (1) Quadna Mountain Vacation Club First Addition, Outlot A, Section 26, Township 52  
63.3 North, Range 26 West, Aitkin County, Minnesota (parcel identification number  
63.4 57-1-088400); and

63.5 (2) Quadna Mountain Vacation Club First Addition, Outlot B, Section 26, Township 52  
63.6 North, Range 26 West, Aitkin County, Minnesota (parcel identification number 57-1-088500).

63.7 (d) The county has determined that the county's land management interests would best  
63.8 be served if the lands were returned to private ownership.

63.9 **Sec. 8. PUBLIC SALE OF SURPLUS LAND BORDERING PUBLIC WATER;**  
63.10 **CHISAGO COUNTY.**

63.11 (a) Notwithstanding Minnesota Statutes, section 92.45, the commissioner of natural  
63.12 resources may sell by public sale the surplus land bordering public water that is described  
63.13 in paragraph (c).

63.14 (b) The commissioner may make necessary changes to the legal description to correct  
63.15 errors and ensure accuracy.

63.16 (c) The land that may be sold is located in Chisago County and is described as:

63.17 All that part of Government Lot 1, Section 23, and all that part of Government Lot 1,  
63.18 Section 24, Township 33 North, Range 21 West of the 4th Principal Meridian bounded by  
63.19 the following described lines: commencing at the northeast corner of said Section 23; thence  
63.20 South 00 degrees 00 minutes West, 1,831.3 feet on and along the east line of said Section  
63.21 23 to the point of beginning; thence South 38 degrees 27 minutes East, 70.0 feet; thence  
63.22 South 11 degrees 58 minutes West, 330.0 feet; thence South 76 degrees 59 minutes West,  
63.23 286.9 feet; thence South 45 degrees 33 minutes West, 167.4 feet; thence North 73 degrees  
63.24 20 minutes West, 231.8 feet; thence North 59 degrees 33 minutes West, 420.7 feet; thence  
63.25 North 30 degrees 17 minutes East, 327.6 feet; thence North 64 degrees 19 minutes East,  
63.26 360.4 feet; thence South 87 degrees 03 minutes East, 197.8 feet; thence South 65 degrees  
63.27 09 minutes East, 354.3 feet and to the point of beginning. Including all riparian rights to  
63.28 the contained 11.5 acres, more or less, and subject to all existing road easements. Together  
63.29 with that particular channel easement as described in Document #119723, on file and of  
63.30 record in the Office of the Recorder, Chisago County, Minnesota, with said easement being  
63.31 stated in said document as a perpetual easement to construct and maintain a channel over  
63.32 and across the area described in Document #119723 as a strip of land 75 feet wide in  
63.33 Government Lot 1 of Section 24, Township 33 North, Range 21 West of the 4th Principal

64.1 Meridian, bounded by the water's edge of Green Lake and the following described lines:  
64.2 commencing at the northwest corner of said Section 24; thence South 00 degrees 00 minutes  
64.3 West, 1,831.3 feet on and along the west line of said section; thence South 38 degrees 27  
64.4 minutes East, 70.0 feet; thence South 11 degrees 58 minutes West, 58.9 feet to a point on  
64.5 the centerline of said strip of land and the point of beginning; thence South 11 degrees 58  
64.6 minutes West, 40.4 feet; thence North 80 degrees 00 minutes East, 290 feet, more or less,  
64.7 to the water's edge of said Green Lake and there terminating. And also from the point of  
64.8 beginning; thence North 11 degrees 58 minutes East, 40.4 feet; thence North 80 degrees 00  
64.9 minutes East, 220 feet, more or less, to the water's edge of said Green Lake and there  
64.10 terminating.

64.11 ALSO

64.12 Together with that particular access easement as described in Document #119723, on  
64.13 file and of record in the Office of the Recorder, Chisago County, Minnesota, with said  
64.14 easement being stated in said document as a perpetual road easement to construct and  
64.15 maintain a 33-foot-wide road for ingress and egress over and across the following described  
64.16 lands: that part of Government Lot 1 of Section 23, Township 33 North, Range 21 West of  
64.17 the 4th Principal Meridian, bounded by the following described lines: commencing at the  
64.18 northeast corner of said Section 23; thence South 00 degrees 00 minutes West, 1,831.3 feet  
64.19 on and along the east line of said section; thence South 38 degrees 27 minutes East, 70.0  
64.20 feet; thence South 11 degrees 58 minutes West, 330.0 feet; thence South 76 degrees 59  
64.21 minutes West, 223.6 feet to a point on the southerly boundary of the above described lands  
64.22 being conveyed in fee and the point of beginning; thence South 76 degrees 59 minutes West,  
64.23 63.3 feet on and along said southerly boundary; thence South 45 degrees 33 minutes West,  
64.24 167.4 feet on and along said southerly boundary; thence North 72 degrees 57 minutes West,  
64.25 666.8 feet to a point on the southeasterly right-of-way line of U.S. Highway No. 8; thence  
64.26 South 38 degrees 09 minutes West, 35.4 feet on and along said right-of-way line; thence  
64.27 South 72 degrees 57 minutes East, 679.7 feet; thence South 73 degrees 20 minutes East,  
64.28 251.3 feet; thence North 45 degrees 33 minutes West, 240.9 feet to the point of beginning.

64.29 (d) The land borders Green Lake and is not contiguous to other state lands. The  
64.30 Department of Natural Resources has determined that the land is not needed for natural  
64.31 resource purposes and that the state's land management interests would best be served if  
64.32 the land was returned to private ownership.



65.1        **Sec. 9. CONVEYANCE OF SURPLUS LAND BORDERING PUBLIC WATER;**  
65.2        **HUBBARD COUNTY.**

65.3            (a) Notwithstanding Minnesota Statutes, sections 92.45, 94.09, and 94.10, the  
65.4        commissioner of natural resources may convey the surplus land bordering public water that  
65.5        is described in paragraph (c) to a local unit of government for no consideration, subject to  
65.6        the state's reservation of a trail easement.

65.7            (b) The commissioner may make necessary changes to the legal description to correct  
65.8        errors and ensure accuracy.

65.9            (c) The land that may be conveyed is located in Hubbard County and is described as:

65.10          A strip of land 150 feet in width extending over and across the Southwest Quarter of  
65.11        the Southwest Quarter of Section 24, Township 140 North, Range 35 West of the Fifth  
65.12        Principal Meridian, Hubbard County, Minnesota, said strip of land lying being 75 feet in  
65.13        width on each side of the centerline of the main track (now removed) of the former St. Paul,  
65.14        Minneapolis and Manitoba Railway Company (now BNI), as originally located and  
65.15        established over and across said Southwest Quarter of the Southwest Quarter of Section 24  
65.16        and lying between the north line of the Fish Hook River and the north line of said Southwest  
65.17        Quarter of the Southwest Quarter of Section 24, LESS and EXCEPT the following described  
65.18        tract: that part of the South Half of the Southwest Quarter, Section 24, Township 140 North,  
65.19        Range 35 West, Hubbard County, Minnesota, described as follows: commencing at a found  
65.20        iron monument which designates the northwesterly corner of Lot 1, Block 4, AUDITOR'S  
65.21        PLAT No. 2, plat of which is on file and of record in the Office of the County Recorder,  
65.22        Hubbard County; thence on a bearing based on the Hubbard County Coordinate System  
65.23        (NAD83, 1996 Adjustment) of South 32 degrees 45 minutes 05 seconds East, along the  
65.24        southwesterly line of said Lot 1, a distance of 177.13 feet to the southwesterly corner of  
65.25        said Lot 1; thence South 48 degrees 30 minutes 52 seconds West, a distance of 71.23 feet  
65.26        to an iron monument on the southwesterly line of Mill Road; thence North 32 degrees 32  
65.27        minutes 42 seconds West, along the southwesterly line of Mill Road, a distance of 85.20  
65.28        feet to an iron monument; thence North 22 degrees 10 minutes 58 seconds West along said  
65.29        southwesterly line of Mill Road, a distance of 85.84 feet to an iron monument; thence North  
65.30        81 degrees 01 minutes 23 seconds West, a distance of 127.05 feet to the intersection with  
65.31        the easterly right-of-way line of the Heartland State Trail (former Burlington Northern  
65.32        Railroad) and an iron monument and the point of beginning of the land to be herein described;  
65.33        thence continue North 81 degrees 01 minutes 23 seconds West, a distance 37.00 feet; thence  
65.34        South 09 degrees 06 minutes 28 seconds West, a distance of 44.69 feet; thence South 13  
65.35        degrees 37 minutes 49 seconds East, a distance of 95.72 feet to an iron monument and the

66.1 intersection with said easterly right-of-way line; thence North 09 degrees 06 minutes 28  
66.2 seconds East, along said easterly right-of-way line, a distance of 133.06 feet, more or less,  
66.3 to the point of beginning. Said strip of land containing 2.52 acres, more or less.

66.4 (d) The land borders the Fish Hook River. The Department of Natural Resources has  
66.5 determined that the land is not needed for natural resource purposes and that the state's land  
66.6 management interests would best be served if the land was conveyed to a local unit of  
66.7 government.

66.8 **Sec. 10. PRIVATE SALE OF SURPLUS LAND BORDERING PUBLIC WATER;**  
66.9 **HUBBARD COUNTY.**

66.10 (a) Notwithstanding Minnesota Statutes, sections 92.45, 94.09, and 94.10, the  
66.11 commissioner of natural resources may sell by private sale the surplus land bordering public  
66.12 water that is described in paragraph (c).

66.13 (b) The commissioner may make necessary changes to the legal description to correct  
66.14 errors and ensure accuracy.

66.15 (c) The land that may be sold is located in Hubbard County and is described as:

66.16 (1) a strip of land 50 feet in width extending over and across the Southwest Quarter of  
66.17 the Southwest Quarter of Section 24, Township 140 North, Range 35 West of the Fifth  
66.18 Principal Meridian, Hubbard County, Minnesota, said strip of land lying South of the south  
66.19 line of the Fish Hook River, on the westerly side of the centerline of the main track (now  
66.20 removed) of the former Wadena and Park Rapids Railway Company (now BNI), as originally  
66.21 located and established over and across said Southwest Quarter of the Southwest Quarter  
66.22 of Section 24; said strip of land containing 0.14 acres, more or less; and

66.23 (2) a strip of land 50 feet in width extending over and across the Southwest Quarter of  
66.24 the Southwest Quarter of Section 24, Township 140 North, Range 35 West of the Fifth  
66.25 Principal Meridian, Hubbard County, Minnesota, said strip of land lying South of the south  
66.26 line of the Fish Hook River, on the easterly side of the centerline of the main track (now  
66.27 removed) of the former Wadena and Park Rapids Railway Company (now BNI), as originally  
66.28 located and established over and across said Southwest Quarter of the Southwest Quarter  
66.29 of Section 24, said strip of land containing 0.16 acres, more or less.

66.30 (d) The land borders the Fish Hook River. The Department of Natural Resources has  
66.31 determined that the land is not needed for natural resource purposes and that the state's land  
66.32 management interests would best be served if the land was returned to private ownership.

67.1       Sec. 11. **CONVEYANCE OF SURPLUS LAND BORDERING PUBLIC WATER;**  
67.2 **REDWOOD COUNTY.**

67.3       (a) Notwithstanding Minnesota Statutes, sections 92.45, 94.09, and 94.10, the  
67.4 commissioner of natural resources may convey the surplus land bordering public water that  
67.5 is described in paragraph (c) to a federally recognized Indian Tribe for no consideration.

67.6       (b) The commissioner may make necessary changes to the legal description to correct  
67.7 errors and ensure accuracy.

67.8       (c) The land that may be sold is located in Redwood County and is described as:

67.9       (1) Government Lot 2 of Section 4, Township 112 North, Range 34 West; and

67.10       (2) Government Lot 6 of Section 9, Township 112 North, Range 34 West, excepting  
67.11 therefrom: commencing at the southwest corner of United States Government Lot 6 in said  
67.12 Section 9, running thence North on a division line, between Lots 6 and 7, 1,482.5 feet;  
67.13 thence East and parallel with the south line of said Lot 6 about 872 feet to the Minnesota  
67.14 River; thence down the Minnesota River to a point due North of the southeast corner of said  
67.15 Lot 6; thence South 500 feet to the southeast corner of said Lot 6; thence West along the  
67.16 south line of said Lot 6 to the place of beginning, said exception containing 40 acres, more  
67.17 or less, and being a part of said Lot 6.

67.18       (d) The land borders the Minnesota River and is not contiguous to other state lands. The  
67.19 Department of Natural Resources has determined that the land is not needed for natural  
67.20 resource purposes and that the state's land management interests would best be served if  
67.21 the land was returned to Tribal ownership.

67.22       Sec. 12. **PRIVATE SALE OF SURPLUS LAND; ROSEAU COUNTY.**

67.23       (a) Notwithstanding Minnesota Statutes, sections 94.09 and 94.10, the commissioner of  
67.24 natural resources may sell by private sale the surplus land that is described in paragraph (c)  
67.25 to a watershed district.

67.26       (b) The commissioner may make necessary changes to the legal description to correct  
67.27 errors and ensure accuracy.

