

2.13	General	<u>18,019,000</u>	<u>18,019,000</u>
2.14	Remediation	<u>399,000</u>	<u>399,000</u>
2.15	<u>(a) \$399,000 the first year and \$399,000 the</u>		
2.16	<u>second year are from the remediation fund for</u>		
2.17	<u>administrative funding for the voluntary</u>		
2.18	<u>cleanup program.</u>		
2.19	<u>(b) \$175,000 the first year and \$175,000 the</u>		
2.20	<u>second year are for compensation for</u>		
2.21	<u>destroyed or crippled livestock under</u>		
2.22	<u>Minnesota Statutes, section 3.737. The first</u>		
2.23	<u>year appropriation may be spent to compensate</u>		
2.24	<u>for livestock that were destroyed or crippled</u>		
2.25	<u>during fiscal year 2021. If the amount in the</u>		
2.26	<u>first year is insufficient, the amount in the</u>		
2.27	<u>second year is available in the first year. The</u>		
2.28	<u>commissioner may use up to \$5,000 each year</u>		
2.29	<u>to reimburse expenses incurred by university</u>		
2.30	<u>extension educators to provide fair market</u>		
2.31	<u>values of destroyed or crippled livestock. If</u>		
2.32	<u>the commissioner receives federal dollars to</u>		
2.33	<u>pay claims for destroyed or crippled livestock,</u>		
2.34	<u>an equivalent amount of this appropriation</u>		
3.1	<u>may be used to reimburse nonlethal prevention</u>		
3.2	<u>methods performed by federal wildlife services</u>		
3.3	<u>staff.</u>		
3.4	<u>(c) \$300,000 the first year and \$300,000 the</u>		
3.5	<u>second year are for rapid detection,</u>		
3.6	<u>identification, containment, control, and</u>		
3.7	<u>management of high-priority plant pests and</u>		
3.8	<u>pathogens including emerald ash borer. The</u>		
3.9	<u>commissioner may also use these funds for</u>		
3.10	<u>agricultural emergency preparedness and</u>		
3.11	<u>response.</u>		
3.12	<u>(d) \$155,000 the first year and \$155,000 the</u>		
3.13	<u>second year are for compensation for crop</u>		
3.14	<u>damage under Minnesota Statutes, section</u>		
3.15	<u>3.7371. If the amount in the first year is</u>		
3.16	<u>insufficient, the amount in the second year is</u>		
3.17	<u>available in the first year. The commissioner</u>		
3.18	<u>may use up to \$10,000 of the appropriation</u>		

2.17	General	<u>15,750,000</u>	<u>15,476,000</u>
2.18	Remediation	<u>399,000</u>	<u>399,000</u>
2.19	<u>(a) \$399,000 the first year and \$399,000 the</u>		
2.20	<u>second year are from the remediation fund for</u>		
2.21	<u>administrative funding for the voluntary</u>		
2.22	<u>cleanup program.</u>		
2.23	<u>(b) \$175,000 the first year and \$175,000 the</u>		
2.24	<u>second year are for compensation for</u>		
2.25	<u>destroyed or crippled livestock under</u>		
2.26	<u>Minnesota Statutes, section 3.737. The first</u>		
2.27	<u>year appropriation may be spent to compensate</u>		
2.28	<u>for livestock that were destroyed or crippled</u>		
2.29	<u>during fiscal year 2021. If the amount in the</u>		
2.30	<u>first year is insufficient, the amount in the</u>		
2.31	<u>second year is available in the first year. The</u>		
2.32	<u>commissioner may use up to \$5,000 each year</u>		
2.33	<u>to reimburse expenses incurred by university</u>		
2.34	<u>extension educators to provide fair market</u>		
2.35	<u>values of destroyed or crippled livestock. If</u>		
3.1	<u>the commissioner receives federal dollars to</u>		
3.2	<u>pay claims for destroyed or crippled livestock,</u>		
3.3	<u>an equivalent amount of this appropriation</u>		
3.4	<u>may be used to reimburse nonlethal prevention</u>		
3.5	<u>methods performed by federal wildlife services</u>		
3.6	<u>staff.</u>		
3.7	<u>(e) \$155,000 the first year and \$155,000 the</u>		
3.8	<u>second year are for compensation for crop</u>		
3.9	<u>damage under Minnesota Statutes, section</u>		
3.10	<u>3.7371. If the amount in the first year is</u>		
3.11	<u>insufficient, the amount in the second year is</u>		
3.12	<u>available in the first year. The commissioner</u>		
3.13	<u>may use up to \$10,000 of the appropriation</u>		

