

**SENATE
STATE OF MINNESOTA
NINETY-FIRST SESSION**

S.F. No. 3228

(SENATE AUTHORS: ABELER, Hall, Housley, Chamberlain and Hoffman)
DATE 02/17/2020 D-PG OFFICIAL STATUS
Introduction and first reading
Referred to Environment and Natural Resources Finance

1.1 A bill for an act
1.2 relating to environment; modifying the metropolitan landfill abatement fund;
1.3 appropriating money; amending Minnesota Statutes 2018, section 473.844,
1.4 subdivisions 1, 1a; Laws 2019, First Special Session chapter 4, article 1, section
1.5 2, subdivision 7; repealing Minnesota Statutes 2018, section 473.844, subdivision
1.6 4.

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

1.8 Section 1. Minnesota Statutes 2018, section 473.844, subdivision 1, is amended to read:

1.9 Subdivision 1. **Purposes.** The money in the environmental fund for landfill abatement
1.10 must be used to reduce, to the greatest extent feasible and prudent, the need for and practice
1.11 of land disposal of mixed municipal solid waste in the metropolitan area. This money consists
1.12 of revenue deposited in the environmental fund under section 473.843, subdivision 2, clause
1.13 (1), and interest earned on investment of this money. ~~All repayments to loans made under~~
1.14 ~~this section must be credited to the environmental fund.~~ The landfill abatement money in
1.15 the environmental fund may be spent only for purposes of metropolitan landfill abatement
1.16 as provided in subdivision 1a and only upon appropriation by the legislature.

1.17 **EFFECTIVE DATE.** This section is effective July 1, 2020.

1.18 Sec. 2. Minnesota Statutes 2018, section 473.844, subdivision 1a, is amended to read:

1.19 Subd. 1a. **Use of funds.** (a) The money in the account may be spent only for the following
1.20 purposes:

1.21 (1) assistance to any person for resource recovery projects funded under subdivision 4
1.22 or projects to develop and coordinate markets for reusable or recyclable waste materials,
1.23 including related public education, planning, and technical assistance;

2.1 (2) grants to counties under section 473.8441;

2.2 (3) program administration;

2.3 (4) public education on solid waste reduction and recycling;

2.4 (5) solid waste research; and

2.5 (6) grants to multicounty groups for regionwide planning for solid waste management
2.6 system operations and use of management capacity.

2.7 (b) The commissioner shall allocate at least ~~50~~⁹⁵ percent of the annual revenue received
2.8 by the account for grants to counties under section 473.8441.

2.9 **EFFECTIVE DATE.** This section is effective July 1, 2020.

2.10 Sec. 3. Laws 2019, First Special Session chapter 4, article 1, section 2, subdivision 7, is
2.11 amended to read:

2.12 **Subd. 7. Resource Management and Assistance** 35,675,000 35,699,000

2.13 Appropriations by Fund

2.14	2020	2021
2.15 General	700,000	625,000
2.16 State Government		
2.17 Special Revenue	75,000	75,000
2.18 Environmental	34,900,000	34,999,000

2.19 (a) Up to \$150,000 the first year and \$150,000
2.20 the second year may be transferred from the
2.21 environmental fund to the small business
2.22 environmental improvement loan account
2.23 under Minnesota Statutes, section 116.993.

2.24 (b) \$1,000,000 the first year and \$1,000,000
2.25 the second year are for competitive recycling
2.26 grants under Minnesota Statutes, section
2.27 115A.565. Of this amount, \$700,000 the first
2.28 year and \$625,000 the second year are from
2.29 the general fund, and \$300,000 the first year
2.30 and \$375,000 the second year are from the
2.31 environmental fund. This appropriation is
2.32 available until June 30, 2023. Any
2.33 unencumbered grant balances in the first year

3.1 do not cancel but are available for grants in
3.2 the second year. The base distribution for this
3.3 appropriation in fiscal year 2022 and later is
3.4 \$300,000 each year from the general fund and
3.5 \$700,000 each year from the environmental
3.6 fund.

3.7 (c) \$694,000 the first year and \$694,000 the
3.8 second year are from the environmental fund
3.9 for emission-reduction activities and grants to
3.10 small businesses and other
3.11 nonpoint-emission-reduction efforts. Of this
3.12 amount, \$100,000 the first year and \$100,000
3.13 the second year are to continue work with
3.14 Clean Air Minnesota, and the commissioner
3.15 may enter into an agreement with
3.16 Environmental Initiative to support this effort.
3.17 Any unencumbered grant balances in the first
3.18 year do not cancel but are available for grants
3.19 in the second year.

