

1.1 A bill for an act

1.2 relating to environment; facilitating approval of site-specific modifications to

1.3 sulfate water quality standards during pendency of related rulemaking; providing

1.4 for additional unemployment insurance benefits; proposing coding for new law in

1.5 Minnesota Statutes, chapters 93; 115; repealing Minnesota Rules, part 6132.2200.

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

1.7 **ARTICLE 1**

1.8 **UNEMPLOYMENT INSURANCE**

1.9 Section 1. **IRON ORE MINING ADDITIONAL UNEMPLOYMENT BENEFITS**

1.10 **PROGRAM.**

1.11 Subdivision 1. **Availability of additional benefits.** Additional unemployment benefits

1.12 are available from the Minnesota unemployment insurance trust fund to an applicant who

1.13 was laid off due to lack of work between March 15, 2025, and June 15, 2025, from:

1.14 (1) an employer in the iron ore mining industry that laid off 50 percent or more of the

1.15 employer's workforce between March 15, 2025, and June 15, 2025; or

1.16 (2) an employer that is in the explosive manufacturing industry providing goods or

1.17 services to an employer in the iron ore mining industry if the applicant was laid off due to

1.18 the cessation or substantial reduction in operations of an employer in the iron ore mining

1.19 industry as described in clause (1).

1.20 Subd. 2. **Eligibility requirements.** An applicant is eligible to receive additional

1.21 unemployment benefits under this section for any week through the week ending June 19,

1.22 2026, if:

2.1 (1) the applicant established a benefit account under Minnesota Statutes, section 268.07,  
2.2 with 50 percent or greater of the wage credits from an employer as described in subdivision  
2.3 1, and has exhausted the maximum amount of regular unemployment benefits available on  
2.4 that benefit account; and

2.5 (2) the applicant meets the same requirements that an applicant for regular unemployment  
2.6 benefits must meet under Minnesota Statutes, section 268.069, subdivision 1.

2.7 **Subd. 3. Weekly and maximum amount of additional unemployment benefits.** (a)  
2.8 The weekly benefit amount of additional unemployment benefits is the same as the weekly  
2.9 benefit amount of regular unemployment benefits on the benefit account established in  
2.10 subdivision 2, clause (1).

2.11 (b) The maximum amount of additional unemployment benefits available to an applicant  
2.12 under this section is an amount equal to 26 weeks of payment at the applicant's weekly  
2.13 additional unemployment benefit amount.

2.14 (c) If an applicant qualifies for a new regular benefit account that meets the requirements  
2.15 of subdivision 4, paragraph (b), before the applicant has been paid additional unemployment  
2.16 benefits, and the new regular benefit account meets the requirements of subdivision 2, clause  
2.17 (1), the applicant's weekly additional unemployment benefit amount is equal to the weekly  
2.18 unemployment benefit amount on the applicant's new regular benefit account.

2.19 **Subd. 4. Qualifying for a new regular benefit account.** (a) If, after exhausting the  
2.20 maximum amount of regular unemployment benefits available as a result of the layoff under  
2.21 subdivision 1, an applicant qualifies for the new regular benefit account under Minnesota  
2.22 Statutes, section 268.07, the applicant must apply for and establish the new regular benefit  
2.23 account.

2.24 (b) If the applicant's weekly benefit amount under the new regular benefit account is  
2.25 equal to or higher than the applicant's weekly additional unemployment benefit amount, the  
2.26 applicant must request unemployment benefits under the new regular benefit account. An  
2.27 applicant is ineligible for additional unemployment benefits under this section until the  
2.28 applicant has exhausted the maximum amount of unemployment benefits available on the  
2.29 new regular benefit account.

2.30 (c) If the applicant's weekly unemployment benefit amount on the new regular benefit  
2.31 account is less than the applicant's weekly benefit amount of additional unemployment  
2.32 benefits, the applicant must request additional unemployment benefits. An applicant is  
2.33 ineligible for new regular unemployment benefits until the applicant has exhausted the  
2.34 maximum amount of additional unemployment benefits available under this section.

3.1 Subd. 5. **Charging of benefits.** Additional unemployment benefits paid under this section  
3.2 may not be used to compute the future unemployment tax rate of a taxpaying employer and  
3.3 may not be charged to the reimbursing account of government or nonprofit employers. This  
3.4 exception does not apply to an employer described in subdivision 1, clause (1).