67.28       (c) The land that may be sold is located in Roseau County and is described as: All that  
67.29 part of the Northeast Quarter of the Southeast Quarter of Section 23, Township 163 North,  
67.30 Range 41 West of the Fifth Principal Meridian, Roseau County, Minnesota, described as  
67.31 follows: Beginning at the northwest corner of the Northeast Quarter of the Southeast Quarter  
67.32 of said Section 23; thence on a bearing based on the Roseau County Coordinate System

68.1 (NAD83, 1996 Adjustment) of South 89 degrees 49 minutes 33 seconds East, along the  
68.2 north line of said Northeast Quarter of the Southeast Quarter, a distance of 1,319.93 feet to  
68.3 the northeast corner of said Northeast Quarter of the Southeast Quarter, said northeast corner  
68.4 also being a point on the northwesterly right-of-way line of the exterior ditch of the northwest  
68.5 embankment of the Roseau Lake rehabilitation project; thence South 52 degrees 53 minutes  
68.6 46 seconds West, along said northwesterly right-of-way line, a distance of 1,651.76 feet,  
68.7 more or less, to the west line of said Northeast Quarter of the Southeast Quarter; thence  
68.8 North 00 degrees 08 minutes 50 seconds West, along said west line, a distance of 1,000.46  
68.9 feet to the point of beginning. Said parcel contains 15.1 acres, more or less.

68.10 (d) The Department of Natural Resources has determined that the land is not needed for  
68.11 natural resource purposes and that the state's land management interests would best be  
68.12 served if the land were conveyed to a watershed district.

68.13 **Sec. 13. PRIVATE SALE OF TAX-FORFEITED LANDS; ST. LOUIS COUNTY.**

68.14 (a) Notwithstanding the public sale provisions of Minnesota Statutes, chapter 282, or  
68.15 other law to the contrary, St. Louis County may sell by private sale the tax-forfeited lands  
68.16 described in paragraph (c).

68.17 (b) The conveyances must be in a form approved by the attorney general. The attorney  
68.18 general may make changes to the land descriptions to correct errors and ensure accuracy.

68.19 (c) The lands to be sold are located in St. Louis County and are described as:

68.20 (1) the East 4.97 feet of Lot 1, Block 19, Gilbert, Township 58, Range 17, Section 23  
68.21 (parcel number 060-0010-04190);

68.22 (2) beginning at a point 170 feet West of the northeast corner of said forty; thence West  
68.23 a distance of 170 feet to a point; thence South a distance of 256.5 feet to a point; thence  
68.24 continuing a parallel line East a distance of 170 feet to a point; thence continuing a parallel  
68.25 line North a distance of 256.5 feet to the point of beginning and being in the Northwest  
68.26 Quarter of the Northeast Quarter, containing approximately 1 acre of land, Township 57,  
68.27 Range 21, Section 21 (part of parcel number 141-0050-03594);

68.28 (3) the North Half and the Northwest Quarter of the Southwest Quarter and the West  
68.29 Half of the Southeast Quarter, Township 52, Range 13, Section 23 (part of parcel number  
68.30 485-0010-03610);

68.31 (4) all of Section 5, except the South Half of the Northeast Quarter and except the  
68.32 Northeast Quarter of the Southwest Quarter and except the railway right-of-way, .94 acres,  
68.33 Township 53, Range 15, Section 5 (part of parcel number 660-0010-00660); and

69.1 (5) that part lying within the East Half of Lot 1 lying South of St. Louis County Road  
69.2 23 described as follows: commencing at the northwest corner of Section 19, Township 65,  
69.3 Range 21; thence East along the section line 661.2 feet; thence at right angles South 285  
69.4 feet to the point of beginning; thence South 315 feet; thence at right angle East 250 feet;  
69.5 thence at right angle North 315 feet; thence West to the point of beginning, except that part  
69.6 of the Northwest Quarter of the Northwest Quarter described as follows: commencing at  
69.7 the northwest corner; thence North 89 degrees 38 minutes 14 seconds East along the north  
69.8 line 661.2 feet; thence South 0 degrees 21 minutes 46 seconds East 456.90 feet; thence  
69.9 North 89 degrees 38 minutes 14 seconds East 19.82 feet to the easterly right-of-way of  
69.10 Westley Drive and the point of beginning; thence South 3 degrees 59 minutes 44 seconds  
69.11 West along said easterly right-of-way 76.03 feet; thence North 89 degrees 38 minutes 14  
69.12 seconds East 207.13 feet; thence North 0 degrees 21 minutes 46 seconds West 162.42 feet;  
69.13 thence North 57 degrees 40 minutes 44 seconds West 210.75 feet to the intersection of said  
69.14 easterly right-of-way; thence South 19 degrees 7 minutes 59 seconds West along said easterly  
69.15 right-of-way 33.23 feet; thence South 3 degrees 59 minutes 44 seconds West along said  
69.16 easterly right-of-way 30.28 feet; thence North 89 degrees 38 minutes 14 seconds East 33.58  
69.17 feet; thence South 31 degrees 11 minutes 36 seconds East 112.47 feet; thence South 67  
69.18 degrees 3 minutes 53 seconds West 110.25 feet to said easterly right-of-way and the point  
69.19 of beginning, Township 65, Range 21, Section 19 (parcel number 760-0040-00533).

69.20 (d) The county has determined that the county's land management interests would best  
69.21 be served if the land was returned to private ownership.

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

69.23 Sec. 14. **PRIVATE SALE OF TAX-FORFEITED LANDS BORDERING PUBLIC**  
69.24 **WATERS; ST. LOUIS COUNTY.**

69.25 (a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1, and  
69.26 the public sale provisions of Minnesota Statutes, chapter 282, St. Louis County may sell by  
69.27 private sale the tax-forfeited lands bordering public waters that are described in paragraph  
69.28 (c).

69.29 (b) The conveyances must be in a form approved by the attorney general. The attorney  
69.30 general may make changes to the land descriptions to correct errors and ensure accuracy.

69.31 (c) The lands to be sold are located in St. Louis County and are described as:

69.32 (1) Lot 101, Echo Point, Town of Breitung, Township 62, Range 15, Section 19 (parcel  
69.33 number 270-0070-01010);

70.1 (2) the Northeast Quarter, except the Southwest Quarter, and the Southeast Quarter,  
70.2 except the Northwest Quarter, Township 54, Range 16, Section 22 (part of parcel number  
70.3 305-0010-03530); and

70.4 (3) Government Lots 6 and 7, except that part of Government Lot 6 lying North of the  
70.5 quarter line of Section 32, Township 69, Range 19 (parcel number 732-0010-04150).

70.6 (d) The county has determined that the county's land management interests would best  
70.7 be served if the land was returned to private ownership.

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

70.9 Sec. 15. **REPEALER.**

70.10 Minnesota Statutes 2022, sections 85.012, subdivisions 27b and 58; and 138.662,  
70.11 subdivision 33, are repealed.

## 70.12 **ARTICLE 5**

### 70.13 **PACKAGING WASTE AND COST REDUCTION ACT**

70.14 Section 1. **[115A.144] SHORT TITLE.**

70.15 Sections 115A.144 to 115A.1462 may be cited as the "Packaging Waste and Cost  
70.16 Reduction Act."

70.17 Sec. 2. **[115A.1441] DEFINITIONS.**

70.18 Subdivision 1. **Scope.** For the purposes of sections 115A.144 to 115A.1462, the terms  
70.19 in this section have the meanings given.

70.20 Subd. 2. **Advisory board.** "Advisory board" or "board" means the Producer  
70.21 Responsibility Advisory Board established under section 115A.1444.

70.22 Subd. 3. **Brand.** "Brand" means a name, symbol, word, or mark that identifies a product  
70.23 and attributes the product and its components, including packaging, to the brand owner.

70.24 Subd. 4. **Brand owner.** "Brand owner" means a person that owns or licenses a brand or  
70.25 that otherwise has rights to market a product under the brand, whether or not the brand's  
70.26 trademark is registered.

70.27 Subd. 5. **Collection rate.** "Collection rate" means the amount of a covered material by  
70.28 covered materials type collected by service providers and transported for recycling or  
70.29 composting divided by the total amount of the type of a covered material by covered materials

71.1 type sold or distributed into the state by the relevant unit of measurement established in  
71.2 section 115A.1451.

71.3 Subd. 6. **Compostable material.** "Compostable material" means a covered material  
71.4 that:

71.5 (1) meets, and is labeled to reflect that it meets, the American Society for Testing and  
71.6 Materials Standard Specification for Labeling of Plastics Designed to be Aerobically  
71.7 Composted in Municipal or Industrial Facilities (D6400) or its successor;

71.8 (2) meets, and is labeled to reflect that it meets, the American Society for Testing and  
71.9 Materials Standard Specification for Labeling of End Items that Incorporate Plastics and  
71.10 Polymers as Coatings or Additives with Paper and Other Substrates Designed to be  
71.11 Aerobically Composted in Municipal or Industrial Facilities (D6868) or its successor;

71.12 (3) is comprised of only wood without any coatings or additives; or

71.13 (4) is comprised of only paper without any coatings or additives.

71.14 Subd. 7. **Composting.** "Composting" means the controlled microbial degradation of  
71.15 source-separated compostable materials to yield a humus-like product.

71.16 Subd. 8. **Composting rate.** "Composting rate" means the amount of compostable covered  
71.17 material that is managed through composting, divided by the total amount of compostable  
71.18 covered material sold or distributed into the state by the relevant unit of measurement  
71.19 established in section 115A.1451.

71.20 Subd. 9. **Covered material.** "Covered material" means packaging and paper products  
71.21 introduced into the state. Covered material does not include exempt materials.

71.22 Subd. 10. **Covered materials type.** "Covered materials type" means a singular and  
71.23 specific type of covered material, such as paper, plastic, metal, or glass, that can be  
71.24 categorized based on distinguishing chemical or physical properties, including properties  
71.25 that allow for a covered materials type to be aggregated into a commonly defined discrete  
71.26 commodity category for purposes of reuse, recycling, or composting, and based on similar  
71.27 uses in the form of a product or package.

71.28 Subd. 11. **De minimis producer.** "De minimis producer" means a person that in the  
71.29 most recent fiscal year:

71.30 (1) introduced less than one ton of covered material into this state; or

71.31 (2) earned global gross revenues of less than \$2,000,000.

72.1 Subd. 12. **Drop-off collection site.** "Drop-off collection site" means a physical location  
72.2 where covered materials are accepted from the public and that is open a minimum of 12  
72.3 hours weekly throughout the year.

72.4 Subd. 13. **Environmental impact.** "Environmental impact" means the impact of a  
72.5 covered material on human health and the environment from extraction and processing of  
72.6 the raw materials composing the material through manufacturing; distribution; use; recovery  
72.7 for reuse, recycling, or composting; and final disposal.

72.8 Subd. 14. **Exempt materials.** "Exempt materials" means materials, or any portion of  
72.9 materials, that:

72.10 (1) are packaging for infant formula, as defined in United States Code, title 21, section  
72.11 321(z);

72.12 (2) are packaging for medical food, as defined in United States Code, title 21, section  
72.13 360ee(b)(3);

72.14 (3) are packaging for a fortified oral nutritional supplement used by persons who require  
72.15 supplemental or sole source nutrition to meet nutritional needs due to special dietary needs  
72.16 directly related to cancer, chronic kidney disease, diabetes, malnutrition, or failure to thrive,  
72.17 as those terms are defined by the International Classification of Diseases, Tenth Revision;

72.18 (4) are a product, including its peripheral accessories, and the packaging or packaging  
72.19 components for any investigational or approved product regulated as a drug or medical  
72.20 device by the United States Food and Drug Administration;

72.21 (5) are medical equipment or products or their components, including consumable  
72.22 medical equipment or products and their components, and the packaging or packaging  
72.23 components for any products used in health care settings, including hospitals and clinics  
72.24 that are regulated by the United States Food and Drug Administration or used for infection  
72.25 prevention and dispensing of medication;

72.26 (6) are medical equipment or products and the packaging or packaging components for  
72.27 any product intended for Research Use Only as defined in the Federal Food, Drug, and  
72.28 Cosmetic Act, United States Code, title 21, section 360 et seq.;

72.29 (7) are drugs, biological products, parasiticides, medical devices, or in vitro diagnostics  
72.30 used to treat, or administered to, animals and regulated by the United States Food and Drug  
72.31 Administration under the Federal Food, Drug, and Cosmetic Act, United States Code, title  
72.32 21, section 301 et seq., by the United States Department of Agriculture under the federal  
72.33 Virus-Serum-Toxin Act, United States Code, title 21, section 151 et seq.;



73.1 (8) are packaging for products regulated or by the United States Environmental Protection  
73.2 Agency under the Federal Insecticide, Fungicide, and Rodenticide Act, United States Code,  
73.3 title 7, section 136 et seq.;

73.4 (9) are packaging used to contain liquefied petroleum gas and are designed to be refilled;  
73.5 or

73.6 (10) are paper products used for a print publication that primarily includes content derived  
73.7 from primary sources related to news and current events.

73.8 Subd. 15. **Food packaging.** "Food packaging" has the meaning given in section 325F.075.

73.9 Subd. 16. **Independent auditor.** "Independent auditor" means an independent and  
73.10 actively licensed certified public accountant that is:

73.11 (1) retained by a producer responsibility organization;

73.12 (2) not otherwise employed by or affiliated with a producer responsibility organization;  
73.13 and

73.14 (3) qualified to conduct an audit under state law.

