# BILL SUMMARY



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# **Chapter 116 – Environment Omnibus Policy & Appropriations (HF 3911)**

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# Article 1 – Environment and Natural Resources Appropriations

[See accompanying spreadsheet]

# Article 2 – Environment and Natural Resources Policy

Section 1 [Payment of Negotiated Settlement Oversight Costs] requires parties who enter into negotiated agreements with the Pollution Control Agency (PCA) for the purpose of settling enforcement matters to pay for all oversight costs if those costs exceed \$25,000.

**Section 2 [PCA Authority to Order Cessation]** clarifies that PCA's enforcement authority includes the power to compel cessation of performance.

**Section 3 [Increased Penalties for Pollution-Related Violations]** increases from \$10,000 to \$15,000 the maximum daily penalty for certain pollution-related violations.

**Section 4 [PCA Injunctive Relief Clarification]** clarifies that injunctive relief for violations of PCA statutes can include a requirement that a facility or person immediately cease operation or activities until the commissioner determines that resumption of operations will not harm human health or result in a serious permit violation.

Section 5 [PCA May Reject Extensions Based Solely on Cost] allows the PCA to reject requests for extensions to stipulation agreements that are based solely on increased costs.

**Section 6 [Disposition of Receipts]** requires PCA negotiated settlement oversight receipts to be deposited in a separate settlement oversight reimbursement account in the environmental fund. Statutorily appropriates money in the account for the purposes of the environmental fund.

Section 7 [Food Waste Management Hierarchy] establishes a preference order for food and food waste management practices.

**Section 8 [Prepared Sewage Sludge Definition]** adds a definition of "prepared sewage sludge" to the PCA statutes.

**Section 9 [Boat Wrap Stewardship Program]** requires producers of boat wrap to implement and finance a statewide boat wrap stewardship program that reduces the amount of boat wrap disposed of in landfills, promotes boat wrap recycling, and provides for negotiation and execution of agreements to collect, transport, and process boat wrap for end-of-life recycling and reuse.

**Section 10 [Waste Composition Studies Required]** requires owners of 20% of certain waste facilities to perform a waste composition study every 3 years.

**Section 11 [Conforming Change]** makes a conforming change in response to the repeal of Section 115A.5501 in this article.

**Section 12 [County Notification of Certain Uses of CLIF Money]** requires the PCA to notify counties with qualified facilities if money in the closed landfill investment fund is spent or transferred for purposes other than the purposes provided under the landfill cleanup program statutes.

Section 13 [Emissions Compliance Protocols] requires the PCA to develop additional air emissions measurement protocols that can be imposed on facilities that violate state or federal air pollution laws involving emissions of hazardous air pollutants.

Section 14 [PCA May Require Reimbursement for Settlement Oversight Costs] requires parties who enter into negotiated agreements with the Pollution Control Agency (PCA) for the purpose of settling enforcement matters to pay for all oversight costs if those costs exceed \$25,000.

Section 15 [PCA May Reject Extensions Based Solely on Cost] allows the PCA to reject requests for extensions to stipulation agreements that are based solely on increased costs.

**Section 16 [Maximum Administrative Penalty Increase]** increases from \$20,000 to \$25,000 the maximum penalty for violations identified during an inspection or other compliance review.

**Section 17 [Penalty for Repeat Violations]** requires a penalty for a repeated violation within 36 months to be at least 10% higher than the penalty imposed for the most recent violation.

Section 18 [PCA Authority to Act When It Has Evidence of Acts of Concern] authorizes the PCA to suspend or revoke a permit, issue relevant orders, require financial assurances, and take additional measures when it has evidence of falsification of records, a history of noncompliance, chronic permit violations, or operating without required permits.

**Section 19 [State Salt Purchase Report]** requires submission of an annual report to the legislature on the purchase of deicing salt by state agencies other than the Department of Transportation with a goal of reducing the amount of those purchases by 25% by 2030. This section expires on January 1, 2030.

**Section 20 [State Nitrogen Fertilizer Purchase Report]** requires submission of an annual report to the legislature on the purchase of nitrogen fertilizer by state agencies with a goal of reducing the amount of those purchases by 25% by 2030. This section expires on January 1, 2030.