3.5 Subd. 6. **Eligibility for federal Trade Readjustment Allowance benefits.** An applicant  
3.6 who has applied and been determined eligible for federal Trade Readjustment Allowance  
3.7 benefits is not eligible for additional unemployment benefits under this section.

3.8 **EFFECTIVE DATE.** This section is effective retroactively from March 15, 2025.

## 3.9 **ARTICLE 2**

### 3.10 **OTHER POLICY**

3.11 Section 1. **[93.5141] SAFE STORAGE OF REACTIVE MINE WASTE.**

3.12 Subdivision 1. **Goals.** Reactive mine waste must be mined, disposed of, and reclaimed  
3.13 to prevent the release of substances that result in adverse impacts on natural resources by  
3.14 meeting the applicable water quality standards.

3.15 Subd. 2. **Definitions.** (a) For purposes of this section, the following terms have the  
3.16 meanings given.

3.17 (b) "Applicable water quality standards" means the federal, state, local, or Tribal water  
3.18 quality standards that directly govern the water into which a discharge occurs.

3.19 (c) "Reactive mine waste" means waste that is shown through characterization studies  
3.20 or other means to cause a sustained net decrease in pH of at least 0.5 standard pH units in  
3.21 contact water due to a chemical interaction between sulfur-bearing minerals and oxygen.

3.22 Subd. 3. **Requirements.** A nonferrous metallic minerals mining operation must meet  
3.23 the following requirements:

3.24 (1) chemical and physical characterization of mine waste must be conducted before an  
3.25 application for a permit to mine is submitted and continuously during the process of mining,  
3.26 according to Minnesota Rules, part 6132.1000; and

3.27 (2) to comply with applicable water quality standards during construction and at closure,  
3.28 a reactive mine waste storage facility must be designed by professional engineers who are  
3.29 registered in Minnesota and proficient in the design, construction, operation, and reclamation  
3.30 of facilities for storing reactive mine waste. The design may include but is not limited to:

4.1 (i) modifying the physical or chemical characteristics of the mine waste or storing it in  
4.2 an environment where the discharge meets applicable water quality standards; or

4.3 (ii) during construction to the extent practicable and at closure, providing for collecting  
4.4 and disposing of waters that drain from the mine waste in compliance with applicable water  
4.5 quality standards.

4.6 **Sec. 2. [115.446] SITE-SPECIFIC WATER QUALITY STANDARDS FOR**  
4.7 **SULFATE.**

4.8 Subdivision 1. **Definitions.** (a) For purposes of this section, the following terms have  
4.9 the meanings given.

4.10 (b) "2017 statement of need and reasonableness" means the Pollution Control Agency's  
4.11 statement of need and reasonableness, Amendment of the sulfate water quality standard  
4.12 applicable to wild rice and identification of wild rice waters, Minnesota Rules, chapters  
4.13 7050 and 7053 (July 2017).

4.14 (c) "Affected permittee" means a holder of or applicant for a national pollutant discharge  
4.15 elimination system (NPDES) permit or state disposal system (SDS) permit from the Pollution  
4.16 Control Agency who discharges or proposes to discharge sulfate to a covered water that is  
4.17 the subject of a pending application for a site-specific sulfate standard.

4.18 (d) "Commissioner" means the commissioner of the Pollution Control Agency.

4.19 (e) "Covered water" means waters of the state:

4.20 (1) included in the 2017 statement of need and reasonableness, Attachment 2, compiled  
4.21 list of proposed wild rice waters; or

4.22 (2) identified as a wild rice water ([WR]) in Minnesota Rules, part 7050.0470, subpart  
4.23 1.

4.24 (f) "Site-specific sulfate standard" means a site-specific modification, according to  
4.25 Minnesota Rules, part 7050.0220, subpart 7, of the 10 mg/L class 4A water quality standard  
4.26 for sulfates (SO<sub>4</sub>) under Minnesota Rules, part 7050.0224, subpart 2.