73.15 Subd. 17. **Infrastructure investment.** "Infrastructure investment" means an investment  
73.16 by a producer responsibility organization that funds or reimburses service providers for:

73.17 (1) equipment or facilities in which covered materials are prepared for reuse, recycling,  
73.18 or composting;

73.19 (2) equipment or facilities used for waste reduction, reuse, recycling, or composting of  
73.20 covered materials; or

73.21 (3) the expansion or strengthening of demand for and use of covered materials by  
73.22 responsible markets in the state or region.

73.23 Subd. 18. **Introduce.** "Introduce" means to sell, offer for sale, distribute, or use to ship  
73.24 a product within or into this state.

73.25 Subd. 19. **Living wage.** "Living wage" means the minimum hourly wage necessary to  
73.26 allow a person working 40 hours per week to afford basic needs.

73.27 Subd. 20. **Needs assessment.** "Needs assessment" means an assessment conducted  
73.28 according to section 115A.1450. Except where the context requires otherwise, needs  
73.29 assessment means the most recently completed needs assessment.

73.30 Subd. 21. **Nondisclosure agreement.** "Nondisclosure agreement" means an agreement  
73.31 that requires the parties to the agreement to treat private and nonpublic data submitted to

74.1 facilitate completion of a needs assessment according to the definitions and requirements  
74.2 established in section 115A.06, subdivision 13.

74.3 Subd. 22. **Packaging.** "Packaging" has the meaning given in section 115A.03 and  
74.4 includes food packaging and only includes those materials that are supplied to a residential  
74.5 consumer. Packaging does not include exempt materials.

74.6 Subd. 23. **Paper product.** "Paper product" means a product made primarily from wood  
74.7 pulp or other cellulosic fibers, except that paper product does not include bound books or  
74.8 products that recycling or composting facilities will not accept because of the unsafe or  
74.9 unsanitary nature of the paper product.

74.10 Subd. 24. **Postconsumer recycled content.** "Postconsumer recycled content" means  
74.11 the portion of a product composed of postconsumer material, expressed as a percentage of  
74.12 the total weight of the product.

74.13 Subd. 25. **Producer.** (a) "Producer" means the following person responsible for  
74.14 compliance with requirements under this act for a covered material sold, offered for sale,  
74.15 or distributed in or into this state:

74.16 (1) for items sold in or with packaging at a physical retail location in this state:

74.17 (i) if the item is sold in or with packaging under the brand of the item manufacturer or  
74.18 is sold in packaging that lacks identification of a brand, the producer is the person that  
74.19 manufactures the item;

74.20 (ii) if there is no person to which item (i) applies, the producer is the person that is  
74.21 licensed to manufacture and sell or offer for sale to consumers in this state an item with  
74.22 packaging under the brand or trademark of another manufacturer or person;

74.23 (iii) if there is no person to which item (i) or (ii) applies, the producer is the brand owner  
74.24 of the item;

74.25 (iv) if there is no person described in item (i), (ii), or (iii) within the United States, the  
74.26 producer is the person who is the importer of record for the item into the United States for  
74.27 use in a commercial enterprise that sells, offers for sale, or distributes the item in this state;  
74.28 or

74.29 (v) if there is no person described in items (i) to (iv), the producer is the person that first  
74.30 distributes the item in or into this state;

74.31 (2) for items sold or distributed in packaging in or into this state via e-commerce, remote  
74.32 sale, or distribution:

75.1 (i) for packaging used to directly protect or contain the item, the producer of the packaging  
75.2 is the same as the producer identified under clause (1); and

75.3 (ii) for packaging used to ship the item to a consumer, the producer of the packaging is  
75.4 the person that packages the item to be shipped to the consumer;

75.5 (3) for packaging that is a covered material and is not included in clauses (1) and (2),  
75.6 the producer of the packaging is the person that first distributes the item in or into this state;

75.7 (4) for paper products that are magazines, catalogs, telephone directories, or similar  
75.8 publications, the producer is the publisher;

75.9 (5) for paper products not described in clause (4):

75.10 (i) if the paper product is sold under the manufacturer's own brand, the producer is the  
75.11 person that manufactures the paper product;

75.12 (ii) if there is no person to which item (i) applies, the producer is the person that is the  
75.13 owner or licensee of a brand or trademark under which the paper product is used in a  
75.14 commercial enterprise, sold, offered for sale, or distributed in or into this state, whether or  
75.15 not the trademark is registered in this state;

75.16 (iii) if there is no person to which item (i) or (ii) applies, the producer is the brand owner  
75.17 of the paper product;

75.18 (iv) if there is no person described in item (i), (ii), or (iii) within the United States, the  
75.19 producer is the person that imports the paper product into the United States for use in a  
75.20 commercial enterprise that sells, offers for sale, or distributes the paper product in this state;  
75.21 or

75.22 (v) if there is no person described in items (i) to (iv), the producer is the person that first  
75.23 distributes the paper product in or into this state; and

75.24 (6) a person is the producer of a covered material sold, offered for sale, or distributed  
75.25 in or into this state, as defined in clauses (1) to (5), except:

75.26 (i) where another person has mutually signed an agreement with a producer as defined  
75.27 in clauses (1) to (5) that contractually assigns responsibility to the person as the producer,  
75.28 and the person has joined a registered producer responsibility organization as the responsible  
75.29 producer for that covered material under this act. In the event that another person is assigned  
75.30 responsibility as the producer under this subdivision, the producer under clauses (1) to (5)  
75.31 must provide written certification of that contractual agreement to the producer responsibility  
75.32 organization; and

76.1 (ii) if the producer described in clauses (1) to (5) is a business operated wholly or in part  
76.2 as a franchise, the producer is the franchisor if that franchisor has franchisees that have a  
76.3 commercial presence within the state.

76.4 (b) "Producer" does not include:

76.5 (1) government agencies, municipalities, or other political subdivisions of the state;

76.6 (2) registered 501(c)(3) charitable organizations and 501(c)(4) social welfare  
76.7 organizations;

76.8 (3) de minimis producers; or

76.9 (4) a mill that uses any virgin wood fiber in the products it produces.

76.10 Subd. 26. **Producer responsibility organization.** "Producer responsibility organization"  
76.11 means a nonprofit corporation that is tax exempt under chapter 501(c)(3) of the federal  
76.12 Internal Revenue Code and that is created by a group of producers to implement activities  
76.13 under this act.

76.14 Subd. 27. **Recycling.** "Recycling" has the meaning given in section 115A.03 except that  
76.15 recycling does not include reuse or composting, as defined in this act.

76.16 Subd. 28. **Recycling rate.** "Recycling rate" means the amount of covered material, in  
76.17 aggregate or by individual covered materials type, recycled in a calendar year divided by  
76.18 the total amount of covered materials sold or distributed into the state by the relevant unit  
76.19 of measurement established in section 115A.1451.

76.20 Subd. 29. **Refill.** "Refill" means the continued use of a covered material by a consumer  
76.21 through a system that is:

76.22 (1) intentionally designed and marketed for repeated filling of a covered material to  
76.23 reduce demand for new production of the covered material;

76.24 (2) supported by adequate logistics and infrastructure to provide convenient access for  
76.25 consumers; and

76.26 (3) compliant with all applicable state and local statute, rule, ordinance, or other law  
76.27 governing health and safety.

76.28 Subd. 30. **Responsible market.** "Responsible market" means a materials market that:

76.29 (1) reuses, recycles, composts, or otherwise recovers materials and disposes of  
76.30 contaminants in a manner that protects the environment and minimizes risks to public health  
76.31 and worker health and safety;

77.1 (2) complies with all applicable federal, state, and local statutes, rules, ordinances, or  
77.2 other laws governing environmental, health, safety, and financial responsibility;

77.3 (3) possesses all requisite licenses and permits required by government agencies;

77.4 (4) if the market operates in the state, manages waste according to the waste management  
77.5 goal and priority order of waste management practices stated in section 115A.02; and

77.6 (5) minimizes adverse impacts to environmental justice areas.

77.7 Subd. 31. **Return rate.** "Return rate" means the amount of reusable covered material in  
77.8 aggregate or by individual covered materials type, collected for reuse by the producer or  
77.9 service provider in a calendar year, divided by the total amount of reusable covered materials  
77.10 sold or distributed into the state by the relevant unit of measurement established in section  
77.11 115A.1451.

77.12 Subd. 32. **Reusable.** "Reusable" means capable of reuse.

77.13 Subd. 33. **Reuse.** "Reuse" means the return of a covered material to the marketplace and  
77.14 the continued use of the covered material by a producer or service provider when the covered  
77.15 material is:

77.16 (1) intentionally designed and marketed to be used multiple times for its original intended  
77.17 purpose without a change in form;

77.18 (2) designed for durability and maintenance to extend its useful life and reduce demand  
77.19 for new production of the covered material;

77.20 (3) supported by adequate logistics and infrastructure at a retail location, by a service  
77.21 provider, or on behalf of or by a producer, that provides convenient access for consumers;  
77.22 and

77.23 (4) compliant with all applicable state and local statutes, rules, ordinances, or other laws  
77.24 governing health and safety.

77.25 Subd. 34. **Reuse rate.** "Reuse rate" means the share of units of a covered material sold  
77.26 or distributed into the state in a calendar year that are deemed reusable by the commissioner  
77.27 according to section 115A.1451.

77.28 Subd. 35. **Service provider.** "Service provider" means an entity that collects, transfers,  
77.29 sorts, processes, recovers, or otherwise prepares covered materials for reuse, recycling, or  
77.30 composting. A political subdivision that provides or that contracts or otherwise arranges  
77.31 with another party to provide reuse, collection, recycling, or composting services for covered  
77.32 materials within its jurisdiction may be a service provider regardless of whether it provided,

78.1 contracted for, or otherwise arranged for similar services before the approval of the applicable  
78.2 stewardship plan.

78.3 Subd. 36. **Third-party certification.** "Third-party certification" means certification by  
78.4 an accredited independent organization that a standard or process required by this act, or a  
78.5 stewardship plan approved under this act, has been achieved.

78.6 Subd. 37. **This act.** "This act" means sections 115A.144 to 115A.1462.

78.7 Subd. 38. **Toxic substance.** "Toxic substance" means hazardous waste, a problem  
78.8 material, a chemical or chemical class regulated under section 115A.965, 116.943, 325F.075,  
78.9 or 325F.172 to 325F.179, or a chemical of high concern identified under section 116.9402.

78.10 Subd. 39. **Waste reduction or source reduction.** "Waste reduction" or "source reduction"  
78.11 has the meaning given in section 115A.03, except that waste reduction or source reduction  
78.12 does not include reuse, but does include refill, as defined in this act.

78.13 Sec. 3. **[115A.1442] ESTABLISHMENT OF PROGRAM.**

78.14 Producers must implement and finance a statewide program for packaging and paper  
78.15 products in accordance with this act that encourages packaging redesign to reduce the  
78.16 environmental impacts and human health impacts and that reduces generation of covered  
78.17 materials waste through waste reduction, reuse, recycling, and composting and by providing  
78.18 for negotiation and execution of agreements to collect, transport, and process used covered  
78.19 materials for reuse, recycling, and composting.

78.20 Sec. 4. **[115A.1443] REGISTRATION OF PRODUCER RESPONSIBILITY**  
78.21 **ORGANIZATIONS AND SERVICE PROVIDERS.**

78.22 Subdivision 1. **Annual registration.** (a) By July 1, 2025, and each January 1 thereafter,  
78.23 producers must appoint a producer responsibility organization. The producer responsibility  
78.24 organization must register with the commissioner by July 1, 2026, and each January 1  
78.25 thereafter by submitting the following:

78.26 (1) contact information for a person responsible for implementing an approved  
78.27 stewardship plan;

78.28 (2) a list of all member producers that will operate under the stewardship plan  
78.29 administered by the producer responsibility organization and, for each producer, a list of  
78.30 all brands of the producer's covered materials introduced;

79.1 (3) copies of written agreements with each producer stating that each producer agrees  
79.2 to operate under an approved stewardship plan administered by the producer responsibility  
79.3 organization;

79.4 (4) a list of current board members and the executive director if different than the person  
79.5 responsible for implementing approved stewardship plans; and

79.6 (5) documentation demonstrating adequate financial responsibility and financial controls  
79.7 to ensure proper management of funds and payment of the annual fee required under  
79.8 subdivision 2.

79.9 (b) Following the approval of the initial producer responsibility organization and the  
79.10 initial stewardship plan, if more than a single producer responsibility organization is  
79.11 established, the producers and producer responsibility organizations must establish a  
79.12 coordinating body and process to prevent redundancy . The stewardship plans of all producer  
79.13 responsibility organizations must be integrated into a single stewardship plan that covers  
79.14 all requirements of this act and encompasses all producers when submitted to the  
79.15 commissioner for approval. The annual reports of all producer responsibility organizations  
79.16 must be integrated into a single annual report that covers all requirements of this act and  
79.17 encompasses all producers when submitted to the commissioner.