Section 21 [Codification of Resilient Communities Act] codifies the Minnesota resilient community assistance program in statute.

**Section 22 [Ban on Certain Mercury-Containing Lighting]** prohibits the sale, offering for sale, or distribution in this state of certain mercury-containing lighting, beginning January 1, 2025.

Section 23 [PCA Must Encourage Use of Waste Heat] gives the PCA the power and duty to encourage practices that enable the recovery and use of waste heat.

**Section 24 [County Notification of Certain Uses of CLIF Money]** requires the PCA to notify counties with qualified facilities if money in the closed landfill investment fund is spent or transferred for purposes other than the purposes provided under the landfill cleanup program statutes.

**Section 25 [Report Due Date Modification]** modifies the date by which the PCA is required to submit a report that includes a pathway to implement resource management policies, programs, and infrastructure.

**Section 26 [Report Due Date Modification]** modifies the date by which the PCA is required to submit a report on the community air-monitoring systems pilot grant program.

**Section 27 [Sewage Sludge for Land Application Analysis]** requires the PCA to develop a strategy to require sewage sludge prepared for application to land to be analyzed for the presence of PFAS and to implement the strategy in water discharge permits thereafter.

Section 28 [Critical Materials Recovery Advisory Task Force] requires PCA to establish a task force to advise the PCA with respect to policy and program options designed to increase the recovery of critical materials from end-of-life products.

**Section 29 [PFAS Removal Report]** requires the PCA and the commissioner of Health to report to the appropriate legislative committees on strategies and fee mechanisms the state may use to require companies that manufacture, use, or release PFAS to pay for the cost of providing safe drinking water to people that have had their private and public water sources contaminated with PFAS.

**Section 30 [Postclosure Care Rulemaking]** requires the PCA to amend rules related to solid waste disposal facilities to require the commissioner's approval to terminate the postclosure care period.

**Section 31 [Recommendations for Products with Lead, Cadmium, and PFAS; Moratorium]** requires the PCA to make recommendations on the use of PFAS in upholstered furniture and firefighting foam; and lead and cadmium in key fobs, pens, and mechanical pencils. The PCA is prohibited from enforcing related restrictions until six months after the due date of the report and recommendations.

**Section 32 [Capital Assistance Program Rulemaking]** requires the PCA to amend its Capital Assistance Program rules to accord with statutory changes made by the legislature during the 2023 session.

Section 33 [Climate Adaptation and Resilience Costs] requires the PCA to research projected costs of climate change adaptation and resilience measures needed to mitigate the projected impacts of climate change in this state.

**Section 34 [Revisor Instruction]** instructs the Revisor of Statutes to make technical changes to the statutes in response to changes made by this article.

Section 35 [Repealer] repeals a statutory packaging waste reduction goal.

# Article 3 – Natural Resources

Section 1 [Investment of Financial Assurance Money Under Permit to Mine] allows the State Board of Investment to invest money collected as part of the financial assurance provided under a permit to mine and appropriates that money to the commissioner of natural resources for financial assurance purposes.

**Section 2 [Forest Industry Data Definition]** adds a definition of "forestry industry data" to the Data Practices Act.

**Section 3 [More Timely Transfer of School Trust Lands Proceeds]** allows the Department of Natural Resources (DNR) to deposit net income from school trust lands into the Permanent School Fund and for certified costs to be transferred to the Forest Management Investment Account in a more timely manner.

**Section 4 [Authority to Transfer Bison]** authorizes DNR to request that the Department of Administration allow donation or conveyance of bison to a governmental or nonprofit organization within or outside of Minnesota, or to sell the bison, when it would benefit the state's natural resources or bison management.

Section 5 [Repeal of Metro County SNA Addition Approval Requirement] repeals a requirement that metropolitan area counties approve additions to scientific and natural areas. The county approval requirement remains in place for counties outside of the metropolitan area.

**Section 6 [Data on Forest Industry]** makes certain forest industry data in possession of the DNR private data on individuals or nonpublic data, as applicable, under the Data Practices Act.

Section 7 [Release of Threatened or Endangered Species Prohibited] prohibits the release of endangered or threatened species.