3.19 each year to reimburse expenses incurred by
3.20 the commissioner or the commissioner's
3.21 approved agent to investigate and resolve
3.22 claims, as well as for costs associated with
3.23 training for approved agents. The
3.24 commissioner may use up to \$20,000 of the
3.25 appropriation each year to make grants to
3.26 producers for measures to protect stored crops
3.27 from elk damage.

3.28 If the commissioner determines that claims
3.29 made under Minnesota Statutes, section 3.737
3.30 or 3.7371, are unusually high, amounts
3.31 appropriated for either program may be
3.32 transferred to the appropriation for the other
3.33 program.

4.1 (e) \$225,000 the first year and \$225,000 the
4.2 second year are for the noxious weed and
4.3 invasive plant program.

4.4 (f) \$175,000 the first year and \$175,000 the
4.5 second year are for industrial hemp
4.6 development.

4.7 (g) \$110,000 the first year and \$110,000 the
4.8 second year are for additional meat and poultry
4.9 inspection services. The commissioner is
4.10 encouraged to seek inspection waivers,
4.11 matching federal dollars, and offer more online
4.12 inspections for the purposes under this
4.13 paragraph.

4.14 (h) \$225,000 the first year and \$225,000 the
4.15 second year are to replace capital equipment
4.16 in the Department of Agriculture's analytical
4.17 laboratory.

3.14 each year to reimburse expenses incurred by
3.15 the commissioner or the commissioner's
3.16 approved agent to investigate and resolve
3.17 claims as well as for costs associated with
3.18 training for approved agents. The
3.19 commissioner may use up to \$20,000 of the
3.20 appropriation each year to make grants to
3.21 producers for measures to protect stored crops
3.22 from elk damage.

3.23 If the commissioner determines that claims
3.24 made under Minnesota Statutes, section 3.737
3.25 or 3.7371, are unusually high, amounts
3.26 appropriated for either program may be
3.27 transferred to the appropriation for the other
3.28 program.

3.29 (d) \$225,000 the first year and \$225,000 the
3.30 second year are for additional funding for the
3.31 noxious weed and invasive plant program.

3.32 (e) \$50,000 the first year is for additional
3.33 funding for the industrial hemp program for
3.34 IT development. This is a onetime
4.1 appropriation and is available until June 30,
4.2 2023.

4.3 (f) \$110,000 the first year and \$110,000 the
4.4 second year are for additional funding for meat
4.5 and poultry inspection services.

4.6 (g) \$66,000 the first year and \$66,000 the
4.7 second year are for additional funding to
4.8 replace capital equipment in the Department
4.9 of Agriculture's analytical laboratory.

4.10 (h) \$500,000 the first year is to establish a
4.11 climate smart farm endorsement for the
4.12 Minnesota Agricultural Water Quality
4.13 Certification Program that incentivizes and
4.14 quantifies climate-supportive farming

4.18 **Subd. 3. Agricultural Marketing and**
4.19 **Development** 3,996,000 3,996,000

4.20 (a) \$186,000 the first year and \$186,000 the
4.21 second year are for transfer to the Minnesota
4.22 grown account and may be used as grants for
4.23 Minnesota grown promotion under Minnesota
4.24 Statutes, section 17.102. Grants may be made
4.25 for one year. Notwithstanding Minnesota
4.26 Statutes, section 16A.28, the appropriations
4.27 encumbered under contract on or before June
4.28 30, 2023, for Minnesota grown grants in this
4.29 paragraph are available until June 30, 2025.

4.30 (b) \$100,000 the first year and \$100,000 the
4.31 second year are to expand domestic and
4.32 international marketing opportunities for
4.33 farmers and value-added processors, including
5.1 staffing to facilitate farm-to-school sales and
5.2 new markets for Minnesota-grown hemp.