79.18 Subd. 2. **Registration fee.** (a) As part of its annual registration with the commissioner,  
79.19 a producer responsibility organization must submit to the commissioner an annual fee for  
79.20 the following year, as determined by the commissioner. Beginning October 1, 2026, and  
79.21 annually thereafter, the commissioner must notify registered producer responsibility  
79.22 organizations in writing of the amount of the fee for the following year. If there is more  
79.23 than one registered producer responsibility organization, the coordinating body described  
79.24 in subdivision 1, paragraph (b), must equitably apportion payment of the annual fee between  
79.25 all registered producer responsibility organizations. The annual fee must be set at an amount  
79.26 anticipated to in the aggregate meet but not exceed the commissioner's estimate of the costs  
79.27 required to perform the commissioner's duties as described in section 115A.1445 and to  
79.28 otherwise administer, implement, and enforce this act.

79.29 (b) The commissioner must reconcile the fees paid by a producer responsibility  
79.30 organization under this subdivision with the actual costs incurred by the agency on an annual  
79.31 basis, by means of credits or refunds to or additional payments required of a producer  
79.32 responsibility organization, as applicable.

79.33 Subd. 3. **Initial producer responsibility organization registration; implementation**  
79.34 fee. (a) By January 1, 2025, producers must appoint a producer responsibility organization.

80.1 The producer responsibility organization must register with the commissioner by submitting  
80.2 the following:

80.3 (1) contact information for a person responsible for implementing an approved  
80.4 stewardship plan;

80.5 (2) a list of current member producers and their written agreements confirming producers  
80.6 will operate under an approved stewardship plan administered by the producer responsibility  
80.7 organization;

80.8 (3) a plan for recruiting additional member producers and executing written agreements  
80.9 confirming producers will operate under an approved stewardship plan administered by the  
80.10 producer responsibility organization;

80.11 (4) a list of current board members and the executive director if different than the person  
80.12 responsible for implementing approved stewardship plans; and

80.13 (5) documentation demonstrating adequate financial responsibility and financial controls  
80.14 to ensure proper management of funds and payment of the annual fee required under  
80.15 subdivision 2.

80.16 (b) Notwithstanding the other provisions of this section, the commissioner may not allow  
80.17 registration of more than one producer responsibility organization under this section before  
80.18 the first stewardship plan approved by the commissioner expires. If more than one producer  
80.19 responsibility organization applies to register under this section before the first stewardship  
80.20 plan is approved by the commissioner, the commissioner must select the producer  
80.21 responsibility organization that will represent producers until the first stewardship plan  
80.22 expires and must return the registration fee paid by applicants who are not selected. When  
80.23 selecting a producer responsibility organization, the commissioner must consider whether  
80.24 the producer responsibility organization:

80.25 (1) has a governing board consisting of producers that represent a diversity of covered  
80.26 materials introduced; and

80.27 (2) demonstrates adequate financial responsibility and financial controls to ensure proper  
80.28 management of funds.

80.29 (c) By January 1, 2025, and annually until the first stewardship plan is approved, the  
80.30 commissioner must provide written notice to the initial producer responsibility organization  
80.31 appointed by producers of the commissioner's estimate of the cost of conducting the  
80.32 preliminary needs assessment, initial needs assessment, and the commissioner's costs to  
80.33 administer this act during the period prior to plan approval. The producer responsibility



81.1 organization must remit payment in full for these costs to the commissioner within 45 days  
81.2 of receipt of this notice. The producer responsibility organization may charge each member  
81.3 producer to cover the cost of its implementation fee according to each producer's unit-,  
81.4 weight-, volume-, or sales-based market share or by another method it determines to be an  
81.5 equitable determination of each producer's payment obligation.

81.6 Subd. 4. **Requirement for additional producer responsibility organizations.** After  
81.7 the first stewardship plan approved by the commissioner expires, The commissioner may  
81.8 allow registration of more than one producer responsibility organization if:

81.9 (1) producers of a covered materials type or a specific covered material appoint a producer  
81.10 responsibility organization; or

81.11 (2) producers organize under additional producer responsibility organizations that meet  
81.12 the criteria established in subdivision 3, paragraph (a).

81.13 Subd. 5. **Registration of service providers.** (a) By January 1, 2027, and annually  
81.14 thereafter, a service provider seeking reimbursement for services provided under an approved  
81.15 stewardship plan according to section 115A.1451 may elect to register with the commissioner  
81.16 by submitting the following information:

81.17 (1) contact information for a person representing the service provider; and

81.18 (2) address of the service provider.

81.19 (b) A service provider may register at any time.

81.20 **Sec. 5. [115A.1444] ESTABLISHMENT OF PRODUCER RESPONSIBILITY**  
81.21 **ADVISORY BOARD.**

81.22 Subdivision 1. **Establishment.** The Producer Responsibility Advisory Board is established  
81.23 to review all activities conducted by producer responsibility organizations under this act  
81.24 and to advise the commissioner and producer responsibility organizations regarding the  
81.25 implementation of this act.

81.26 Subd. 2. **Membership.** (a) The membership of the advisory board consists of persons  
81.27 appointed by the commissioner by January 1, 2025, as follows:

81.28 (1) two members representing manufacturers of covered materials or a statewide or  
81.29 national trade association representing those manufacturers;

81.30 (2) two members representing recycling facilities that manage covered materials;

82.1 (3) one member representing a waste hauler or a statewide association representing waste  
82.2 haulers;

82.3 (4) one member representing retailers of covered materials or a statewide trade association  
82.4 representing those retailers;

82.5 (5) one member representing a statewide nonprofit environmental organization;

82.6 (6) one member representing a community-based nonprofit environmental justice  
82.7 organization;

82.8 (7) one member representing a waste facility that receives and sorts covered materials  
82.9 and transfers them to another facility for reuse, recycling, or composting;

82.10 (8) one member representing a waste facility that receives compostable materials for  
82.11 composting or a statewide trade association that represents such facilities;

82.12 (9) two members representing an entity that develops or offers for sale covered materials  
82.13 that are designed for reuse and maintained through a reuse system or infrastructure or a  
82.14 statewide or national trade association that represents such entities;

82.15 (10) three members representing organizations of political subdivisions, with at least  
82.16 one member representing a political subdivision outside the metropolitan area;

82.17 (11) two members representing other stakeholders or additional members of interests  
82.18 represented under clauses (1) to (10) as determined by the commissioner; and

82.19 (12) one member representing the commissioner.

82.20 (b) In making appointments under paragraph (a), the commissioner:

82.21 (1) may not appoint members who are state legislators or registered lobbyists;

82.22 (2) may not appoint members who are employees of a producer required to be members  
82.23 of a producer responsibility organization in this state under this act; and

82.24 (3) must endeavor to appoint members from all regions of the state.

82.25 Subd. 3. **Terms; removal.** A member of the advisory board appointed under subdivision  
82.26 2, paragraph (a), clause (12), serves at the pleasure of the commissioner. All other members  
82.27 serve for a term of four years, except that the initial term for nine of the initial appointees  
82.28 must be two years so that membership terms are staggered. Members may be reappointed  
82.29 but may not serve more than eight consecutive years. Removing members and filling of  
82.30 vacancies is governed by section 15.059, subdivision 4. Except as otherwise provided,  
82.31 chapter 15 does not apply to the board.

83.1 Subd. 4. **Compensation.** Members of the board must be compensated according to  
83.2 section 15.059, subdivision 3.

83.3 Subd. 5. **Quorum.** A majority of the voting board members constitutes a quorum. If  
83.4 there is a vacancy in the membership of the board, a majority of the remaining voting  
83.5 members of the board constitutes a quorum.

83.6 Subd. 6. **Voting.** Action by the advisory board requires a quorum and a majority of those  
83.7 present and voting. All members of the advisory board, except the member appointed under  
83.8 subdivision 2, paragraph (a), clause (12), are voting members of the board.

83.9 Subd. 7. **Meetings.** The advisory board must meet at least two times per year and may  
83.10 meet more frequently upon ten days' written notice at the request of the chair or a majority  
83.11 of its members.

83.12 Subd. 8. **Open meetings.** Meetings of the board must comply with chapter 13D.

83.13 Subd. 9. **Chair.** At its initial meeting, and every two years thereafter, the advisory board  
83.14 must elect a chair and vice-chair from among its members.

83.15 Subd. 10. **Administrative and operating support.** The commissioner must provide  
83.16 administrative and operating support to the advisory board and may contract with a third-party  
83.17 facilitator to assist in administering the activities of the advisory board, including establishing  
83.18 a website or landing page on the agency website.

83.19 Subd. 11. **Conflict of interest policies.** The commissioner must assist the advisory board  
83.20 in developing policies and procedures governing the disclosure of actual or perceived  
83.21 conflicts of interest that advisory board members may have as a result of their employment  
83.22 or financial holdings of themselves or of family members. Each advisory board member is  
83.23 responsible for reviewing the conflict of interest policies and procedures. An advisory board  
83.24 member must disclose any instance of actual or perceived conflicts of interest at each meeting  
83.25 of the advisory board at which recommendations regarding stewardship plans, programs,  
83.26 operations, or activities are made by the advisory board.

83.27 Sec. 6. **[115A.1445] COMMISSIONER RESPONSIBILITIES.**

83.28 The commissioner must:

83.29 (1) appoint the initial membership of the advisory board by January 1, 2025, according  
83.30 to section 115A.1444;

83.31 (2) provide administrative and operating support to the advisory board, as required by  
83.32 section 115A.1444, subdivision 10;

- 84.1 (3) complete a preliminary needs assessment by December 31, 2025, an initial needs  
84.2 assessment by December 31, 2026, and update the needs assessment every five years  
84.3 thereafter, according to section 115A.1450;
- 84.4 (4) approve stewardship plans and amendments to stewardship plans according to section  
84.5 115A.1451;
- 84.6 (5) provide lists established according to the requirements of section 115A.1453 to all  
84.7 producer responsibility organizations by March 1, 2027;
- 84.8 (6) establish or approve requirements according to section 115A.1451, subdivision 7;
- 84.9 (7) post on the agency's website:
- 84.10 (i) the most recent registration materials submitted by producer responsibility  
84.11 organizations, including all information submitted under section 115A.1443, subdivision  
84.12 1;
- 84.13 (ii) a list of registered service providers;
- 84.14 (ii) the most recent needs assessments;
- 84.15 (iii) any stewardship plan or amendment submitted by a producer responsibility  
84.16 organization under section 115A.1451 that is in draft form during the public comment  
84.17 period;
- 84.18 (iv) the most recent lists established according to section 115A.1453;
- 84.19 (vi) the list of exempt materials and covered materials exempt from performance targets  
84.20 and statewide requirements as approved in the stewardship plan;
- 84.21 (v) links to producer responsibility organization websites;
- 84.22 (vi) comments of the public, advisory board, and producer responsibility organizations  
84.23 on the documents listed in items (ii), (iii), (iv), and (vii), and the responses of the  
84.24 commissioner to those comments; and
- 84.25 (vii) links to adopted rules implementing this act;
- 84.26 (8) provide producer responsibility organizations with information regarding Minnesota  
84.27 and federal laws that prohibit toxic substances in covered materials;
- 84.28 (9) require each producer responsibility organization to secure an independent auditor  
84.29 to perform an annual financial audit of program operations and approve the section of each  
84.30 auditor; and

85.1 (10) consider and respond in writing to all written comments received from the advisory  
85.2 board.

85.3 **Sec. 7. [115A.1446] PRODUCER RESPONSIBILITY ADVISORY BOARD**  
85.4 **RESPONSIBILITIES.**

85.5 The Producer Responsibility Advisory Board must:

85.6 (1) convene its initial meeting by March 1, 2025;

85.7 (2) consult with the commissioner regarding the scope of the needs assessments and to  
85.8 provide written comments on needs assessments, according to section 115A.1450, subdivision  
85.9 2;

85.10 (3) advise on the development of stewardship plans and amendments to stewardship  
85.11 plans under section 115A.1451;

85.12 (4) submit comments to producer responsibility organizations and to the commissioner  
85.13 on any matter relevant to the administration of this act; and

85.14 (5) provide written comments to the commissioner during any rulemaking process  
85.15 undertaken by the commissioner under section 115A.1459.

85.16 **Sec. 8. [115A.1447] PRODUCER RESPONSIBILITY ORGANIZATION**  
85.17 **RESPONSIBILITIES.**

85.18 A producer responsibility organization must:

85.19 (1) annually register with the commissioner, according to section 115A.1443;

85.20 (2) submit a stewardship plan to the commissioner by March 1, 2027, and every five  
85.21 years thereafter, according to section 115A.1451;

85.22 (3) implement stewardship plans approved by the commissioner under section 115A.1451  
85.23 and to comply with the requirements of this act;

85.24 (4) forward upon receipt from the commissioner the lists established according to section  
85.25 115A.1453 to all service providers that participate in a stewardship plan administered by  
85.26 the producer responsibility organization;

85.27 (5) collect producer fees according to section 115A.1454;

85.28 (6) submit the reports required by section 115A.1456;

86.1 (7) ensure that producers operating under a stewardship plan administered by the producer  
86.2 responsibility organization comply with the requirements of the stewardship plan and with  
86.3 this act;

86.4 (8) expel a producer from the producer responsibility organization if efforts to return  
86.5 the producer to compliance with the plan or with the requirements of this act are unsuccessful.  
86.6 The producer responsibility organization must notify the commissioner when a producer  
86.7 has been expelled under this clause;

86.8 (9) consider and respond in writing to comments received from the advisory board,  
86.9 including justifications for not incorporating any recommendations;

86.10 (10) provide producers with information regarding state and federal laws that prohibit  
86.11 substances in covered materials, including sections 115A.965, 116.943, 325F.075, 325F.172  
86.12 to 325F.179, and all laws prohibiting toxic substances in covered materials;

86.13 (11) maintain a website according to section 115A.1457;

86.14 (12) notify the commissioner within 30 days if a change is made to the contact information  
86.15 for a person responsible for implementing the stewardship plan, a change to the board  
86.16 members, or a change to the executive director;

86.17 (13) assist service providers in identifying and using responsible markets;

86.18 (14) reimburse service providers in a timely manner and according to reimbursement  
86.19 rates approved in a stewardship plan as established according to section 115A.1451; and

86.20 (15) comply with all other applicable requirements of this act.