**Section 8 [Permitting of Importation of Threatened or Endangered Species]** current law provides that the main statute protecting threatened or endangered species (§ 84.0895) does not prohibit importation into the state of wild animals, wild plants, or parts of wild animals or plants, that are legally imported into the United States or legally acquired and exported from another territory, state, possession, or political subdivision of the United States. This section repeals that language.

**Section 9 [Community Tree-Planting Grants]** requires the establishment by the DNR of a program to provide grants to cities, counties, Tribal governments, and parks and recreation boards in cities of the first class for the removal and planting of shade trees to provide environmental

benefits; replacing trees lost to forest pests, diseases, or storms; and establishing a more diverse community forest better able to withstand disease and forest pests.

Section 10 [Off-Highway Motorcycle Technical Change] makes a technical change to the offhighway motorcycle statutes to conform the statutes to changes made by the legislature during the 2023 session.

Section 11 [Off-Highway Motorcycle Fee Increases] increases the fee to register an off-highway motorcycle from \$30 to \$45.

Section 12 [Snowmobile Muffler Requirements] requires snowmobiles to be equipped with mufflers that meet snowmobile muffler noise limits specified in rules adopted by the DNR and requires after-market mufflers to have a permanent stamp stating that the muffler conforms to those requirements.

Section 13 [Farming on State-Owned Land in the Karst Region] requires the DNR to impose fertilizer application restrictions and fall cover crop requirements in state cooperative farming agreements and agricultural leases of state-owned lands in the karst region of the state.

Section 14 [State Maintains Jurisdiction Over Frozen Waters] clarifies that the state did not cede jurisdiction over frozen waters to the United States when it enacted laws to facilitate the creation of Voyageurs National Park.

Section 15 [Sheriff Costs for Unsafe Ice Rescue] authorizes county sheriffs to be reimbursed for costs incurred for search and rescue operations due to recreational activities on unsafe ice.

Section 16 [Minnesota Releaf Modifications] modifies the statute that creates the Minnesota Releaf Program to require that priority be given to projects located in whole or in part in a census block group with a supplemental demographic index score in the 70<sup>th</sup> percentile or higher within the State of Minnesota.

Section 17 [Removal of DNR Seedling Cap] removes the current cap on DNR seedling production.

Section 18 [Authority to Supply Plug Seedlings] allows the DNR to grow and sell plug seedlings for use on private land. Current law allows the agency to supply private landowners with only bare root seedlings.

Section 19 [Extension of Minerals Coordinating Committee] extends the Minerals Coordinating Committee, which is charged with planning for diversified mineral development in the state, from 2026 to 2033.

Section 20 [Deposit of Revenue in the Taconite Iron Ore Special Advance Royalty Account] provides that mineral lease money received under negotiated state iron ore or taconite iron ore mining leases may be deposited in the taconite iron ore special advance royalty account.

Section 21 [Authority to Issue Oil and Gas Leases] authorizes the commissioner of natural resources (DNR) to issue leases to prospect for, remove, or extract gas and oil from state-owned lands.

Section 22 [Oversight of Oil and Gas Leases] makes oil and gas leases subject to most of the same requirements as other mineral leases and to oversight by the Executive Council and DNR.

**Section 23 [Prohibition on Gas and Oil Production without a Permit]** prohibits production of gas or oil without a permit. Prohibits the issuance of permits until the legislature approves a temporary permit framework that allows issuance of temporary permits.

**Section 24 [Oil and Gas Production Rulemaking]** authorizes various agencies to adopt rules governing oil and gas exploration and production. Requires rules to be adopted using the expedited rulemaking procedure in Minnesota Statutes, Section 14.389.

Section 25 [Oil and Gas Lease Application Requirements] requires applicants for oil and gas leases to submit an application and filing fee to the DNR and reserves the right of the state to reject an application for such a lease. Requires oil and gas leases to include certain terms, including a duration of no more than five years, the payment of a per acre bonus consideration to the DNR, the provision of financial assurance in certain cases, and the payment of rent and a production royalty on any oil or gas produced.

**Section 26 [Definition of Taxidermist]** adds a definition of taxidermist to the game and fish statutes.

**Sections 27 through 30 [Cross References/Overworking or Mistreating Animals]** adds a cross reference to the statute that prohibits overworking or mistreating animals (§ 343.21) to various game and fish statutes concerned with mistreatment of animals.