5.3 (c) \$634,000 the first year and \$634,000 the
5.4 second year are for continuation of the dairy
5.5 development and profitability enhancement
5.6 and dairy business planning grant programs
5.7 established under Laws 1997, chapter 216,
5.8 section 7, subdivision 2, and Laws 2001, First
5.9 Special Session chapter 2, section 9,
5.10 subdivision 2. The commissioner may allocate
5.11 the available sums among permissible

4.15 practices. This is a onetime appropriation and
4.16 is available until June 30, 2026.

4.17 (i) \$274,000 the first year and \$550,000 the
4.18 second year are to maintain the current level
4.19 of service delivery.

4.20 **Subd. 3. Agricultural Marketing and**
4.21 **Development** 4,510,000 4,415,000

4.22 (a) \$186,000 the first year and \$186,000 the
4.23 second year are for transfer to the Minnesota
4.24 grown account and may be used as grants for
4.25 Minnesota grown promotion under Minnesota
4.26 Statutes, section 17.102. Grants may be made
4.27 for one year. Notwithstanding Minnesota
4.28 Statutes, section 16A.28, the appropriations
4.29 encumbered under contract on or before June
4.30 30, 2023, for Minnesota grown grants in this
4.31 paragraph are available until June 30, 2025.

4.32 (b) \$100,000 the first year is to expand
4.33 international marketing opportunities for
4.34 farmers and value-added processors, including
5.1 in-market representation in Taiwan. This is a
5.2 onetime appropriation and is available until
5.3 June 30, 2023.

5.4 (c) \$634,000 the first year and \$634,000 the
5.5 second year are for continuation of the dairy
5.6 development and profitability enhancement
5.7 programs including dairy profitability teams
5.8 and dairy business planning grants. The dairy
5.9 profitability enhancement teams shall provide
5.10 one-on-one assistance to all sizes of dairy
5.11 farms to enhance the financial success and
5.12 long-term sustainability of dairy farms in the

5.12 activities, including efforts to improve the
5.13 quality of milk produced in the state, in the
5.14 proportions that the commissioner deems most
5.15 beneficial to Minnesota's dairy farmers. The
5.16 commissioner must submit a detailed
5.17 accomplishment report and a work plan
5.18 detailing future plans for, and anticipated
5.19 accomplishments from, expenditures under
5.20 this program to the chairs and ranking minority
5.21 members of the legislative committees and
5.22 divisions with jurisdiction over agriculture
5.23 policy and finance on or before the start of
5.24 each fiscal year. If significant changes are
5.25 made to the plans in the course of the year,
5.26 the commissioner must notify the chairs and
5.27 ranking minority members.

5.13 state. The teams may consist of farm business
5.14 management instructors, dairy extension
5.15 specialists, and other dairy industry partners
5.16 to deliver the informational and technical
5.17 assistance. Activities of the dairy teams must
5.18 be spread throughout the dairy producing
5.19 regions of the state. The commissioner must
5.20 make grants to regional or statewide
5.21 organizations qualified to manage the various
5.22 components of the teams. Each regional or
5.23 statewide organization must designate a
5.24 coordinator responsible for overseeing the
5.25 program and making required reports to the
5.26 commissioner. Dairy development and
5.27 profitability enhancement teams are
5.28 encouraged to engage in activities including
5.29 but not limited to comprehensive financial
5.30 analysis, risk management education,
5.31 enhanced milk marketing tools and
5.32 technologies, and production systems
5.33 including rotational grazing and other
5.34 sustainable agriculture methods. The regional
5.35 and statewide organizations that deliver the
5.36 dairy development and profitability
6.1 enhancement program must submit periodic
6.2 reports to the commissioner on the aggregate
6.3 changes in producer financial stability,
6.4 productivity, product quality, animal health,
6.5 environmental protection, and other
6.6 performance measures attributable to the
6.7 program in a format that maintains the
6.8 confidentiality of business information related
6.9 to any single dairy producer.
6.10 The commissioner may award dairy planning
6.11 grants of up to \$5,000 per producer to develop
6.12 comprehensive business plans. Grants must
6.13 not be used for capital improvements.
6.14 The commissioner may allocate the available
6.15 sums among permissible activities, including
6.16 efforts to improve the quality of milk produced
6.17 in the state, in the proportions that the
6.18 commissioner deems most beneficial to

5.28 (d) \$50,000 the first year and \$50,000 the
5.29 second year are for additional community
5.30 outreach on farms and rural mental health
5.31 services including the 24-hour hotline, service
5.32 availability, and mental health forums. The
5.33 appropriations under this paragraph are
5.34 onetime.

