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State of Minnesota

HOUSE OF REPRESENTATIVES

SPECIAL SESSION

H. F. No. 37

06/12/2020 Authored by Hansen
The bill was read for the first time
R/S Rules Suspended, urgency declared
Read for the Second Time

1.1 A bill for an act
1.2 relating to environment; providing for certain solid waste management tax
1.3 exemptions; extending certain appropriations.

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

1.5 Section 1. PROTECTING TAX EXEMPTIONS FOR SOLID WASTE
1.6 MANAGEMENT; RECYCLABLE MATERIALS AND SOURCE-SEPARATED
1.7 COMPOSTABLE MATERIALS.

1.8 Subdivision 1. Excluding certain facility data. When determining whether a facility
1.9 meets thresholds or conditions for recyclable material under Minnesota Statutes, section
1.10 297H.06, subdivision 2, clause (5) or (6), or source-separated compostable material under
1.11 Minnesota Statutes, section 297H.06, subdivision 2, clause (7), the commissioner of revenue
1.12 and the commissioner of the Pollution Control Agency, as applicable, may exclude some
1.13 or all facility data to account for operational changes related to COVID-19 from the date
1.14 that Emergency Executive Order 20-01 or a related emergency executive order issued
1.15 according to Minnesota Statutes, section 12.21 or 12.31, was issued until 60 days after the
1.16 order is terminated or rescinded.

1.17 Subd. 2. Materials delivered to disposal or resource recovery facilities. (a) Recyclable
1.18 materials otherwise exempt from tax under Minnesota Statutes, section 297H.06, subdivision
1.19 2, clauses (2), (6), and (7), and as provided in subdivision 1 do not lose that exemption
1.20 because the materials were delivered to a disposal facility or resource recovery facility for
1.21 reasons related to COVID-19 if the delivery was authorized by the commissioner of the
1.22 Pollution Control Agency under Minnesota Statutes, section 115A.95, paragraph (b).

2.1 (b) The relief provided under paragraph (a) ends when the commissioner of the Pollution
 2.2 Control Agency identifies persons willing to accept the recyclable materials or 60 days after
 2.3 Emergency Executive Order 20-01 or a related emergency executive order issued according
 2.4 to Minnesota Statutes, section 12.21 or 12.31, is terminated or rescinded, whichever is
 2.5 earlier.

2.6 (c) As used in this subdivision:

2.7 (1) "disposal facility" has the meaning given in Minnesota Statutes, section 115A.03,
 2.8 subdivision 10;

2.9 (2) "recyclable materials" has the meaning given in Minnesota Statutes, section 115A.03,
 2.10 subdivision 25a; and

2.11 (3) "resource recovery facility" has the meaning given in Minnesota Statutes, section
 2.12 115A.03, subdivision 28.

2.13 **EFFECTIVE DATE.** Subdivision 1 is effective the day following final enactment.
 2.14 Subdivision 2 is effective for recyclable materials delivered to a disposal facility or resource
 2.15 recovery facility after April 1, 2020.

2.16 **Sec. 2. ENVIRONMENT AND NATURAL RESOURCES TRUST FUND;**
 2.17 **EXTENSIONS.**

2.18 (a) Notwithstanding Minnesota Statutes, section 16A.28, or any other law to the contrary,
 2.19 the availability of any appropriation or grant of money from the environment and natural
 2.20 resources trust fund that would otherwise cancel, lapse, or expire on June 30, 2020, is
 2.21 extended to June 30, 2021, if the recipient or grantee does both of the following:

2.22 (1) by June 30, 2020, notifies the Legislative-Citizen Commission on Minnesota
 2.23 Resources in the manner specified by the commission that the recipient or grantee intends
 2.24 to avail itself of the extension available under this section; and

2.25 (2) modifies the applicable work plan where required by Minnesota Statutes, section
 2.26 116P.05, subdivision 2, in accordance with the work plan amendment procedures adopted
 2.27 under that section.

2.28 (b) The commission must notify the commissioner of management and budget and the
 2.29 commissioner of natural resources of any extension granted under this section.

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