**Section 31 [Disposal of Cervid Carcasses]** requires taxidermists to dispose of all cervid carcasses, cervid parts, and related biosolids, that are not returned to the customer to a disposal facility or transfer station that is permitted to accept it. Requires retention of related records.

**Section 32 [Rulemaking Authority]** extends existing rulemaking authority to include matters related to the disposal of cervid carcasses.

Sections 33 & 34 [Elimination of Goose Permit] remove the need to acquire a special goose season permit.

**Section 35 [Importation of Cervidae Carcasses]** allows importation of fixed taxidermy mounts as well as antlers attached to skull caps and whole skulls when cleaned of brain tissue. Requires Cervidae heads transported into Minnesota to be delivered to a taxidermist within 48 hours of entering the state.

Section 36 [Possession of Adipose Tissue] allows the possession, transportation, purchase, sale, etc. of inedible portions of animal adipose tissue.

Sections 37 & 38 [Creation of Apprentice Trapper Certification] create an apprentice trapper certification, which would allow a person to purchase a trapping license without having completed trapper education if they were accompanied by a licensed trapper over age 18 while setting or tending traps.

Section 39 [Ground Blind Blaze Orange Requirements] makes the blaze orange requirements for ground blinds on public lands applicable to deer hunters only and not to turkey, waterfowl, or bear hunters.

Section 40 [Landowner Retention of Beaver Carcasses] allows landowners to retain the carcasses of certain lawfully killed beavers. Prohibits human consumption of the carcasses.

**Section 41 [Notice and Meeting Changes for Experimental Waters]** repeals language requiring the DNR to hold a public meeting before establishing, vacating, or modifying the designation of experimental waters and replaces it with language authorizing the meeting to be virtual. Makes various related changes to notice requirements.

**Section 42** [Notice and Meeting Changes for Special Management Waters] repeals language requiring the DNR to hold a public meeting before establishing, vacating, or modifying the designation of special management waters and replaces it with language authorizing the meeting to be virtual. Makes various related changes to notice requirements.

Section 43 [Water Quality Monitoring at State Fish Hatcheries] requires the DNR, in conjunction with the commissioners of health, agriculture, and the PCA, to monthly test source water and groundwater at state fish hatcheries located in enumerated cities for nitrates and pesticides.

Section 44 [Trout Fishing Season Modification] modifies trout fishing seasons.

Section 45 [Taking of Sturgeon and Paddlefish] authorizes the DNR to allow taking of sturgeon and paddlefish from waters other than those through which the state boundary passes or in tributaries of the St. Croix River.

Section 46 [Rulemaking Authority Has Not Expired] clarifies that DNR's model shoreland standards rulemaking authority has not expired.

**Section 47 [Public Waters Definition]** clarifies that effective July 1, 2027, the inclusion or exclusion of a water from the Public Waters Inventory (PWI) maintained by the DNR does not control whether or not the water is a public water for state law purposes.

Section 48 [Appropriation to Update the PWI] appropriates \$1,000,000 per year for 8 years to the DNR to update the PWI.

Section 49 [Correction of Unintended Fee Change] corrects an unintended fee change passed during the 2023 legislative session.

Section 50 [Rulemaking Authority Has Not Expired] clarifies that DNR's public waters work permit rulemaking authority has not expired.

Section 51 [Ensuring Adequate Bait Supply] extends by two years DNR's authority to adopt emergency rules to ensure adequate bait supplies are available in this state.

Section 52 [Report on Recreational Use of School Trust Lands] requires a study of the recreational use of school trust lands in the state in order to determine the amount of money to be allocated to the permanent school fund for fees paid to the state for outdoor recreation purposes.

Section 53 [State Park License Plate Design Contest] requires the DNR to hold a license plate design contest to design a new state park license plate.

Section 54 [Rusty Patched Bumble Bee Is Endangered Species] requires the DNR to designate the rusty patched bumble bee as an endangered species.