6.1 (e) The commissioner may use funds
6.2 appropriated in this subdivision for annual
6.3 cost-share payments to resident farmers or
6.4 entities that sell, process, or package
6.5 agricultural products in this state for the costs
6.6 of organic certification. The commissioner
6.7 may allocate these funds for assistance to
6.8 persons transitioning from conventional to
6.9 organic agriculture.

6.19 Minnesota's dairy farmers. The commissioner
6.20 must submit a detailed accomplishment report
6.21 and a work plan detailing future plans for, and
6.22 anticipated accomplishments from,
6.23 expenditures under this program to the chairs
6.24 and ranking minority members of the
6.25 legislative committees and divisions with
6.26 jurisdiction over agriculture policy and finance
6.27 on or before the start of each fiscal year. If
6.28 significant changes are made to the plans in
6.29 the course of the year, the commissioner must
6.30 notify the chairs and ranking minority
6.31 members.

6.32 (d) \$50,000 the first year and \$50,000 the
6.33 second year are for additional funding for
6.34 mental health outreach and support to farmers
6.35 and others in the agricultural community,
7.1 including a 24-hour hotline, stigma reduction,
7.2 and educational offerings. These are onetime
7.3 appropriations.

8.11 (j) The commissioner may use funds
8.12 appropriated in this subdivision for annual
8.13 cost-share payments to resident farmers or
8.14 entities that sell, process, or package
8.15 agricultural products in this state for the costs
8.16 of organic certification. The commissioner
8.17 may allocate these funds for assistance to
8.18 persons transitioning from conventional to
8.19 organic agriculture.

7.4 (e) \$100,000 the first year and \$50,000 the
7.5 second year are for a pilot project creating
7.6 farmland access teams to provide technical
7.7 assistance to potential beginning farmers. The
7.8 farmland access teams must assist existing
7.9 farmers and beginning farmers on transitioning
7.10 farm ownership and operation. Teams may
7.11 include but are not limited to providing
7.12 mediation assistance, designing contracts,
7.13 financial planning, tax preparation, estate
7.14 planning, and housing assistance. Of this
7.15 amount, up to \$50,000 the first year may be
7.16 used to upgrade the Minnesota FarmLink web

6.10 **Subd. 4. Agriculture, Bioenergy, and Bioproduct**
6.11 **Advancement** 24,588,000 24,589,000

6.12 (a) \$9,300,000 the first year and \$9,300,000
6.13 the second year are for transfer to the
6.14 agriculture research, education, extension, and
6.15 technology transfer account under Minnesota
6.16 Statutes, section 41A.14, subdivision 3. Of
6.17 these amounts: at least \$600,000 the first year
6.18 and \$600,000 the second year are for the
6.19 Minnesota Agricultural Experiment Station's
6.20 agriculture rapid response fund under
6.21 Minnesota Statutes, section 41A.14,
6.22 subdivision 1, clause (2); \$2,000,000 the first
6.23 year and \$2,000,000 the second year are for
6.24 grants to the Minnesota Agriculture Education
6.25 Leadership Council to enhance agricultural
6.26 education with priority given to Farm Business

7.17 application that connects farmers looking for
7.18 land with farmers looking to transition their
7.19 land. These are onetime appropriations.

7.20 (f) \$10,000 the first year and \$10,000 the
7.21 second year are for transfer to the emerging
7.22 farmer account under Minnesota Statutes,
7.23 section 17.055, subdivision 1a.