86.21 **Sec. 9. [115A.1448] PRODUCER RESPONSIBILITIES.**

86.22 Subdivision 1. **Registration required; prohibition of sale.** (a) After January 1, 2025,  
86.23 a producer must be a member of a producer responsibility organization registered in this  
86.24 state.

86.25 (b) After January 1, 2029, no producer may introduce covered materials, either separately  
86.26 or when used to package another product, unless the producer operates under a written  
86.27 agreement with a producer responsibility organization to operate under an approved  
86.28 stewardship plan.

86.29 (c) After January 1, 2032, no producer may introduce covered materials unless the  
86.30 covered materials are:

87.1 (1) reusable and capable of being managed through a reuse system that meets the reuse  
87.2 rate and return rate required under section 115A.1451, subdivision 7;

87.3 (2) capable of refill and supported by a refill system;

87.4 (3) included on the list established under section 115A.1453, subdivision 1; or

87.5 (4) included on the list established under section 115A.1453, subdivision 2.

87.6 (d) A producer responsibility organization may petition the commissioner for a two-year  
87.7 extension to comply with the requirements of paragraph (c). The commissioner may approve  
87.8 the extension if the petition demonstrates that the market or technical issues prevent a  
87.9 covered material from being considered reusable or included in the lists established under  
87.10 section 115A.1453. The producer responsibility organization may petition the commissioner  
87.11 for additional extensions in annual increments until January 1, 2040, if the producer  
87.12 responsibility organization demonstrates that market or technical issues persist.

87.13 Subd. 2. **Duties.** A producer must:

87.14 (1) implement the requirements of the stewardship plan under which the producer  
87.15 operates;

87.16 (2) pay producer fees according to section 115A.1454; and

87.17 (3) comply with all other applicable requirements of this act.

87.18 **Sec. 10. [115A.1449] SERVICE PROVIDER RESPONSIBILITIES.**

87.19 A service provider receiving reimbursement or funding under an approved stewardship  
87.20 plan must:

87.21 (1) ensure the collection, transportation, and management of covered materials generated  
87.22 in the state pursuant to the lists established under section 115A.1453 or covered materials  
87.23 that are capable of refill or reuse;

87.24 (2) register with the commissioner and submit invoices to the producer responsibility  
87.25 organization for reimbursement for services rendered;

87.26 (3) meet performance standards established in an approved stewardship plan under  
87.27 section 115A.1451;

87.28 (2) ensure that covered materials are sent to responsible markets;

87.29 (3) provide documentation to the producer responsibility organization on the amounts,  
87.30 covered materials types, and volumes of covered materials collected, transported, and  
87.31 managed for recycling, composting, or reuse; and

88.1 (6) comply with all other applicable requirements of this act.

88.2 Sec. 11. [115A.1450] NEEDS ASSESSMENTS.

88.3 Subdivision 1. Needs assessments required. (a) By December 31, 2025, and every five  
88.4 years thereafter, the commissioner must complete a preliminary needs assessment according  
88.5 to this section. (b) By December 31, 2026, and every five years thereafter, the commissioner  
88.6 must complete a statewide needs assessment according to this section. The commissioner  
88.7 may adjust what is required to be included in a specific needs assessment to inform the next  
88.8 stewardship plan.

88.9 Subd. 2. Input from interested parties. In conducting a needs assessment, the  
88.10 commissioner must:

88.11 (1) initiate a consultation process to obtain recommendations from the advisory board,  
88.12 political subdivisions, service providers, producer responsibility organizations, and other  
88.13 interested parties regarding the type and scope of information that should be collected and  
88.14 analyzed in the statewide needs assessment required by this section;

88.15 (2) contract with a third party who is not a producer or a producer responsibility  
88.16 organization to conduct the needs assessment; and

88.17 (3) prior to finalizing the needs assessment, make the draft needs assessment available  
88.18 for comment by the advisory board, producer responsibility organizations, and the public.  
88.19 The commissioner must respond in writing to the comments and recommendations of the  
88.20 advisory board and producer responsibility organizations.

88.21 Subd. 3. Content of preliminary needs assessment. A preliminary needs assessment  
88.22 must be completed for a preceding period of no less than 12 months and no more than 36  
88.23 months, that includes:

88.24 (1) tons of collected covered materials;

88.25 (2) recycling and composting program characteristics, including a description of  
88.26 single-stream and dual-stream recycling systems used in the state and prevalence of use,  
88.27 average frequency of collection of covered materials for recycling and composting, types  
88.28 of collection containers used, and commonly accepted materials for recycling and  
88.29 composting;

88.30 (3) total number and types of single-family and multi-family households and residential  
88.31 properties receiving recycling and composting collection services;



89.1 (4) processing capacity at recycling facilities, including total tons processed and number  
89.2 of bales created, the range of material composition and bales produced, and current  
89.3 technologies utilized;

89.4 (5) size and number of depot, container, or drop-off locations;

89.5 (6) size and number of transfer stations and transfer locations;

89.6 (7) average term length of residential recycling and composting collection contracts  
89.7 issued by political subdivisions and an assessment of contract cost structures;

89.8 (8) average recycling facility processing fees charged to collectors delivering covered  
89.9 materials for recycling;

89.10 (9) available markets in the state for covered materials and the capacity of those markets;  
89.11 and

89.12 (10) covered materials sales by volume, weight, and material types introduced by  
89.13 producers.

89.14 Subd. 3. **Content of needs assessment.** A needs assessment must include at least the  
89.15 following:

89.16 (1) an evaluation of the performance of:

89.17 (i) existing waste reduction, reuse, recycling, and composting efforts for each covered  
89.18 materials type, as applicable, including collection rates, recycling rates, composting rates,  
89.19 reuse rates, and return rates for each covered materials type;

89.20 (ii) overall recycling rate, composting rate, reuse rate, and return rate for all covered  
89.21 materials; and

89.22 (iii) the extent to which postconsumer recycled content, by the best estimate, is or could  
89.23 be incorporated into each covered materials type, as applicable;

89.24 (2) an evaluation of a representative sample of management of covered materials with  
89.25 mixed municipal solid waste, as source-separated recyclable materials, and as  
89.26 source-separated compostable materials as received by waste management, recycling, and  
89.27 composting facilities in the state, and relevant findings from any publicly available waste  
89.28 stream evaluations conducted within the previous year, to evaluate the amount and portion  
89.29 of covered materials being disposed of that would otherwise be recyclable or compostable;

89.30 (3) proposals for a range of outcomes for each covered materials type to be accomplished  
89.31 within a five-year time frame in multiple units of measurement, including but not limited  
89.32 to unit-based, weight-based, and volume-based, for each of the following:

- 90.1 (i) waste reduction;
- 90.2 (ii) reuse rate and return rates;
- 90.3 (iii) recycling rates;
- 90.4 (iv) composting rates; and
- 90.5 (v) postconsumer recycled content, if applicable;
- 90.6 (4) proposals for a range of outcomes for the categories established in section 115A.1451,
- 90.7 subdivision 7, that consider:
- 90.8 (i) information contained in or used to prepare a needs assessment according to this
- 90.9 subdivision;
- 90.10 (ii) goals and requirements of the Waste Management Act under this chapter;
- 90.11 (iii) statewide goals for greenhouse gas emission reductions under section 216H.02;
- 90.12 (iv) need for continuous progress toward generating less waste from covered materials
- 90.13 and the complete reuse, recycling, or composting of the covered materials that are generated,
- 90.14 in doing so reducing impacts to human health and the environment;
- 90.15 (v) a preference for statewide requirements that accomplish and further the goals and
- 90.16 requirements in clauses (2) to (4) as soon as practicable and to the maximum extent
- 90.17 achievable; and
- 90.18 (vi) information from packaging and paper producer responsibility programs operating
- 90.19 in other jurisdictions;
- 90.20 (5) an evaluation of the following factors for each covered material collected for recycling
- 90.21 or composting:
- 90.22 (i) availability of recycling and composting collection services;
- 90.23 (ii) recycling and composting processing infrastructure;
- 90.24 (iii) capacity and technology for sorting covered materials;
- 90.25 (iv) availability of responsible end markets;
- 90.26 (v) presence and amount of processing residuals, contamination, and toxic substances;
- 90.27 (vi) quantity of material estimated to be available and recoverable;
- 90.28 (vii) projected future conditions for items (i) to (vi); and
- 90.29 (viii) other criteria or factors determined by the commissioner;

91.1 (6) recommended collection methods by covered materials type to maximize collection  
91.2 efficiency, feedstock quality, level of service, and convenience for collection of covered  
91.3 materials included on lists established in section 115A.1453;

91.4 (7) proposed plans and metrics for how to measure progress in achieving performance  
91.5 targets and statewide requirements;

91.6 (8) an evaluation of options for third-party certification of activities to meet obligations  
91.7 of this act;

91.8 (9) an inventory of the current system including:

91.9 (i) infrastructure, capacity, performance, funding level, and method and sources of  
91.10 financing for the existing waste reduction, reuse, collection, transportation, processing,  
91.11 recycling, and composting systems for covered materials operating in the state;

91.12 (ii) an estimate of total annual collection and processing service costs based on registered  
91.13 service provider costs; and

91.14 (iii) availability and cost of waste reduction, reuse, recycling, and composting services  
91.15 for covered materials at single-family residences, at multifamily residences, and in public  
91.16 places where political subdivisions arrange for collection of recyclable or compostable  
91.17 materials, including identification of disparities in the availability of these services in  
91.18 environmental justice areas compared with other areas and proposals for reducing or  
91.19 eliminating those disparities;

91.20 (10) an evaluation of investments needed to increase waste reduction, reuse, recycling,  
91.21 and composting rates of covered materials according to the range of proposed performance  
91.22 targets and statewide requirements including investments that would:

91.23 (i) maintain or improve operations of existing infrastructure and accounts for waste  
91.24 reduction, reuse, recycling, and composting of covered materials;

91.25 (ii) expand the availability and accessibility of recycling collection services for recyclable  
91.26 covered materials to all residents of the state at an equivalent level of service and convenience  
91.27 as collection services for mixed municipal solid waste; and

91.28 (iii) establish and expand the availability and accessibility of reuse services for reusable  
91.29 covered materials;

91.30 (11) a recommended methodology for applying criteria and formulas to establish  
91.31 reimbursement rates as described in section 115A.1455;

92.1 (11) an assessment of the viability and robustness of markets for recyclable covered  
92.2 materials and the degree to which these markets can be considered responsible markets;

92.3 (12) an assessment of the level and causes of contamination of source-separated recyclable  
92.4 materials, source-separated compostable materials and collected reusables, and the impacts  
92.5 of contamination on service providers, including the cost to manage this contamination;

92.6 (13) an assessment of what toxic substances might be intentionally added to covered  
92.7 materials and best practices to eliminate or mitigate their use or presence in covered materials;

92.8 (14) an assessment of current best practices to increase public awareness, educate, and  
92.9 complete outreach activities accounting for culturally responsive materials and methods  
92.10 and an evaluation of the efficacy of these efforts including assessments and evaluations of  
92.11 current best practices and efforts on:

92.12 (i) using product labels as a means of informing consumers about environmentally sound  
92.13 use and management of covered materials;

92.14 (ii) increasing public awareness of how to use and manage covered materials in an  
92.15 environmentally sound manner and how to access waste reduction, reuse, recycling, and  
92.16 composting services; and

92.17 (iii) encouraging behavior change to increase participation in waste reduction, reuse,  
92.18 recycling, and composting programs;

92.19 (15) identification of the covered materials with the most significant environmental  
92.20 impact, including assessing each covered material's generation of hazardous waste; generation  
92.21 of greenhouse gases; environmental justice impacts; public health impacts; and other impacts;  
92.22 and

92.23 (16) other items identified by the commissioner that would aid the creation of the  
92.24 stewardship plan, its administration, and the enforcement of this act.

92.25 Subd. 4. **Needs assessment as baseline.** When determining the extent to which any  
92.26 statewide requirement or performance target under this act has been achieved, information  
92.27 contained in a needs assessment must serve as the baseline for that determination, when  
92.28 applicable.

92.29 Subd. 5. **Participation required.** (a) A service provider or other person with data or  
92.30 information necessary to complete a needs assessment must provide the data or information  
92.31 to the commissioner upon request. A service provider or other person who does not want  
92.32 to be identified with information submitted to the commissioner under this subdivision may  
92.33 request to proceed under a nondisclosure agreement. A nondisclosure agreement is limited

93.1 to the items under section 115A.06, subdivision 13. Once a request is made, the requestor,  
93.2 the commissioner, and all third parties participating in the completion of the needs assessment  
93.3 in whatever capacity must enter into a nondisclosure agreement. Once these parties have  
93.4 entered into a nondisclosure agreement, the requestor must submit the necessary data or  
93.5 information to the contractor selected by the commissioner according to subdivision 2, who  
93.6 must aggregate and anonymize the data or information, excluding location data necessary  
93.7 to assess needs, received from all parties proceeding under a nondisclosure agreement under  
93.8 this subdivision and must then submit the aggregated anonymized information to the  
93.9 commissioner or to the party or parties contracted to complete the needs assessment, including  
93.10 assessing each covered material's generation of hazardous waste, generation of greenhouse  
93.11 gases, environmental justice impacts, public health impacts, and other impacts.