**Section 55 [Minnesota Gas and Oil Resources Technical Advisory Committee]** requires DNR to create a Minnesota Gas and Oil Resources Technical Advisory Committee to develop recommendations to the DNR relating to the production of oil and gas in the state and to guide the creation of a temporary regulatory framework to govern oil and gas permitting before permanent rules are adopted. Requires statutory and policy recommendations to be submitted to the legislature.

**Section 56 [Management of Kittson Central Elk Herd]** authorizes DNR to manage the Kittson Central elk herd population for genetic diversification and herd health by allowing the herd to grow by 30% compared to its 2023 level. Requires the DNR to work with stakeholders to develop a plan to enhance the size and range of Minnesota's elk population.

**Section 57 [Report on Outdoor Opportunities for Minnesota Youth]** requires the DNR to submit a report to the appropriate legislative committees on state programs that facilitate opportunities for Minnesota youth to experience the outdoors.

**Section 58 [Repealer]** repeals a statute requiring a special goose season permit to take Canadian Geese.

# Article 4 – Board of Water and Soil Resources

**Section 1 [Forgiveness of Penalties]** authorizes the Board of Water and Soil Resources (BWSR) to forgive penalties when it determines that sufficient steps have been taken to fully resolve the noncompliance that led to the penalty.

**Section 2 [Penalty Increase for Buffer Violations]** increases from \$500 to \$10,000 the maximum penalty that can be assessed for noncompliance with buffer law requirements.

**Section 3 [Pollinator Account Created]** creates a new account in the special revenue fund and statutorily appropriates the money to support pollinator habitat.

Section 4 [Lawns to Legumes Data Private] makes data on individuals who apply for or receive financial or technical assistance under the Lawns to Legumes Program private data on individuals under the Data Practices Act.

Section 5 [BWSR Enforcement of Buffer Statute] Clarifies which statutory subdivision BWSR can use to enforce buffer law requirements when the county or watershed district with jurisdiction over the noncompliant site has not acted.

**Section 6 [Deposit of Portion of Lottery-in-Lieu Money]** directs a portion of the lottery-in-lieu revenue into the pollinator account created by Section 3.

Section 7 [Soil Health Appropriations Report] requires BWSR to submit a report to the appropriate legislative committees on the expenditure of money for soil health activities under a law enacted in 2023.

# Article 5 – Packaging Waste and Cost Reduction Act

Section 1 [Short Title] provides that this act may be cited as the "Packaging Waste and Cost Reduction Act."

Section 2 [Definitions] defines various terms used in the bill.

**Section 3 [Establishment of Program]** requires producers of packaging and paper products ("producers") to implement and finance a statewide program to provide for the collection and management of used packaging and paper products ("covered materials") through waste reduction, reuse, recycling, composting, and product redesign.

#### Section 4 [Registration of Producer Responsibility Organization]

**Subd. 1 [Annual Registration]** requires producers to appoint a producer responsibility organization ("PRO") by January 1, 2025, and requires that PRO to register with the PCA each July 1 thereafter by submitting certain materials. Requires the creation of a coordinating body if more than one PRO registers with the commissioner and requires that all approved product stewardship plans be integrated into a single plan.

**Subd. 2 [Registration Fee]** requires a PRO to submit an annual fee to the Pollution Control Agency ("PCA") beginning in 2029 in an amount sufficient to cover the estimated costs of the PCA to administer the program during the following year, as determined by the commissioner.

**Subd. 3 [Initial PRO Registration; Implementation Fee]** prohibits the registration of more than one PRO before the expiration of the first stewardship plan and provides a process for selecting that PRO where more than one attempts to register. For 2025 through 2028, requires the initial PRO to annually pay the commissioner an implementation fee in an amount sufficient to cover the PCA's costs to develop the initial needs assessment and administer this act prior to approval of the initial stewardship plan.

**Subd. 4 [Requirements for Additional PROs]** establishes criteria for allowing more than one PRO to register.

**Subd. 5 [Registration of Service Providers]** beginning January 1, 2025, requires service providers seeking reimbursement for services rendered under a stewardship plan to register with the commissioner by submitting certain information.

**Section 5 [Establishment of Producer Responsibility Advisory Board]** establishes the Producer Responsibility Advisory Board ("board") to review programs operated by PROs and to advise the various parties on the implementation of this act.