7.24 (g) \$150,000 the first year and \$150,000 the
7.25 second year are to establish an emerging
7.26 farmer office and hire a full-time emerging
7.27 farmer outreach coordinator. The emerging
7.28 farmer outreach coordinator must engage and
7.29 support emerging farmers regarding resources
7.30 and opportunities available throughout the
7.31 Department of Agriculture and the state. For
7.32 purposes of this paragraph, "emerging farmer"
7.33 has the meaning provided in Minnesota
7.34 Statutes, section 17.055, subdivision 1. Of the
8.1 amount appropriated each year, \$25,000 is for
8.2 translation services.

8.8 (i) \$54,000 the first year and \$109,000 the
8.9 second year are to maintain the current level
8.10 of service delivery.

8.20 **Subd. 4. Agriculture, Bioenergy, and Bioproduct**
8.21 **Advancement** 26,904,000 26,917,000

8.22 (a) \$9,300,000 the first year and \$9,300,000
8.23 the second year are for transfer to the
8.24 agriculture research, education, extension, and
8.25 technology transfer account under Minnesota
8.26 Statutes, section 41A.14, subdivision 3. Of
8.27 these amounts: at least \$600,000 the first year
8.28 and \$600,000 the second year are for the
8.29 Minnesota Agricultural Experiment Station's
8.30 agriculture rapid response under Minnesota
8.31 Statutes, section 41A.14, subdivision 1, clause
8.32 (2); \$2,000,000 the first year and \$2,000,000
8.33 the second year are for grants to the Minnesota
8.34 Agriculture Education Leadership Council to
8.35 enhance agricultural education with priority
9.1 given to Farm Business Management

6.27 Management challenge grants; \$350,000 the
6.28 first year and \$350,000 the second year are
6.29 for potato breeding; and \$450,000 the first
6.30 year and \$450,000 the second year are for the
6.31 cultivated wild rice breeding project at the
6.32 North Central Research and Outreach Center
6.33 to include a tenure track/research associate
6.34 plant breeder. The commissioner shall transfer
6.35 the remaining funds in this appropriation each
6.36 year to the Board of Regents of the University
7.1 of Minnesota for purposes of Minnesota
7.2 Statutes, section 41A.14. Of the amount
7.3 transferred to the Board of Regents, up to
7.4 \$1,000,000 each year is for research on avian
7.5 influenza, salmonella, and other turkey-related
7.6 diseases. By January 15, 2023, entities
7.7 receiving grants for potato breeding and wild
7.8 rice breeding are requested to report to the
7.9 chairs and ranking minority members of the
7.10 legislative committees with jurisdiction over
7.11 agriculture and higher education regarding the
7.12 use of the grant money and to provide an
7.13 update on the status of research and related
7.14 accomplishments.

7.15 To the extent practicable, money expended
7.16 under Minnesota Statutes, section 41A.14,
7.17 subdivision 1, clauses (1) and (2), must
7.18 supplement and not supplant existing sources
7.19 and levels of funding. The commissioner may
7.20 use up to \$93,000 each year of this
7.21 appropriation for costs incurred to administer
7.22 the program.

7.23 (b) \$15,288,000 the first year and \$15,289,000
7.24 the second year are for the agricultural growth,
7.25 research, and innovation program in
7.26 Minnesota Statutes, section 41A.12. Except
7.27 as provided below, the commissioner may
7.28 allocate the appropriation each year among
7.29 the following areas: facilitating the start-up,
7.30 modernization, improvement, or expansion of
7.31 livestock operations including beginning and
7.32 transitioning livestock operations with

9.2 challenge grants; \$350,000 the first year and
9.3 \$350,000 the second year are for potato
9.4 breeding; and \$450,000 the first year and
9.5 \$450,000 the second year are for the cultivated
9.6 wild rice breeding project at the North Central
9.7 Research and Outreach Center to include a
9.8 tenure track/research associate plant breeder.
9.9 The commissioner shall transfer the remaining
9.10 funds in this appropriation each year to the
9.11 Board of Regents of the University of
9.12 Minnesota for purposes of Minnesota Statutes,
9.13 section 41A.14. Of the amount transferred to
9.14 the Board of Regents, up to \$1,000,000 each
9.15 year is for research on avian influenza,
9.16 salmonella, and other turkey-related diseases.

