



LOWER MINNESOTA RIVER WATERSHED DISTRICT

Executive Summary for Action

Lower Minnesota River Watershed District Board of Managers Meeting

Wednesday, March 18, 2020

Agenda Item

Item 6. F. - 2020 Legislative Action

Prepared By

Linda Loomis, Administrator

Summary

The Board should be receiving legislative updates from MAWD, please let me know if you are not.

HF 3543, authored by Representative Cantrell, modifying 2019 appropriation related to sites for dredge on the Minnesota River. It was introduced in the House on February 19, 2020. On March 5th it received a hearing in the House Environment and Natural Resources Finance Committee. Kevin Bigalke and I testified before the Committee. The Committee moved that the bill be laid over for inclusion in a future bill.

A companion bill, SF 3545, authored by Senators Hall and Pratt, was introduced in the Senate on February 24, 2020 and referred to the Environment and Natural Resources Finance committee. It is scheduled for a hearing on Tuesday, March 17th. I am planning to attend that hearing.

Bills that establish water storage in the Minnesota River Basin have been introduced in both the House and the Senate. HF 3595 - Minnesota River basin water quality and storage program, was introduced February 20, 2020 and was referred to the Water Division. It received a hearing on March 2, 2020 and was laid over for future consideration. I was notified late Friday, March 13th, that the bill may be amended to become a statewide program. I will have more information to report at the Board on the amended language. The companion to HF 3595, SF 3864, was introduced March 2, 2020 and referred to the Environment and Natural Resources Policy and Legacy Finance committee. A hearing on this bill is scheduled for Monday, March 16th.

Limiting liability for salt applicators has been moving through both houses (HF 1502/SF 1667). Lisa Frenette has informed me that the Minnesota Landscapers Association is not supporting this version of legislation as they feel it has been watered down too much in order to get the insurance companies' and the trial attorney's support.

There are a number of other bills that affect watershed districts. MAWD is following those and Lisa is keeping an eye on them. Legal Counsel has provided a brief summary of some of those bills, which I have attached for the Board's information.

Attachments

HF 3543

Email from J. Kolb

Recommended Action

No action recommended

This Document can be made available
in alternative formats upon request

State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-FIRST SESSION

H. F. No. **3543**

02/19/2020 Authored by Cantrell

The bill was read for the first time and referred to the Environment and Natural Resources Finance Division

1.1 A bill for an act
1.2 relating to natural resources; modifying 2019 appropriation related to sites for
1.3 dredge spoil on the Minnesota River.

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

1.5 Section 1. **2019 APPROPRIATION MODIFICATION.**

1.6 The Lower Minnesota River Watershed District may use up to \$111,000 from money
1.7 appropriated in either fiscal year under Laws 2019, First Special Session chapter 4, article
1.8 1, section 4, paragraph (j), to reimburse the district for money the district owed the city of
1.9 Chaska to stabilize the Seminary Fen.

25226-0001: Legislation

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To: "Linda Loomis (naiadconsulting@gmail.com)" <naiadconsulting@gmail.com>
Cc: Frenette Lisa <frenettela@gmail.com>

Thu, Mar 12, 2020 at 10:15 AM

Linda,

A few items from the legislature that I am sure Lisa is also tracking:

MAWD provided a legislative update on February 14, 2020. The update included MAWD's 2020 Legislative Platform. MAWD will oppose legislation that negatively impacts the ability of watershed organizations to protect and preserve Minnesota's water resources.

MAWD supports legislation that provides limited liability protection to certified commercial salt applicators. HF 1502 / SF 1667 were introduced during the 2019 session to establish a salt applicator certification program and offer limited liability. Representative Fischer introduced the legislation in the House. Four of the twelve authors in the House are within RCWD (Fischer, Moller, Hausman, and Bernardy).

Senator Ruud introduced the legislation in the Senate. (There are currently no authors from RCWD on Senate bill.) Senate bills are limited to five authors; three of the five authors of the bills are also the chairs of the Environment & Natural Resources Finance Committee (Ruud, Ingebrigtsen, & Tomassoni). On February 24th, the legislation was re-referred to the Judiciary and Public Safety Finance and Policy Committee. On March 9th, the legislation was withdrawn from that committee and re-referred to the Environment and Natural Resources Finance Committee (Ruud, Ingebrigtsen, & Tomassoni).

Emily Javens with MAWD believes the move may have been because of deadlines and to ensure the legislation gets its financing; regardless, she believes it is because the bill has the support of the authors, and the move is to strengthen the bill (and not weaken it).

SF 2931/HF 2995 was introduced on February 11, 2020, with authors Representatives Green, Poston, and Runbeck. The companion bill SF 2931 was introduced the same day by Senator Utke. The bills would modify the watershed district manager appointment method. The county boards of commissioners would only be able to appoint county commissioners to serve as watershed district managers. The legislation would also remove the residency requirement.

Emily Javens met with Carrie Ruud. Carrie Ruud indicated that she had spoken to someone from the county commissioners association, and they oppose the bill. She also said that the bill wasn't going anywhere.

SF 3026/HF 3200 introduced and propose to amend section 13D.01 (Open Meeting Law) to require audio or audio-visual recording of all meetings of the public body and to require the recording to be preserved for at least three years. Referred to committees in mid-February, but no new action.

SF 1766/HF 1887 introduced and propose to modify certain authorities of WDs related to rules, appeals and rule enforcement; requires accounting and reporting of consultant costs/fees; acknowledges/strengthens private property rights and preexisting water rights in relation to WD rule-making. This is similar to language found in SF 3542/HF 3549.

I suppose that Lisa is tracking all items specific to LMRWD (like the Hall bills in the senate related to Seminary Fen reimbursement).

JCK

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