93.12 (b) The commissioner, any employee of the agency, or any agent thereof, when authorized  
93.13 by the commissioner, may enter upon any property, public or private, for the purpose of  
93.14 obtaining information necessary for completing the evaluation in subdivision 3, clause (2).

93.15 **Sec. 12. [115A.1451] STEWARDSHIP PLAN.**

93.16 Subdivision 1. **Stewardship plan required.** By March 1, 2027, and every five years  
93.17 thereafter, a producer responsibility organization must submit a stewardship plan to the  
93.18 commissioner that describes the proposed operation by the organization of programs to  
93.19 fulfill the requirements of this act and that incorporates the findings and results of needs  
93.20 assessments. Once approved, a stewardship plan remains in effect for five years, as amended,  
93.21 or until a subsequent stewardship plan is approved.

93.22 Subd. 2. **Advisory board review of draft plan and amendments.** A producer  
93.23 responsibility organization must submit a draft stewardship plan or draft amendment to the  
93.24 advisory board at least 60 days prior to submitting the draft plan or draft amendment to the  
93.25 commissioner to allow the advisory board to submit comments and must address advisory  
93.26 board comments and recommendations prior to submission of the draft plan or draft  
93.27 amendment to the commissioner.

93.28 Subd. 3. **Content of stewardship plans.** A proposed stewardship plan must include at  
93.29 least the following:

93.30 (1) performance targets as applicable to each covered materials type to be accomplished  
93.31 within a five-year period, established in subdivision 5, paragraph (a);

93.32 (2) a description of the anticipated method of collection, how reimbursements will  
93.33 support a level of convenience for collection, service convenience metrics, processing

- 94.1 infrastructure and management methods to be used for each covered materials type, and  
94.2 how these will meet the statewide requirements established in subdivision 7 for covered  
94.3 materials:
- 94.4 (i) included on the list established in section 115A.1453, subdivision 1;  
94.5 (ii) included on the list established in section 115A.1453, subdivision 2;  
94.6 (iii) that are reusable covered materials managed through a reuse system; and  
94.7 (iv) that are capable of refill and managed through a system of waste reduction.
- 94.8 (3) proposals for exemptions from performance targets and statewide requirements for  
94.9 covered materials that cannot be waste reduced or made reusable, recyclable, or compostable  
94.10 due to federal or state health and safety requirements, identifying the specific federal or  
94.11 state requirements and their impact on the covered materials;
- 94.12 (4) a plan for how the producer responsibility organization will measure recycling, waste  
94.13 reduction, reuse, composting, and inclusion of postconsumer recycled content, according  
94.14 to subdivision 6 and by covered materials type as applicable;
- 94.15 (5) third-party certifications as required by the commissioner or voluntarily undertaken;
- 94.16 (6) a budget identifying funding needs for each of the five calendar years covered by  
94.17 the plan, producer fees, a description of the process used to calculate the fees, and an  
94.18 explanation of how the fees meet the requirements of section 115A.1454;
- 94.19 (7) set goals for infrastructure investments, including a description of how the process  
94.20 to offer and select opportunities will be conducted in an open, competitive, and fair manner;  
94.21 how it will address gaps in the system not met by service providers; and potential financial  
94.22 and legal instruments to be used;
- 94.23 (8) an explanation of how the program will be paid for by the producer responsibility  
94.24 organization through fees from producers, without any new or additional consumer-facing  
94.25 fee to members of the public, businesses, service providers, the state or any political  
94.26 subdivisions, or any other person who is not a producer, unless the fee is:
- 94.27 (i) a deposit made in connection with a product's refill, reuse, or recycling that can be  
94.28 redeemed by a consumer; or
- 94.29 (ii) a charge for service by a service provider, regardless of whether registered;
- 94.30 (9) a description of activities to be undertaken during the next five calendar years, which  
94.31 must at a minimum describe how the producer responsibility organization, acting on behalf  
94.32 of producers, will:

95.1 (i) minimize the environmental impacts and human health impacts of covered materials,  
95.2 including assessing each covered material's generation of hazardous waste, generation of  
95.3 greenhouse gases, environmental justice impacts, public health impacts, and other impacts;

95.4 (ii) incorporate as program objectives the improved design of covered materials according  
95.5 to section 115A.1454, subdivision 1, clause (2);

95.6 (iii) provide funding to expand and increase the convenience of waste reduction, reuse,  
95.7 collection, recycling, and composting services according to the order of the waste  
95.8 management hierarchy under section 115A.02;

95.9 (iv) provide for reasonable reimbursement rates for statewide coverage of recycling  
95.10 services for covered materials on the lists established in section 115A.1453 to single-family  
95.11 residences, multifamily residences, and political subdivisions arranging for collection,  
95.12 transportation, and processing of recyclable materials at an equivalent level of convenience  
95.13 as services for mixed municipal solid waste according to section 115A.1455; and

95.14 (v) monitor to ensure that postconsumer recycled materials are delivered to responsible  
95.15 markets;

95.16 (10) describe how the producer responsibility organization will promote the opportunity  
95.17 for all service providers to register with the commissioner and to submit for reimbursement  
95.18 with the producer responsibility organization;

95.19 (11) a description of how the program shall reimburse service providers under an  
95.20 approved stewardship plan, including but not limited to:

95.21 (i) the use of differentiated rates developed according to the requirements and factors  
95.22 established under section 115A.1455, subdivision 4;

95.23 (ii) clear and reasonable timelines for reimbursement, with a frequency of no less than  
95.24 monthly unless agreed to by a service provider and a producer responsibility organization;  
95.25 and

95.26 (iii) a process to resolve disputes that arise between the producer responsibility  
95.27 organization and a service provider regarding the determination and payment of  
95.28 reimbursements;

95.29 (12) performance standards for service providers that are reimbursed under an approved  
95.30 stewardship plan, including but not limited to the following, as applicable to the service  
95.31 provided:

- 96.1 (ii) requirements that service providers must accept all covered materials on the lists  
96.2 established by the commissioner under section 115A.1453; and
- 96.3 (iii) labor standards and safety practices, including but not limited to safety programs,  
96.4 health benefits, and living wages;
- 96.5 (13) a description of how the producer responsibility organization will treat and protect  
96.6 nonpublic data submitted by service providers;
- 96.7 (12) a description of how the producer responsibility organization will provide technical  
96.8 assistance to:
- 96.9 (i) service providers in order to deliver covered materials to responsible markets;
- 96.10 (ii) producers regarding toxic substances in covered materials and actions producers can  
96.11 take to reduce intentionally added toxic substances in covered materials, including verification  
96.12 by suppliers through certificates of compliance, upon request; and
- 96.13 (iii) producers to make changes in product design that reduce the environmental impact  
96.14 of covered materials or that increase the recoverability or marketability of covered materials  
96.15 for reuse, recycling, or composting;
- 96.16 (13) a description of how the producer responsibility organization will increase public  
96.17 awareness, educate, and complete outreach activities accounting for culturally responsive  
96.18 materials and methods and evaluate the efficacy of these efforts including how the producer  
96.19 responsibility organization will:
- 96.20 (i) assist producers in improving product labels as a means of informing consumers  
96.21 about refilling, reusing, recycling, composting, and other environmentally sound methods  
96.22 of managing covered materials;
- 96.23 (ii) increase public awareness of how to use and manage covered materials in an  
96.24 environmentally sound manner and how to access waste reduction, reuse, recycling, and  
96.25 composting services; and
- 96.26 (iii) encourage behavior change to increase participation in waste reduction, reuse,  
96.27 recycling, and composting programs;
- 96.28 (14) a summary of consultations held with the advisory board and other stakeholders to  
96.29 provide input to the stewardship plan, a list of recommendations that were incorporated into  
96.30 the stewardship plan as a result, and a list of rejected recommendations and the reasons for  
96.31 rejection; and



97.1 (15) strategies to incorporate findings from any relevant studies required by the  
97.2 legislature.

97.3 Subd. 4. **Plan and amendment review and approval procedure.** (a) The commissioner  
97.4 must review and approve, deny, or request additional information for a draft stewardship  
97.5 plan or a draft plan amendment no later than 120 days after the date the commissioner  
97.6 receives it from a producer responsibility organization. The commissioner must post the  
97.7 draft plan or draft amendment on the agency's website and allow public comment for no  
97.8 less than 45 days before approving, denying, or requesting additional information on the  
97.9 draft plan or draft amendment.

97.10 (b) If the commissioner denies, or requests additional information for, a draft plan or  
97.11 draft amendment, the commissioner must provide the producer responsibility organization  
97.12 with the reasons, in writing, that the plan or plan amendment does not meet the plan  
97.13 requirements of subdivision 3. The producer responsibility organization shall have 60 days  
97.14 from the date that the rejection or request for additional information is received to submit  
97.15 to the commissioner any additional information necessary for the approval of the draft plan  
97.16 or draft amendment. The commissioner shall review and approve or disapprove the revised  
97.17 draft plan or draft amendment no later than 60 days after the date the commissioner receives  
97.18 it.

97.19 (c) A producer responsibility organization may resubmit a draft plan or draft amendment  
97.20 to the commissioner on not more than two occasions. If after the second resubmission, the  
97.21 commissioner determines that the draft plan or draft amendment does not meet the plan  
97.22 requirements of this act, the commissioner must modify the draft plan or draft amendment  
97.23 as necessary for it to meet the requirements of this act and approve it.

97.24 (d) Upon recommendation by the advisory board, or upon the commissioner's own  
97.25 initiative, the commissioner may require an amendment to a stewardship plan if the  
97.26 commissioner determines that an amendment is necessary to ensure that the producer  
97.27 responsibility organization maintains compliance with the requirements of this act.

97.28 Subd. 5. **Performance targets.** (a) The producer responsibility organization must propose  
97.29 performance targets based on the needs assessment that meet the statewide requirements in  
97.30 subdivision 7 that must be included in a stewardship plan approved under this section.  
97.31 Performance targets must include reuse rates, return rates, recycling rates, composting rates,  
97.32 and targets for waste reduction, and postconsumer recycled content by covered materials  
97.33 type that are to be achieved by the end of the stewardship plan's term. The producer

98.1 responsibility organization must select the unit that is most appropriate to measure each  
98.2 performance target as informed by the needs assessment.

98.3 (b) The commissioner may require that a producer responsibility organization obtain  
98.4 third-party certification of any activity or achievement of any standard required by this act.  
98.5 The commissioner must provide a producer responsibility organization with notice of at  
98.6 least one year prior to requiring use of third-party certification under this paragraph if such  
98.7 certifications are readily available, applicable, and of reasonable cost.

98.8 (c) Proposed performance targets must demonstrate continuous improvement in reducing  
98.9 environmental impacts and human health impacts of covered materials over time.

98.10 **Subd. 6. Measurement criteria for performance targets.** (a) For purposes of  
98.11 determining whether recycling performance targets are being met, except as modified by  
98.12 the commissioner, a stewardship plan must provide for the measurement of the amount of  
98.13 recycled material to be at the point at which material leaves a recycling facility and must  
98.14 account for:

98.15 (1) levels of estimated contamination documented by the facility;

98.16 (2) any exclusions for fuel or energy capture; and

98.17 (3) compliance with sections 115A.965, 116.943, 325F.075, and 325F.172 to 325F.179,  
98.18 and all other laws pertaining to toxic substances in covered materials.

98.19 (b) For purposes of determining whether waste reduction performance targets are being  
98.20 met, a stewardship plan must provide for the measurement of the amount of waste reduction  
98.21 of covered materials in a manner that can determine the extent to which the amount of  
98.22 material used for a covered material is eliminated beyond what is necessary to efficiently  
98.23 deliver a product without damage or spoilage, or other means of covered material redesign  
98.24 to reduce overall use and environmental impacts.

98.25 (c) For purposes of determining whether reuse targets are being met, a stewardship plan  
98.26 must provide for the measurement of the amount of reusable covered materials to be at the  
98.27 point at which reusable covered materials meet the following criteria as demonstrated by  
98.28 the producer and approved by the commissioner:

98.29 (1) whether the average minimum number of cycles of reuses within a recognized reuse  
98.30 system has been met based on the number of times an item must be reused for it to have  
98.31 lower environmental impacts than the single-use versions of those items; and

98.32 (2) whether the demonstrated or research-based anticipated return rate of the covered  
98.33 material to the reuse system has been met.

99.1 (d) For other targets, the producer responsibility organization must propose a calculation  
99.2 point for review and approval as part of the stewardship plan based on findings from the  
99.3 needs assessment.