3.20 (d) \$17,750,000 the first year and \$17,750,000
3.21 the second year are from the environmental
3.22 fund for SCORE block grants to counties. Any
3.23 unencumbered grant balances in the first year
3.24 do not cancel but are available for grants in
3.25 the second year.

3.26 (e) \$119,000 the first year and \$119,000 the
3.27 second year are from the environmental fund
3.28 for environmental assistance grants or loans
3.29 under Minnesota Statutes, section 115A.0716.
3.30 Any unencumbered grant and loan balances
3.31 in the first year do not cancel but are available
3.32 for grants and loans in the second year.

3.33 (f) \$112,000 the first year and \$112,000 the
3.34 second year are from the environmental fund
3.35 for subsurface sewage treatment system

4.1 (SSTS) program administration and
4.2 community technical assistance and education,
4.3 including grants and technical assistance to
4.4 communities for water-quality protection.

4.5 (g) \$169,000 the first year and \$169,000 the
4.6 second year are from the environmental fund
4.7 to address the need for continued increased
4.8 activity in new technology review, technical
4.9 assistance for local governments, and
4.10 enforcement under Minnesota Statutes,
4.11 sections 115.55 to 115.58, and to complete the
4.12 requirements of Laws 2003, chapter 128,
4.13 article 1, section 165.

4.14 (h) \$400,000 the first year and \$400,000 the
4.15 second year are from the environmental fund
4.16 for grants to develop and expand recycling
4.17 markets for Minnesota businesses.

4.18 (i) \$750,000 the first year and \$750,000 the
4.19 second year are from the environmental fund
4.20 for reducing and diverting food waste,
4.21 redirecting edible food for consumption, and
4.22 removing barriers to collecting and recovering
4.23 organic waste. Of this amount, \$500,000 each
4.24 year is for grants to increase food rescue and
4.25 waste prevention. This appropriation is
4.26 available until June 30, 2023. Any
4.27 unencumbered grant balances in the first year
4.28 do not cancel but are available for grants in
4.29 the second year.

4.30 ~~(j) All money deposited in the environmental~~
4.31 ~~fund for the metropolitan solid waste landfill~~
4.32 ~~fee in accordance with Minnesota Statutes,~~
4.33 ~~section 473.843, and not otherwise~~
4.34 ~~appropriated, is appropriated for the purposes~~
4.35 ~~of Minnesota Statutes, section 473.844.~~

5.1 ~~(k)~~ Notwithstanding Minnesota Statutes,
5.2 section 16A.28, the appropriations
5.3 encumbered on or before June 30, 2021, as
5.4 contracts or grants for environmental
5.5 assistance awarded under Minnesota Statutes,
5.6 section 115A.0716; technical and research
5.7 assistance under Minnesota Statutes, section
5.8 115A.152; technical assistance under
5.9 Minnesota Statutes, section 115A.52; and
5.10 pollution prevention assistance under
5.11 Minnesota Statutes, section 115D.04, are
5.12 available until June 30, 2023.

5.13 **EFFECTIVE DATE.** This section is effective July 1, 2020.

5.14 Sec. 4. **APPROPRIATION.**

5.15 \$3,263,000 in fiscal year 2021 is appropriated from the metropolitan landfill abatement
5.16 fund in the environmental fund to the commissioner of pollution control for metropolitan
5.17 landfill abatement activities under Minnesota Statutes, section 473.844. Of this amount,
5.18 \$3,100,000 is for grants to metropolitan counties under Minnesota Statutes, section 473.8441.

5.19 Sec. 5. **REPEALER.**

5.20 Minnesota Statutes 2018, section 473.844, subdivision 4, is repealed.

5.21 **EFFECTIVE DATE.** This section is effective July 1, 2020.

473.844 METROPOLITAN LANDFILL ABATEMENT FUND.

Subd. 4. **Resource recovery grants and loans.** The grant and loan program under this subdivision is administered by the commissioner. Grants and loans may be made to any person for resource recovery projects. The grants and loans may include the cost of planning, acquisition of land and equipment, and capital improvements. Grants and loans for planning may not exceed 50 percent of the planning costs. Grants and loans for acquisition of land and equipment and for capital improvements may not exceed 50 percent of the cost of the project. Grants and loans may be made for public education on the need for the resource recovery projects. A grant or loan for land, equipment, or capital improvements may not be made until the director has determined the total estimated capital cost of the project and ascertained that full financing of the project is assured. Grants and loans made to cities, counties, or solid waste management districts must be for projects that are in conformance with approved master plans. A grant or loan to a city or town must be reviewed and approved by the county for conformance with the county master plan. The commissioner shall require, where practical, cooperative purchase between cities, counties, and districts of capital equipment.