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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-SEVENTH
SESSION

HOUSE FILE No. 182

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The bill was read for the first time and referred to the Committee on Environment, Energy and Natural Resources Policy and Finance

1.1 A bill for an act
1.2 relating to environment; requiring a study on state and local water management.

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

1.4 Section 1. WATER RULEMAKING MORATORIUM.

1.5 (a) For purposes of this section, "agency" means the Pollution Control Agency,
1.6 Department of Natural Resources, Board of Water and Soil Resources, Environmental
1.7 Quality Board, Department of Agriculture, and Department of Health.

1.8 (b) No agency shall adopt rules related to water quality or water resource protection
1.9 during the two-year period beginning July 1, 2011, and ending June 30, 2013.

1.10 (c) The expedited rulemaking from 2007 affecting the Wetlands Conservation Act is
1.11 extended to June 30, 2013.

1.12 Sec. 2. STUDY REQUIRED.

1.13 (a) The Department of Administration, in consultation with representatives from
1.14 the Department of Natural Resources, Pollution Control Agency, Board of Water and
1.15 Soil Resources, Environmental Quality Board, Department of Health, Department
1.16 of Agriculture, technical professionals with scientific expertise in water resources
1.17 management, and other interested parties, shall conduct a study as provided in paragraph
1.18 (b).

1.19 (b) The study must:

1.20 (1) identify current rules relating to surface and groundwater, including those related
1.21 to storm water, residential, industrial, and agricultural use, shorelands, floodplains, wild
1.22 and scenic rivers, wetlands, feedlots, and subsurface sewage treatment systems, and for
1.23 each rule specify:

- 2.1 (i) the statutory authority;
2.2 (ii) intended outcomes;
2.3 (iii) the cost to state and local government and the private sector; and
2.4 (iv) the relationship of the rule to other local, state, and federal rules;
2.5 (2) assess the pros and cons of alternative approaches to implementing water-related
2.6 programs, policies, and permits, including local, state, and regional-based approaches;
2.7 (3) identify inconsistencies and redundancy between local, state, and federal rules;
2.8 (4) identify means to coordinate rulemaking and implementation so as to achieve
2.9 intended outcomes more effectively and efficiently;
2.10 (5) identify a rule assessment and evaluation process for determining whether each
2.11 identified rule should be continued or repealed; and
2.12 (6) rely on scientific, peer-reviewed data, including the studies of the National
2.13 Academy of Sciences.
2.14 (c) The commissioner of administration must submit the study results and make
2.15 recommendations to agencies listed under paragraph (a) and to the chairs and ranking
2.16 minority party members of the senate and house of representatives committees having
2.17 primary jurisdiction over environment and natural resources policy and finance no later
2.18 than January 15, 2012.