99.4 Subd. 7. Statewide requirements. (a) The commissioner must establish or approve  
99.5 statewide requirements and the date the statewide requirements must be met for the following  
99.6 categories:

99.7 (1) recycling rate;

99.8 (2) composting rate;

99.9 (3) reuse rate;

99.10 (4) return rate;

99.11 (5) the percentage of covered materials introduced that must be waste reduced; and

99.12 (6) the percentage of postconsumer recycled content that covered materials introduced  
99.13 must contain, including an overall percentage for all covered materials, as applicable,  
99.14 excluding compostable materials that cannot include postconsumer recycled content because  
99.15 unique chemical or physical properties or health and safety requirements prohibit introduction  
99.16 of postconsumer recycled content.

99.17 (b) The commissioner may use the following information and criteria when establishing  
99.18 statewide requirements under paragraph (a):

99.19 (1) needs assessments under section 115A.1450;

99.20 (2) goals and requirements of the Waste Management Act under this chapter;

99.21 (3) statewide goals for greenhouse gas emission reductions under section 216H.02;

99.22 (4) need for continuous progress toward generating less waste from covered materials  
99.23 and the complete reuse, recycling, or composting of the covered materials that are generated,  
99.24 in doing so reducing impacts to human health and the environment;

99.25 (5) a preference for statewide requirements that accomplish and further the goals and  
99.26 requirements in clauses (2) to (4) as soon as practicable and to the maximum extent  
99.27 achievable; and

99.28 (6) information from packaging and paper producer responsibility programs operating  
99.29 in other jurisdictions.

99.30 (c) The commissioner must consult with the product stewardship organization on the  
99.31 proposed statewide requirements and must submit proposed statewide requirements under

100.1 paragraph (a) to the advisory board and consider the board's recommendations before  
100.2 finalizing the statewide requirements.

100.3 (d) Every five years, the commissioner must review the statewide requirements established  
100.4 under paragraph (a). If the commissioner decides an update is not warranted at that time,  
100.5 the commissioner must submit the reasoning to the advisory board and consider the board's  
100.6 recommendations before making a final decision. If the commissioner decides an update is  
100.7 warranted, the process in paragraphs (b) and (c) must be utilized.

100.8 (e) The producer responsibility organization must ensure the statewide requirements are  
100.9 met.

100.10 **Sec. 13. [115A.1453] RECYCLABLE OR COMPOSTABLE COVERED**  
100.11 **MATERIALS LISTS.**

100.12 Subdivision 1. **List required.** By March 1, 2027, the commissioner must complete a  
100.13 list of covered materials determined to be recyclable or compostable statewide through  
100.14 systems where covered materials are commingled into a recyclables stream and a separate  
100.15 compostables stream. These covered materials must be collected at the equivalent level of  
100.16 service and convenience as collection services for mixed municipal solid waste.

100.17 Subd. 2. **Alternative collection list required.** By March 1, 2027, the commissioner  
100.18 must complete a list of covered materials determined to be recyclable or compostable and  
100.19 collected statewide through systems other than the system required for covered materials  
100.20 on the list established in subdivision 1.

100.21 Subd. 3. **Input from interested parties.** The commissioner must consult with the  
100.22 advisory board, producer responsibility organizations, service providers, political  
100.23 subdivisions, and other interested parties to develop or amend the recyclable or compostable  
100.24 covered materials lists and must review any petitions by interested parties for addition or  
100.25 removal of covered materials from the lists created under this section.

100.26 Subd. 4. **Criteria.** In developing the lists under subdivisions 1 and 2, the commissioner  
100.27 may consider the following criteria:

100.28 (1) current availability of recycling collection services;

100.29 (2) recycling collection and processing infrastructure;

100.30 (3) capacity and technology for sorting covered materials;

100.31 (4) availability of responsible end markets;

100.32 (5) presence and amount of processing residuals and contamination;

101.1 (6) quantity of material estimated to be available and recoverable;

101.2 (7) projected future conditions for clauses (1) to (6);

101.3 (8) if collected for recycling, the covered material type and form must be one that is

101.4 regularly sorted and aggregated into defined streams for recycling processes or the packaging

101.5 format must be specified in a relevant Institution of Scrap Recycling Industries specification;

101.6 and

101.7 (9) other criteria or factors determined by the commissioner.

101.8 Subd. 6. **Amendment.** The commissioner may amend a list completed under this section

101.9 at any time and must provide amended lists to producer responsibility organizations as soon

101.10 as possible after adopting an amendment. Producer responsibility organizations must provide

101.11 amended lists to service providers as soon as possible after receiving the amendment and

101.12 work to incorporate changes in relevant service provider reimbursement rates within a year.

101.13 **Sec. 14. [115A.1454] PRODUCER FEES.**

101.14 Subdivision 1. **Annual fee.** A producer responsibility organization must annually collect

101.15 a fee from each producer that must:

101.16 (1) be based on the total amount of covered materials each producer introduces in the

101.17 prior year calculated on a per-unit basis, such as per ton, per item, or another unit of

101.18 measurement;

101.19 (2) incentivize using materials and design attributes that reduce the environmental impacts

101.20 and human health impacts, as determined by the commissioner, of covered materials by the

101.21 following methods:

101.22 (i) eliminating intentionally added toxic substances in covered materials;

101.23 (ii) reducing the amount of packaging per individual covered material that is necessary

101.24 to efficiently deliver a product without damage or spoilage without reducing its ability to

101.25 be recycled or reducing the amount of paper used to manufacture individual paper products;

101.26 (iii) increasing covered materials managed in a reuse system;

101.27 (iv) increasing the proportion of postconsumer material in covered materials;

101.28 (v) enhancing recyclability or compostability of a covered material; and

101.29 (vi) increasing the amount of inputs derived from renewable and sustainable sources;

102.1 (3) discourage using materials and design attributes in a producer's covered materials  
102.2 whose environmental impacts and human health impacts, as determined by the commissioner,  
102.3 can be reduced by the methods listed under clause (2);

102.4 (4) prioritize reuse by charging covered materials that are managed through a reuse  
102.5 system only once, upon initial entry into the marketplace; and

102.6 (5) generate revenue sufficient to pay in full:

102.7 (i) the annual registration fee required under section 115A.1443;

102.8 (ii) financial obligations to complete activities described in an approved stewardship  
102.9 plan and to reimburse service providers under section 115A.1455;

102.10 (iii) the operating costs of the producer responsibility organization; and

102.11 (iv) for the establishment and maintenance of a financial reserve that is sufficient to  
102.12 operate the program in a fiscally prudent and responsible manner.

102.13 Subd. 2. **Overcollections.** Revenue collected under this section that exceeds the amount  
102.14 needed to pay the costs described in subdivision 1, clause (5), must be used to improve or  
102.15 enhance program outcomes or to reduce producer fees according to provisions of an approved  
102.16 stewardship plan.

102.17 Subd. 3. **Prohibited conduct.** Fees collected under this section may not be used for  
102.18 lobbying, as defined in section 3.084, subdivision 1.

102.19 Sec. 15. **[115A.1455] SERVICE PROVIDER; REIMBURSEMENT.**

102.20 Subdivision 1. **Service provider reimbursement required.** The reimbursements  
102.21 provided for waste reduction, reuse, processing, recycling, or composting services under  
102.22 an approved stewardship plan shall only be provided to service providers that meet the  
102.23 performance standards requirements established under an approved stewardship plan.

102.24 Subd. 2. **Collection of recyclables.** If a household does not have access to collection  
102.25 services at a comparable level of convenience as collection services for mixed municipal  
102.26 solid waste for covered materials on the recyclable covered materials list established under  
102.27 section 115A.1453, subdivision 1, the producer responsibility organization must ensure that  
102.28 collection service is available to the household through a service provider.

102.29 Subd. 3. **Bidding processes.** (a) For infrastructure investments included under an  
102.30 approved stewardship plan, a producer responsibility organization must use the competitive  
102.31 bidding processes established in section 16C.28, subdivision 1, and publicly post bid  
102.32 opportunities except that preference must be given to existing facilities, providers of services,

103.1 and holders of service accounts in the state for waste reduction, reuse, collection, recycling,  
103.2 and composting of covered materials.

103.3 (b) No producer or producer responsibility organization may own or partially own  
103.4 infrastructure that is used to fulfill obligations under this act except in the following  
103.5 circumstances:

103.6 (1) a producer may hold an ownership stake in infrastructure used to fulfill obligations  
103.7 under this act so long as the stake was held prior to enactment of this act and said ownership  
103.8 stake is fully disclosed by the producer to the producer responsibility organization; or

103.9 (2) if, after a bidding process described in paragraph (a), no service provider bids on the  
103.10 contract, the producer responsibility organization may make infrastructure investments  
103.11 identified under an approved stewardship plan to implement the requirements in this act.

103.12 Subd. 4. **Reimbursement rates.** (a) An approved stewardship plan must provide  
103.13 reimbursement rates for services, collection, transportation, and management of covered  
103.14 materials, exclusive of exempt materials, and incorporate relevant cost information identified  
103.15 by the initial needs assessment. Reimbursement rates shall be established equivalent to 50  
103.16 percent of the cost per ton by July 1, 2027, 75 percent of the cost per ton by July 1, 2028,  
103.17 and 90 percent of the cost per ton by July 1, 2029, and each year thereafter and varied per  
103.18 ton, as follows:

103.19 (1) a fixed amount for each ton of covered material collected by a service provider that  
103.20 reflects conditions that affect collection, recycling, and composting costs in the region or  
103.21 jurisdiction in which the services are provided, including but not limited to:

103.22 (i) the number and size of households;

103.23 (ii) population density;

103.24 (iii) collections methods employed;

103.25 (iv) public education efforts;

103.26 (v) distance to consolidation or transfer facilities; reuse, recycling, or composting  
103.27 facilities; or to responsible markets;

103.28 (vi) other factors that may contribute to regional or jurisdictional cost differences;

103.29 (vii) proportion of covered compostable materials within all source-separated compostable  
103.30 materials collected or managed through composting; and

103.31 (viii) the general quality of materials recycled or composted by service providers;

- 104.1 (2) a fixed amount for each ton of covered material recycled or composted by a service  
104.2 provider in the prior calendar year based upon:
- 104.3 (i) the average costs associated with the transportation and processing from a central  
104.4 location within a political subdivision, of collected covered material from the political  
104.5 subdivision to a recycling or composting facility;
- 104.6 (ii) the processing of and removal of contamination from covered material by a recycling  
104.7 or composting facility;
- 104.8 (iii) the recycling or composting of covered materials in the state or in another jurisdiction  
104.9 less the average fair market value for that covered material based on the market indices for  
104.10 the region, updated monthly;
- 104.11 (iv) costs associated with the management of contaminated materials removed from  
104.12 collected covered material; and
- 104.13 (v) the proportion of covered compostable materials within all source-separated  
104.14 compostable materials collected or managed through composting;
- 104.15 (3) an additional fixed amount, in excess of the rate provided under clause (2), for each  
104.16 material type per ton for covered materials that are not included on the lists established  
104.17 according to section 115A.1453, subdivision 1, that are recycled or composted by a service  
104.18 provider in the prior calendar year less the average fair market value for that covered material  
104.19 based on the market indices for the region, updated monthly;
- 104.20 (4) a fixed amount for mixed recycling tons are managed through a process that includes  
104.21 percentages of covered materials included on the lists established according to section  
104.22 115A.1453, subdivision 1, and additional covered materials. The per ton fixed amount shall  
104.23 be prorated for the values in clause (2), items (i) and (ii), based upon the most recent waste  
104.24 characterization for mixed recycling ton averages;
- 104.25 (5) a fixed amount, based on population served, for administrative costs of service  
104.26 providers, including education, public awareness campaigns, and outreach program costs  
104.27 as applicable; and
- 104.28 (6) a fixed amount for the cost of managing covered materials capable of refill or reusable  
104.29 covered materials for the costs associated with collection, cleaning, sanitation, distribution,  
104.30 and management of contamination.
- 104.31 (b) A service provider may retain all revenue from the sale of covered materials. Nothing  
104.32 in this act may restrict a service provider from charging a fee for collection or processing  
104.33 of covered materials to the extent that reimbursement from a producer responsibility



105.1 organization does not cover all costs of services, including operating profits and returns on  
105.2 investments required by a service provider to provide sustainability of the services.

105.3 Subd. 5. **Local government authority.** (a) Nothing in this section shall be construed to  
105.4 require a political subdivision to agree to operate under a stewardship plan, nor does it  
105.5 restrict the authority of a political subdivision to provide waste management services to  
105.6 residents or to contract with any entity to provide waste management services. Any political  
105.7 subdivision that is also a service provider is eligible to be registered with the commissioner  
105.8 and reimbursed per the rates and schedule approved in subdivision 4 of this section. If a  
105.9 majority of political subdivisions in the state chooses not to participate in the program by  
105.10 January 1, 2030, the commissioner shall revise the statewide requirements established under  
105.11 section 115A.1451, subdivision 7.

105.12 (b) Nothing in this act restricts the authority of a political subdivision to provide waste  
105.13 management services to residents, to contract with any entity to provide waste management  
105.14 services, or to exercise its authority granted under section 115A.94. A producer responsibility  
105.15 organization may not restrict or otherwise interfere with a political subdivision exercising  
105.16 its authority under section 115A.94 to organize collection of solid waste, including materials  
105.17 collected for recycling or composting, or to extend, renew, or otherwise manage any contracts  
105.18 entered into as a result of exercising such authority or otherwise resulting from a competitive  
105.19 procurement process.

