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State of Minnesota

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HOUSE OF REPRESENTATIVES

NINETY-SECOND SESSION

H. F. No. 91

- 01/14/2021 Authored by Hansen, R.; Ecklund; Davids; Reyer; Lee and others
The bill was read for the first time and referred to the Committee on Environment and Natural Resources Finance and Policy
- 01/25/2021 Adoption of Report: Amended and re-referred to the Committee on Ways and Means
- 02/11/2021 Adoption of Report: Placed on the General Register as Amended
Read for the Second Time
- 03/01/2021 Calendar for the Day, Amended
Read Third Time as Amended
Passed by the House as Amended and transmitted to the Senate to include Floor Amendments

1.1 A bill for an act

1.2 relating to environment; prioritizing expenditures from dry cleaner environmental

1.3 response and reimbursement account; banning perchloroethylene; canceling a prior

1.4 appropriation; appropriating money for a cost-share program and for environmental

1.5 response costs; amending Minnesota Statutes 2020, section 115B.49, subdivision

1.6 3; proposing coding for new law in Minnesota Statutes, chapter 325E.

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

1.8 Section 1. Minnesota Statutes 2020, section 115B.49, subdivision 3, is amended to read:

1.9 Subd. 3. **Expenditures.** (a) Money in the account may be used:

1.10 (1) for environmental response costs incurred by the commissioner under section 115B.50,

1.11 subdivision 1;

1.12 (2) for reimbursement of amounts spent by the commissioner from the remediation fund

1.13 for expenses described in clause (1);

1.14 (3) for reimbursements under section 115B.50, subdivision 2; and

1.15 (4) for administrative costs of the commissioner of revenue.

1.16 (b) Money in the account is appropriated to the commissioner for the purposes of this

1.17 subdivision. The commissioner shall transfer funds to the commissioner of revenue sufficient

1.18 to cover administrative costs pursuant to paragraph (a), clause (4).

1.19 (c) In making reimbursements from the account, the commissioner must give priority

1.20 to the following cases, in descending order:

1.21 (1) reimbursements for amounts spent on response actions by a person who meets the

1.22 conditions of section 115B.48, subdivision 10, clause (2); and

2.1 (2) reimbursements for expenditures made by the commissioner under paragraph (a),
2.2 clause (1) or (2), on behalf of owners or operators when the owner or operator failed to
2.3 complete the requested response action and the commissioner undertook the response action
2.4 to remediate the property.

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

2.6 Sec. 2. **[325E.381] PERCHLOROETHYLENE PROHIBITION.**

2.7 After December 31, 2025, using perchloroethylene as a dry cleaning solvent is prohibited.

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

2.9 Sec. 3. **CANCELLATION.**

2.10 The transfer of any unexpended funds under Laws 2019, First Special Session chapter
2.11 4, article 1, section 2, subdivision 10, paragraph (c), estimated to be \$255,000, is canceled.

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

2.13 Sec. 4. **APPROPRIATIONS.**

2.14 (a) \$355,000 in fiscal year 2021 is appropriated from the remediation fund to the
2.15 commissioner of the Pollution Control Agency for a cost-share program to reimburse owners
2.16 or operators of dry cleaning facilities for the costs of transitioning from perchloroethylene
2.17 to alternative solvents that are technically viable and environmentally preferred, as determined
2.18 by the commissioner. The commissioner must reimburse an owner's or operator's transition
2.19 expenses up to \$20,000. This is a onetime appropriation and is available until June 30, 2024.

2.20 (b) Notwithstanding Minnesota Statutes, section 115B.49, subdivision 3, paragraph (b),
2.21 \$213,000 in fiscal year 2021 is appropriated from the dry cleaner environmental response
2.22 and reimbursement account in the remediation fund to the commissioner of the Pollution
2.23 Control Agency for the purposes of Minnesota Statutes, section 115B.49. In reimbursing
2.24 persons with funds appropriated under this paragraph, the commissioner must give priority
2.25 to persons who meet the definition in Minnesota Statutes, section 115B.48, subdivision 10,
2.26 clause (2), and who have made a request to the commissioner under Minnesota Statutes,
2.27 section 115B.50, subdivision 2. This is a onetime appropriation and is available until June
2.28 30, 2022.

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