9.17 To the extent practicable, money expended
9.18 under Minnesota Statutes, section 41A.14,
9.19 subdivision 1, clauses (1) and (2), must
9.20 supplement and not supplant existing sources
9.21 and levels of funding. The commissioner may
9.22 use up to one percent of this appropriation for
9.23 costs incurred to administer the program.

9.24 (b) \$15,589,000 the first year and \$15,588,000
9.25 the second year are for the agricultural growth,
9.26 research, and innovation program in
9.27 Minnesota Statutes, section 41A.12. Except
9.28 as provided below, the commissioner may
9.29 allocate the appropriation each year among
9.30 the following areas: facilitating the start-up,
9.31 modernization, improvement, or expansion of
9.32 livestock operations including beginning and
9.33 transitioning livestock operations with

7.33 preference given to robotic dairy-milking
7.34 equipment; providing funding not to exceed
7.35 \$500,000 each year to develop and enhance
8.1 farm-to-school markets for Minnesota farmers
8.2 by providing more fruits, vegetables, meat,
8.3 grain, and dairy for Minnesota children in
8.4 school and child care settings including, at the
8.5 commissioner's discretion, reimbursing
8.6 schools for purchases from local farmers;
8.7 assisting value-added agricultural businesses
8.8 to begin or expand, to access new markets, or
8.9 to diversify, including aquaponics systems;
8.10 providing funding not to exceed \$150,000
8.11 each year for the good food access program
8.12 under Minnesota Statutes, section 17.1017;
8.13 facilitating the start-up, modernization, or
8.14 expansion of other beginning and transitioning
8.15 farms including by providing loans under
8.16 Minnesota Statutes, section 41B.056;
8.17 providing funding not to exceed \$350,000
8.18 each year for new market development grants,
8.19 of which \$50,000 in the first year may be spent
8.20 for additional funding for the industrial hemp
8.21 program for information technology
8.22 development; sustainable agriculture on-farm
8.23 research and demonstration; development or
8.24 expansion of food hubs and other alternative
8.25 community-based food distribution systems;
8.26 enhancing renewable energy infrastructure
8.27 and use; crop research including basic and
8.28 applied turf seed research; Farm Business
8.29 Management tuition assistance; and good
8.30 agricultural practices/good handling practices
8.31 certification assistance. The commissioner
8.32 may use up to \$580,000 each year of this
8.33 appropriation for costs incurred to administer
8.34 the program.

9.1 Of the amount appropriated for the agricultural
9.2 growth, research, and innovation program in
9.3 Minnesota Statutes, section 41A.12:

9.4 (1) \$1,000,000 the first year and \$1,000,000
9.5 the second year are for distribution in equal

9.34 preference given to robotic dairy-milking
9.35 equipment; providing funding not to exceed
10.1 \$800,000 each year to develop and enhance
10.2 farm-to-school markets for Minnesota farmers
10.3 by providing more fruits, vegetables, meat,
10.4 grain, and dairy for Minnesota children in
10.5 school and child care settings including, at the
10.6 commissioner's discretion, reimbursing
10.7 schools for purchases from local farmers;
10.8 assisting value-added agricultural businesses
10.9 to begin or expand, to access new markets, or
10.10 to diversify, including aquaponics systems;
10.11 providing funding not to exceed \$600,000
10.12 each year for urban youth agricultural
10.13 education or urban agriculture community
10.14 development; providing funding not to exceed
10.15 \$600,000 each year for the good food access
10.16 program under Minnesota Statutes, section
10.17 17.1017; facilitating the start-up,
10.18 modernization, or expansion of other
10.19 beginning and transitioning farms including
10.20 by providing loans under Minnesota Statutes,
10.21 section 41B.056; sustainable agriculture
10.22 on-farm research and demonstration;
10.23 development or expansion of food hubs and
10.24 other alternative community-based food
10.25 distribution systems; enhancing renewable
10.26 energy infrastructure and use; crop research;
10.27 Farm Business Management tuition assistance;
10.28 and good agricultural practices and good
10.29 handling practices certification assistance. The
10.30 commissioner may use up to 6.5 percent of
10.31 this appropriation for costs incurred to
10.32 administer the program.