**Section 6 [Commissioner Responsibilities]** establishes the responsibilities of the commissioner under the act, which include the duty to appoint the membership of the board and to provide it operating support, to complete needs assessments every five years, approve stewardship plans and

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amendments, provide a list of covered materials that are determined to be recyclable or compostable to PROs, to post various information on its website, to require annual financial audits of PROs, and to consider comments of the board.

Section 7 [Producer Responsibility Advisory Board Responsibilities] requires the board to consult with the commissioner and PROs on needs assessments, stewardship plans, and related matters.

**Section 8 [Producer Responsibility Organization Responsibilities]** requires PROs to register with the commissioner, submit stewardship plans to the commissioner every five years and to implement approved plans, to keep producers and service providers informed of various matters, collect producer fees, make various reports, ensure that producers operating under a stewardship plan comply with its requirements, expelling producers who fail to return to compliance, responding to comments received from the board, maintaining a website, and preforming various related duties.

**Section 9 [Producer Responsibilities]** requires producers to implement the requirements of stewardship plans, to pay producer fees, and to:

- Register with a PRO by July 1, 2025.
- Be operating under an approved stewardship plan by January 1, 2029.
- Introduce only covered materials that are reusable, capable of refill, recyclable, collectable, or included in an alternative collection system after January 1, 2032. Producers may petition the commissioner for a delay in this requirement where market or technical issues prevent compliance.

Section 10 [Service Provider Responsibilities] requires service providers to collect and manage covered materials generated in this state, register with the commissioner, meet performance standards, ensure covered materials are sent to responsible markets, and perform various related duties.

#### Section 11 [Needs Assessment]

**Subd. 1 [Needs Assessment Required]** requires the commissioner to complete a preliminary assessment by December 31, 2025, and to complete a needs assessment by December 31, 2026, and every five years thereafter.

**Subd. 2 [Input from Interested Parties]** requires the commissioner to consult with the board, political subdivisions, service providers, PROs, and other interested parties in conducting a needs assessment. Requires the commissioner to contract with a third party to conduct the need assessment.

**Subd. 3 [Content of Preliminary Assessment]** requires a preliminary assessment to include certain enumerated information.

**Subd. 4 [Content of Needs Assessment]** requires a needs assessment to include certain information, including an evaluation of existing waste reduction, reuse, recycling, and composting efforts and resources; proposals for a range of performance targets to meet statewide requirements; options for third-party certification requirements; an evaluation of

investments needed to increase waste reduction, reuse, recycling, and composting rates for covered materials; and related matters.

**Subd. 5** [Needs Assessment as Baseline] provides that determinations of the extent to which statewide requirements or performance targets have been met must be based on the most recent needs assessment.

**Subd. 6 [Participation Required]** requires persons with information relevant to the completion of a needs assessment to provide that information to the commissioner upon request. Facilitates proceeding under a nondisclosure agreement where necessary.

#### Section 12 [Stewardship Plan]

**Subd. 1 [Plan Required]** requires a PRO to submit a plan to the commissioner by September 1, 2028, and every five years thereafter, that describes the proposed operation by the PRO of programs to fulfill the requirements of this act and that incorporates the findings of the most recent needs assessment.

**Subd. 2** [Advisory Board Review] requires a PRO to submit draft stewardship plans to the advisory board for review before submission to the commissioner.

**Subd. 3** [Content of Plan] requires a stewardship plan to include certain information, including performance targets, a description of collection methods, a list of any third party certifications that will be obtained, a budget and identification of funding needs, producer fees, an infrastructure investment plan, an explanation of how the plan will be paid for by producers, a description of activities to be undertaken during the next five years, reimbursement formulas, terms and conditions of service agreements, and related information.

**Subd. 4 [Plan Amendment and Approval]** requires the commissioner to review draft stewardship plans and amendments within 120 days of receipt and requires posting of the draft plan or amendment on the agency's website for at least 45 days to allow public comment. Allows a PRO 60 days to revise rejected plans, or to provide the commissioner with any additional requested information and requires the commissioner to review this information in 60 days. Allows the commissioner to modify the draft plan or amendment after two unsuccessful submissions.