105.20 Subd. 6. **Dispute resolution.** There must be a dispute resolution process for disputes  
105.21 related to reimbursements utilizing third-party mediators.

105.22 Sec. 16. **[115A.1456] REPORTING.**

105.23 Subdivision 1. **Producer responsibility organization annual report.** (a) By July 1,  
105.24 2031, and each July 1 thereafter, a producer responsibility organization must submit a written  
105.25 report to the commissioner that contains, at a minimum, the following information for the  
105.26 previous calendar year:

105.27 (1) the amount of covered materials introduced by each covered materials type, reported  
105.28 in the same units used to establish fees under section 115A.1454, subdivision 1, clause (1);

105.29 (2) progress toward the performance targets reported in the same units used to establish  
105.30 producer fees under section 115A.1454, subdivision 1, clause (1), and reported statewide  
105.31 and for each county including:

105.32 (i) the amount of covered materials successfully waste reduced, reused, recycled, and  
105.33 composted by covered materials type and the strategies or collection method used; and

- 106.1 (ii) information about third-party certifications obtained;
- 106.2 (3) the total cost to implement the program and a detailed description of program
- 106.3 expenditures including:
- 106.4 (i) the total amount of producer fees collected in the current calendar year; and
- 106.5 (ii) a description of infrastructure investments made during the previous year;
- 106.6 (4) a copy of a financial audit of program operations conducted by an independent auditor
- 106.7 approved by the commissioner that meets the requirements of the Financial Accounting
- 106.8 Standards Board's Accounting Standards Update 2016-14, Not-for-Profit Entities (Topic
- 106.9 958), as amended;
- 106.10 (5) a description of program performance problems that emerged in specific locations
- 106.11 and efforts taken or proposed by the producer responsibility organization to address them;
- 106.12 (6) a discussion of technical assistance provided to producers regarding toxic substances
- 106.13 in covered materials and actions taken by producers to reduce intentionally added toxic
- 106.14 substances in covered materials beyond compliance with prohibitions already established
- 106.15 in law;
- 106.16 (7) a description of public awareness, education, and outreach activities undertaken
- 106.17 including any evaluations conducted of their efficacy, plans for next calendar year's activities,
- 106.18 and an evaluation of the process established by the producer responsibility organization to
- 106.19 answer questions from consumers regarding collection, recycling, composting, waste
- 106.20 reduction, and reuse activities;
- 106.21 (8) a summary of consultations held with the advisory board and how any feedback was
- 106.22 incorporated into the report as a result of the consultations, together with a list of rejected
- 106.23 recommendations and the reasons for rejection;
- 106.24 (9) a list of any producers found to be out of compliance with this act, and actions taken
- 106.25 by the producer responsibility organization to return the producer to compliance, and
- 106.26 notification of any producers that are no longer participating in the producer responsibility
- 106.27 organization or have been expelled due to their lack of compliance;
- 106.28 (10) any proposed amendments to the stewardship plan to improve program performance
- 106.29 or reduce costs, including changes to producer fees, infrastructure investments, or
- 106.30 reimbursement rates;
- 106.31 (11) any recommendations for additions or removal of covered materials to or from the
- 106.32 recyclable or compostable covered materials lists developed under section 115A.1453; and

107.1 (12) any information requested by the commissioner to assist with determining  
107.2 compliance with this act.

107.3 (b) Every fourth year after a stewardship plan is approved by the commissioner, a  
107.4 performance audit of the program must be completed. The performance audit must conform  
107.5 to audit standards established by the United States Government Accountability Office; the  
107.6 National Association of State Auditors, Comptrollers, and Treasurers; or another nationally  
107.7 recognized organization approved by the commissioner.

107.8 Subd. 2. **Report following unmet target.** A producer responsibility organization that  
107.9 fails to meet a performance target approved in a stewardship plan must, within 90 days of  
107.10 filing an annual report under this section, file with the commissioner an explanation of the  
107.11 factors contributing to the failure and propose an amendment to the stewardship plan  
107.12 specifying changes in operations that the producer responsibility organization will make  
107.13 that are designed to achieve the following year's targets. If a performance target is unmet  
107.14 due to lack of political subdivision participation in the program, the commissioner shall  
107.15 revise the statewide requirements developed under section 115A.1451, subdivision 7. If a  
107.16 revision to the statewide performance targets is required and completed by the commissioner,  
107.17 the producer responsibility organization may revise the performance targets at the same  
107.18 time. An amendment filed under this subdivision must be reviewed by the advisory board  
107.19 and reviewed and approved by the commissioner in the manner specified in section  
107.20 115A.1451, subdivisions 2 and 4.

107.21 Subd. 3. **Commissioner's report.** By October 15, 2034, and every five years thereafter,  
107.22 the commissioner must submit a report to the governor and to the chairs and ranking minority  
107.23 members of the legislative committees with jurisdiction over solid waste. The report must  
107.24 contain a summary of the operations of the Packaging Waste and Cost Reduction Act during  
107.25 the previous five years, a summary of the needs assessment, a link to reports filed under  
107.26 subdivisions 1 and 2, recommendations for policy, statutory, or regulatory changes to the  
107.27 program, a list of efforts undertaken by the commissioner to enforce and secure compliance  
107.28 with this act, and any other information the commissioner deems to be relevant.

107.29 Subd. 4. **Duty to cooperate.** Service providers must provide producer responsibility  
107.30 organizations with data necessary to complete the reports required by this section upon  
107.31 request.

108.1 Sec. 17. [115A.1457] PRODUCER RESPONSIBILITY ORGANIZATION  
108.2 WEBSITES.

108.3 A producer responsibility organization must maintain a website that uses best practices  
108.4 for accessibility that contains at least:

108.5 (1) information regarding a process that members of the public can use to contact the  
108.6 producer responsibility organization with questions;

108.7 (2) a directory of all service providers operating under the stewardship plan administered  
108.8 by the producer responsibility organization, grouped by location or political subdivision,  
108.9 and information about how to request service;

108.10 (3) registration materials submitted to the commissioner under section 115A.1443;

108.11 (4) the draft and approved stewardship plan and any draft and approved amendments;

108.12 (5) information on how to manage materials included in lists established under section  
108.13 115A.1453;

108.14 (6) the list of exempt materials as defined in this act and covered materials exempt from  
108.15 performance targets and statewide requirements as approved in the stewardship plan;

108.16 (6) the most recent needs assessment and all past needs assessments;

108.17 (7) annual reports filed by the producer responsibility organization;

108.18 (8) a link to administrative rules implementing this act;

108.19 (9) comments of the advisory board on the documents listed in clauses (4) and (7), and  
108.20 the responses of the producer responsibility organization to those comments;

108.21 (10) the names of producers and brands that are not in compliance with section  
108.22 115A.1448;

108.23 (11) a list, that is updated at least monthly, of all member producers that will operate  
108.24 under the stewardship plan administered by the producer responsibility organization and,  
108.25 for each producer, a list of all brands of the producer's covered materials introduced in the  
108.26 state; and

108.27 (12) education materials on waste reduction, reuse, recycling, and composting for  
108.28 producers and the general public.

109.1 Sec. 18. [115A.1458] ANTICOMPETITIVE CONDUCT.

109.2 A producer responsibility organization that arranges collection, recycling, composting,  
109.3 waste reduction, or reuse services under this act may engage in anticompetitive conduct to  
109.4 the extent necessary to plan and implement collection, recycling, composting, waste  
109.5 reduction, or reuse systems to meet the obligations under this act, and is immune from  
109.6 liability under state laws relating to antitrust, restraint of trade, and unfair trade practices.

109.7 Sec. 19. [115A.1459] RULEMAKING.

109.8 The commissioner may adopt rules to implement this act. The 18-month time limit under  
109.9 section 14.125 does not apply to the commissioner's rulemaking authority under this section.

109.10 Sec. 20. [115A.1460] PROVIDING INFORMATION.

109.11 Upon request of the commissioner for purposes of determining compliance with this  
109.12 act, or for purposes of implementing this act, a person must furnish to the commissioner  
109.13 any information that the person has or may reasonably obtain.

109.14 Sec. 21. [115A.1461] DEPOSIT RETURN SYSTEM.

109.15 (a) It is the intent of the legislature that if a bottle deposit return system is enacted in the  
109.16 future, it will be harmonized with this act in a manner that ensures that:

109.17 (1) materials covered in that system are exempt from this act or related financial  
109.18 obligations are reduced;

109.19 (2) colocation of drop-off facilities and alternative collection sites is maximized;

109.20 (3) education and outreach is integrated between the two programs; and

109.21 (4) waste reduction and reuse strategies are prioritized between the two programs.

109.22 (b) Any implementation of a deposit return system is created with at least a two-year  
109.23 transition period prior to the expiry of the currently approved stewardship plan and conducted  
109.24 in a manner that does not create sudden and significant operational or financial disruption  
109.25 to the implementation of a stewardship plan under section 115A.1451, including provisions  
109.26 of recycling or reuse services contained in the plan.

110.1 Sec. 22. **[115A.1462] ENFORCEMENT.**

110.2 (a) The commissioner must enforce this act as provided under this section and sections  
110.3 115.071 and 116.072. The commissioner may revoke a registration of a producer  
110.4 responsibility organization or producer found to have violated this act.

110.5 (b) Notwithstanding the penalty limits contained in section 115.071, subdivision 3, and  
110.6 except as otherwise provided in paragraph (c), a person that violates or fails to perform a  
110.7 duty imposed by this act or any rule adopted thereunder is liable for a civil penalty not to  
110.8 exceed \$25,000 per day of violation.

110.9 (c) Notwithstanding the penalty limits contained in section 115.071, subdivision 3, a  
110.10 producer responsibility organization or producer that violates a provision of or fails to  
110.11 perform a duty imposed by this act, a rule adopted thereunder, or requirements of a  
110.12 stewardship plan approved by the commissioner, is liable for a civil penalty not to exceed  
110.13 \$25,000 per day of violation. For a second violation occurring within five years after the  
110.14 approval of a stewardship plan, a producer responsibility organization or producer is liable  
110.15 for a civil penalty not to exceed \$50,000 per day of violation. For a third or subsequent  
110.16 violation occurring within five years after the approval of a stewardship plan, a producer  
110.17 responsibility organization or producer is liable for a civil penalty not to exceed \$100,000  
110.18 per day of violation.

110.19 Sec. 23. **WORKPLACE CONDITIONS AND EQUITY STUDY.**

110.20 (a) By January 1, 2032, the commissioner of the Pollution Control Agency must contract  
110.21 with a third party that is not a producer or a producer responsibility organization to conduct  
110.22 a study of the recycling, composting, and reuse facilities operating in the state. The study  
110.23 must analyze, at a minimum information about:

110.24 (1) working conditions, wage and benefit levels, and employment levels of minorities  
110.25 and women at those facilities;

110.26 (2) barriers to ownership of recycling, composting, and reuse operations faced by women  
110.27 and minorities;

110.28 (3) the degree to which residents of multifamily buildings have less convenient access  
110.29 to recycling, composting, and reuse opportunities than those living in single-family homes;

110.30 (4) the degree to which environmental justice areas have access to fewer recycling,  
110.31 composting, and reuse opportunities compared to other parts of the state;

111.1 (5) the degree to which programs to increase access, convenience, and education are  
111.2 successful in raising reuse, recycling, and composting rates in areas where participation in  
111.3 these activities is low;

111.4 (6) strategies to increase participation in reuse, recycling, and composting; and

111.5 (7) the degree to which residents and workers in environmental justice areas are impacted  
111.6 by emissions, toxic substances, and other pollutants from solid waste facilities in comparison  
111.7 to other areas of the state and provide recommendations to mitigate those impacts.

111.8 (b) The initial producer responsibility organization registered by the commissioner under  
111.9 Minnesota Statutes, sections 115A.144 to 115A.1462, must cover the cost of conducting  
111.10 the study through its annual registration fee and recommended actions identified in the study  
111.11 must be considered as part of future stewardship plans as required under Minnesota Statutes,  
111.12 section 115A.1451, including adjustments to service provider reimbursements as established  
111.13 under Minnesota Statutes, section 115A.1455.

111.14 Sec. 24. **COVERED MATERIALS POLLUTION AND CLEANUP STUDY.**

111.15 (a) By January 1, 2032, the commissioner of the Pollution Control Agency, in consultation  
111.16 with the commissioners of health and natural resources, must contract with a third party  
111.17 that is not a producer or a producer responsibility organization to conduct a study to identify  
111.18 the contribution of covered products to litter and water pollution in Minnesota. The report  
111.19 must at a minimum:

111.20 (1) analyze historical and current environmental and human health impacts of littered  
111.21 covered materials and their associated toxic substances in the environment;

111.22 (2) estimate the cost of cleanup and prevention; and

111.23 (3) provide recommendations for how to reduce and mitigate the impacts of litter in the  
111.24 state.

111.25 (b) The contracted third party must consult with units of local government, the  
111.26 commissioners of health and natural resources, and environmental justice organizations.

111.27 (c) The initial producer responsibility organization registered by the commissioner under  
111.28 Minnesota Statutes, sections 115A.144 to 115A.1462, must cover the cost of conducting  
111.29 the study through its annual registration fee and recommended actions identified in the study  
111.30 must be considered as part of future stewardship plans, as required under Minnesota Statutes,  
111.31 section 115A.1451."

111.32 Amend the title accordingly