10.33 Of the amount appropriated for the agricultural
10.34 growth, research, and innovation program in
10.35 Minnesota Statutes, section 41A.12:

11.1 (1) \$1,000,000 the first year and \$1,000,000
11.2 the second year are for distribution in equal

9.6 amounts to each of the state's county fairs to
9.7 preserve and promote Minnesota agriculture;

9.8 (2) \$4,000,000 the first year and \$4,000,000
9.9 the second year are for incentive payments
9.10 under Minnesota Statutes, sections 41A.16,
9.11 41A.17, and 41A.18. An incentive payment
9.12 must not exceed \$3,000,000 annually per
9.13 entity. Notwithstanding Minnesota Statutes,
9.14 section 16A.28, the first year appropriation is
9.15 available until June 30, 2023, and the second
9.16 year appropriation is available until June 30,
9.17 2024. If this appropriation exceeds the total
9.18 amount for which all producers are eligible in
9.19 a fiscal year, the balance of the appropriation
9.20 is available for the agricultural growth,
9.21 research, and innovation program;

9.22 (3) \$3,500,000 the first year and \$3,500,000
9.23 the second year are for grants that enable retail
9.24 petroleum dispensers, fuel storage tanks, and
9.25 other equipment to dispense biofuels to the
9.26 public in accordance with the biofuel
9.27 replacement goals established under
9.28 Minnesota Statutes, section 239.7911. A retail
9.29 petroleum dispenser selling petroleum for use
9.30 in spark ignition engines for vehicle model
9.31 years after 2000 is eligible for grant money
9.32 under this clause if the retail petroleum
9.33 dispenser has no more than 15 retail petroleum
9.34 dispensing sites and each site is located in
9.35 Minnesota. The grant money must be used to
10.1 replace or upgrade equipment that does not
10.2 have the ability to be certified for E25. A grant
10.3 award must not exceed 75 percent of the cost
10.4 of the technical assistance and appropriate
10.5 technology. A grant award must not exceed
10.6 \$200,000 per station. The commissioner must
10.7 cooperate with biofuel stakeholders in the
10.8 implementation of the grant program. The
10.9 commissioner must report to the chairs and
10.10 ranking minority members of the legislative
10.11 committees with jurisdiction over agriculture

11.3 amounts to each of the state's county fairs to
11.4 preserve and promote Minnesota agriculture;

11.5 (2) \$4,000,000 the first year and \$4,000,000
11.6 the second year are for incentive payments
11.7 under Minnesota Statutes, sections 41A.16,
11.8 41A.17, and 41A.18. Notwithstanding
11.9 Minnesota Statutes, section 16A.28, the first
11.10 year appropriation is available until June 30,
11.11 2023, and the second year appropriation is
11.12 available until June 30, 2024. If this
11.13 appropriation exceeds the total amount for
11.14 which all producers are eligible in a fiscal
11.15 year, the balance of the appropriation is
11.16 available for the agricultural growth, research,
11.17 and innovation program. The base amount for
11.18 the allocation under this clause is \$4,000,000
11.19 in fiscal year 2024 and later; and

SEE R12

10.12 by February 1 each year, detailing the number
10.13 of grants awarded statewide and by county,
10.14 and the projected effect of the grant program
10.15 on meeting the biofuel replacement goals
10.16 under Minnesota Statutes, section 239.7911.
10.17 These are onetime appropriations;

10.18 (4) \$500,000 the first year and \$500,000 the
10.19 second year are for grants to facilitate the
10.20 start-up, modernization, or expansion of meat,
10.21 poultry, egg, and milk processing facilities. A
10.22 grant award must not exceed \$200,000. When
10.23 allowed under federal law, the commissioner
10.24 shall first use federal COVID-19-related funds
10.25 for livestock processing before using
10.26 state-appropriated money under this clause for
10.27 similar services and expenses, except that the
10.28 commissioner must not use Coronavirus State
10.29 and Local Fiscal Recovery Funds from Public
10.30 Law 117-2, title IX, subtitle M, section 9901,
10.31 to satisfy the requirement under this clause;

10.32 (5) \$1,400,000 the first year and \$1,400,000
10.33 the second year are for livestock investment
10.34 grants under Minnesota Statutes, section
11.1 17.118. A grant award must not exceed
11.2 \$200,000;