**Subd. 5 [Performance Targets]** requires PROs to include performance targets in stewardship plans.

**Subd. 6 [Measurement of Performance Targets]** establishes methods for measuring whether performance targets have been met.

**Subd. 7 [Statewide Requirements]** requires the commissioner to establish statewide requirements and dates by which requirements must be achieved recycling rate, composting rate, reuse rate, return rate, percentage of covered materials introduced that must be waste reduced, and the percentage of postconsumer recycled content that covered materials introduced must contain.

**Subd. 8 [Alternative Collection Programs]** requires PROs to implement alternative collection programs for covered materials included on an alternative collection list established by the PCA.

Section 13 [Recyclable or Compostable Covered Materials Lists] requires the commissioner to complete by July 1, 2028, a list of covered materials determined to be recyclable or compostable statewide as well as a list of covered materials that are recyclable or compostable through alternative means. Allows a producer to request that a particular covered material be classified as an exempt material.

**Section 14 [Producer Fees]** requires PROS to collect producer fees from producers and establishes requirements for determining the amount of those fees and adjusting for overcollections.

**Section 15 [Service Provider; Reimbursement]** sets requirements for reimbursement to service providers for waste reduction, reuse, processing, recycling, or composting services under an approved stewardship plan and sets forth statutory requirements for reimbursement rates included in a stewardship plan.

**Section 16 [Reporting]** requires a PRO to annually report to the commissioner beginning April 1, 2029, about its operations during the previous calendar year. The report must include certain enumerated information. Requires additional reporting when a PRO fails to meet a performance target included in a stewardship plan.

Requires the commissioner to report to the appropriate legislative committees and to the governor on the operation of the act every two years, beginning on October 15, 2031.

Section 17 [PRO Websites] requires a PRO to maintain a website that must include certain enumerated information.

Section 18 [Anticompetitive Conduct] authorizes a PRO to engage in anticompetitive conduct where necessary to meet its obligations under the act and provides immunity to PROs for antitrust, restraint of trade, or unfair trade practices.

**Section 19 [Rulemaking]** authorizes the commissioner to adopt rules to implement the act and exempts the rulemaking from the 18-month requirement of section 14.125.

**Section 20 [Providing Information]** requires a person to provide the commissioner with information necessary to implement this act upon request.

**Section 21 [Deposit Return System]** states that the legislature intends to harmonize this act with any bottle deposit return system legislation enacted by the legislature in the future.

**Section 22 [Enforcement]** requires the commissioner to enforce the act using existing authority and allows revocation of registration of a producer or a PRO found to have violated this act. Imposes civil penalties of up to \$100,000 per day for violations of this act.

**Section 23 [Packaging Product Stewardship Account]** creates an account in the in the special revenue for PRO registration fees. Money in the account is statutorily appropriated to the PCA to perform its duties under the Packaging Waste and Cost Reduction Act.

Sections 24 and 25 [Studies] require the commissioner to conduct a study of workplace conditions and equity in the recycling, composting, and reuse facilities in this state and a study to identify the contribution of covered products to litter and water pollution in Minnesota.

# Article 6 – Feral Swine and Fur Farms

**Section 1 [Restricted Species]** adds a definition of "domestic hogs" to the statutes. Modifies the definition of "restricted species" and the definition of "release." Prohibits the release of restricted species or domestic hogs. Provides that if an owner fails to notify the DNR of a release of, or recapture, a restricted species or domestic hog within 72 hours, the animal is considered feral swine and no longer the personal property of the owner. Imposes penalties.

**Sections 2 & 3 [Game and Fur Farms]** separates statutes governing game farms and fur farms. Adds new requirements for fur farms, including a licensing fee the proceeds of which are appropriated to the DNR for administration of this section. Adds requirements for the DNR to develop containment and disposal, disease testing, and reporting requirements for fur farms.

**Section 4 [Liability for Release of Feral Swine]** makes a person who releases feral swine liable for associated costs to the state and damages caused by the possession or release of the feral swine.

Section 5 [Release Protocols] requires the DNR, in cooperation with the commissioner of agriculture and the Board of Animal Health, to develop protocols for responding to releases of domestic hogs and feral swine.