4.27 Subd. 2. **Application completeness.** Upon receiving an application for a site-specific  
4.28 sulfate standard for a covered water, the commissioner must deem the application complete  
4.29 if the application includes:

4.30 (1) sufficient background information, including:

5.1 (i) details sufficient to identify the waters of the state or portion thereof for which a  
5.2 site-specific sulfate standard is sought, including the water identification number used by  
5.3 the commissioner for the covered water, the covered water's commonly used name, and the  
5.4 covered water's township, range, and section description;

5.5 (ii) the name, address, and telephone number of the person who prepared the application;  
5.6 and

5.7 (iii) a topographic map, or other map if a topographic map is unavailable, that shows  
5.8 the covered water and the area surrounding the covered water for a distance of at least one  
5.9 mile in all directions of the covered water;

5.10 (2) a proposed site-specific sulfate standard for the covered water calculated on the basis  
5.11 of reliable site-specific data using either:

5.12 (i) the equation proposed by the commissioner in the 2017 statement of need and  
5.13 reasonableness as Minnesota Rules, part 7050.0224, subpart 5, item B, subitem (1); or

5.14 (ii) the alternate approach proposed in the 2017 statement of need and reasonableness  
5.15 as Minnesota Rules, part 7050.0224, subpart 5, item B, subitem (2); and

5.16 (3) monitoring data for the covered water that:

5.17 (i) includes, for three of the last five calendar years preceding the application date:

5.18 (A) semiannual water quality sampling results for average sulfate concentration and  
5.19 average water depth in the covered water; and

5.20 (B) annual wild rice surveys that include data regarding the stand area, stalk density,  
5.21 and stem height of any naturally occurring wild rice in the covered water; and

5.22 (ii) demonstrates that the presence of wild rice when average sulfate concentrations in  
5.23 the covered water are at or below the proposed site-specific sulfate standard is not diminished  
5.24 from documented, historical wild rice presence. Any evaluation of naturally occurring wild  
5.25 rice in the covered water may account for external factors that influence wild rice growth,  
5.26 including but not limited to water depth, invasive species, wildlife predation, and weather  
5.27 events. If current sulfate levels are below the proposed site-specific sulfate standard, the  
5.28 permittee must agree to continue periodic monitoring of wild rice abundance.

5.29 Subd. 3. **Treatment of affected permittees.** (a) Upon receipt of a complete application  
5.30 for a site-specific sulfate standard, the commissioner, to the extent allowable under federal  
5.31 law, must:

6.1 (1) not deny the application unless and until the commissioner has completed the  
6.2 rulemaking described in Laws 2015, First Special Session chapter 4, article 4, section 136,  
6.3 paragraph (a); and

6.4 (2) exercise the commissioner's authority under federal and state laws and regulations  
6.5 to ensure, to the fullest extent possible, that no affected permittee is required to expend  
6.6 money to design and implement sulfate treatment technologies with respect to discharges  
6.7 to the covered water addressed in the application.

6.8 (b) Nothing in this section prevents the commissioner from including in a schedule of  
6.9 compliance for any affected permittee a requirement:

6.10 (1) to monitor sulfate concentrations in discharges to the covered water addressed in the  
6.11 application; and

6.12 (2) if sulfate concentrations in discharges exceed the limit established by the site-specific  
6.13 sulfate standard, to implement a sulfate minimization plan to avoid or minimize sulfate  
6.14 concentrations during periods when wild rice in the covered water may be susceptible to  
6.15 damage.

6.16 Subd. 4. **Timeline for commissioner determination.** The commissioner must make a  
6.17 final determination on an application for a site-specific sulfate standard by the later of:

6.18 (1) 150 days after the commissioner receives a complete application for a site-specific  
6.19 sulfate standard; or

6.20 (2) 150 days after publication in the State Register of the notice of adoption for the rule  
6.21 described in Laws 2015, First Special Session chapter 4, article 4, section 136, paragraph  
6.22 (a).

6.23 Subd. 5. **Completing rulemaking.** (a) By January 15, 2027, the commissioner must  
6.24 complete the rulemaking described in Laws 2015, First Special Session chapter 4, article  
6.25 4, section 136, paragraph (a), according to the rulemaking procedures under chapter 14.

6.26 (b) Unless and until the commissioner completes the rulemaking described in paragraph  
6.27 (a), the commissioner must not deem any waters of the state to be designated as "water used  
6.28 for the production of wild rice" under Minnesota Rules, part 7050.0224, subpart 2, on the  
6.29 basis of natural beds of wild rice.

6.30 Sec. 3. **REPEALER.**

6.31 Minnesota Rules, part 6132.2200, is repealed.