**Section 6 [Outreach Required]** requires the commissioners of agriculture and natural resources and the Board of Animal Health to jointly develop and provide to the public outreach materials concerning feral swine.

Section 7 [Repealer] repeals an existing statute that governs fur farm registration.

# Article 7 – Environment Review and Permitting

**Sections 1 & 2 [Coordinated Project Plans]** authorize an applicant for a project that requires the DNR or PCA to undertake environmental review to request that the agency prepare a coordinated project plan that coordinates state agency action and requires reporting to the legislature if certain deadlines are not achieved.

# Article 8 – State Lands

**Section 1 [Assumption of Trail Easement Fees]** allows the commissioner of natural resources (DNR) to assume the application fee that would otherwise have to be paid by a person seeking a trail easement when the DNR determines that issuing the easement will benefit the state's land management interests.

**Sections 2 & 3 [Responsibility for Land Exchange Expenses]** make a private landowner or governmental unit responsible for covering half of the cost of additional categories of expenses related to land exchanges, including legal and professional fees and fees related to title work, advertising, public hearings, transactional staff costs, and closing costs.

Section 4 [Sale of Land Located within Boundary of Indian Reservations] provides that when tax-forfeited land is located wholly within the boundaries of an Indian reservation, it must first be

offered to the affected band of Indians for sale at the appraised value and must be sold to the band for that amount if the band wants to purchase it.

Section 5 [Additions to State Parks] adds areas to the statutory boundaries of Banning State Park (Pine County), Father Hennepin State Park (Mille Lacs), and Lake Louise State Park (Mower County).

**Section 6 [State Park Abolishment]** abolishes Hill-Annex Mine State Park (Itasca County) and Upper Sioux Agency State Park (Yellow Medicine). This section also requires the development of options for use of the Hill-Annex Mine State Park site after mining activities are complete at the site.

Sections 7 & 8 [Private Sale of Tax-Forfeited Land] authorize the private sale of tax-forfeited land in Aitkin County.

Section 9 [Public Sale of Surplus Land] authorizes the public sale of surplus land bordering public water in Chisago County.

**Section 10 [Private Sale of Tax-Forfeited Land]** authorizes the private sale of tax-forfeited lands in bordering public water in Crow Wing County.

**Section 11 [Conveyance of Surplus Land]** authorizes conveyance of surplus land bordering public water to a local government for no consideration in Hubbard County.

Section 12 [Private Sale of Surplus Land] authorizes private sale of surplus land bordering public water in Hubbard County.

Section 13 [Conveyance of Land in Mille Lacs County] requires DNR to condemn certain land in Mille Lacs County and to convey it for no cost to a federally recognized Indian tribe.

**Section 14 [Conveyance of Surplus Land]** authorizes conveyance of surplus land bordering public water to a federally recognized Indian Tribe for no consideration in Redwood County.

Section 15 [Conveyance of Surplus Land and Real Property] authorizes the Minnesota Historical Society to convey surplus land and real property for no consideration to the Lower Sioux Indian Community.

Section 16 [Private Sale of Surplus Land] authorizes private sale of surplus land in Roseau County.

Sections 17 & 18 [Private Sale of Tax-Forfeited Land] authorize the private sale of tax-forfeited lands in St. Louis County.

Section 19 [Repealer] repeals the statutes that establish Hill-Annex Mine State Park and Upper Sioux Agency State Park and repeals the designation of Upper Sioux Agency State Park as a state historic site.

Section 20 [Effective Date] makes the article effective the day following final enactment.

# <u>Article 9 – Miscellaneous</u>

**Section 1 [LCCMR Conflict of Interest Modification]** modifies the LCCMR conflict of interest statute to clarify that it applies to members voting on a motion regarding the purchase of land that is already fully or partially owned by the state or a political subdivision.

Section 2 [LCCMR Conflict of Interest Conforming Change] makes a conforming change.

**Section 3 [Community Tree-Planting Grants]** requires the Metropolitan Council to create a program to provide grants to cities, counties, townships, and implementing agencies for removing and planting shade trees on public land to provide environmental benefits; replacing trees lost to forest pests, disease, or storms; and establishing a more diverse community forest better able to withstand disease and forest pests.