11.3 (6) \$2,000,000 the first year and \$2,000,000
11.4 the second year are for value-added grants.
11.5 When allowed under federal law, the
11.6 commissioner shall first use federal
11.7 COVID-19-related funds for livestock
11.8 processing before using state-appropriated
11.9 money under this clause for similar services
11.10 and expenses, except that the commissioner
11.11 must not use Coronavirus State and Local
11.12 Fiscal Recovery Funds from Public Law
11.13 117-2, title IX, subtitle M, section 9901, to
11.14 satisfy the requirement under this clause;

11.15 (7) \$600,000 the first year and \$600,000 the
11.16 second year are for Farm Business
11.17 Management tuition assistance;

11.20 (3) up to \$1,000,000 the first year is for grants
11.21 to facilitate the start-up, modernization, or
11.22 expansion of meat, poultry, egg, and milk
11.23 processing facilities.

11.18 (8) \$500,000 the first year and \$500,000 the
11.19 second year are for grants for beginning
11.20 farmers. These are onetime appropriations;
11.21 (9) \$25,000 the first year and \$25,000 the
11.22 second year are for Southern Minnesota
11.23 Initiative Foundation's promotion of local
11.24 foods through an annual event that raises
11.25 public awareness of local foods and connects
11.26 local food producers and processors with
11.27 potential buyers;
11.28 (10) \$100,000 the first year and \$100,000 the
11.29 second year are for grants to Greater Mankato
11.30 Growth, Inc., for assistance to
11.31 agriculture-related businesses to promote jobs,
11.32 innovation, and synergy development. This is
11.33 a onetime appropriation; and
12.1 (11) \$75,000 the first year and \$75,000 the
12.2 second year are for grants to the Minnesota
12.3 Turf Seed Council for basic and applied
12.4 research. The Minnesota Turf Seed Council
12.5 may subcontract with a qualified third party
12.6 for some or all of the basic or applied research.
12.7 No later than January 15, 2023, the Minnesota
12.8 Turf Seed Council must submit a report
12.9 outlining the use of the grant money and
12.10 related accomplishments to the chairs and
12.11 ranking minority members of the legislative
12.12 committees with jurisdiction over agriculture.
12.13 This is a onetime appropriation.

SEE R10

17.6 (p) \$25,000 the first year and \$25,000 the
17.7 second year are for grants to the Southern
17.8 Minnesota Initiative Foundation to promote
17.9 local foods through an annual event that raises
17.10 public awareness of local foods and connects
17.11 local food producers and processors with
17.12 potential buyers.
17.1 (o) \$75,000 the first year is for a grant to
17.2 Greater Mankato Growth, Inc., for assistance
17.3 to agriculture-related businesses to promote
17.4 jobs, innovation, and synergy development.
17.5 This is a onetime appropriation.
16.1 (j) \$75,000 the first year and \$75,000 the
16.2 second year are for grants to the Minnesota
16.3 Turf Seed Council for basic and applied
16.4 research on: (1) the improved production of
16.5 forage and turf seed related to new and
16.6 improved varieties; and (2) native plants,
16.7 including plant breeding, nutrient
16.8 management, pest management, disease
16.9 management, yield, and viability. The
16.10 Minnesota Turf Seed Council may subcontract
16.11 with a qualified third party for some or all of
16.12 the basic or applied research. Any
16.13 unencumbered balance does not cancel at the
16.14 end of the first year and is available for the
16.15 second year. These are onetime appropriations.
12.4 (c) \$2,000,000 the first year and \$2,000,000
12.5 the second year are for a biofuels infrastructure
12.6 financial assistance program. Notwithstanding
12.7 Minnesota Statutes, section 16A.28, the
12.8 appropriations encumbered under contract for
12.9 grants on or before June 30, 2023, are
12.10 available until June 30, 2027. Of this amount,
12.11 \$100,000 each year is for the administration

12.14 Notwithstanding Minnesota Statutes, section
 12.15 16A.28, any unencumbered balance does not
 12.16 cancel at the end of the first year and is
 12.17 available for the second year, and
 12.18 appropriations encumbered under contract on
 12.19 or before June 30, 2023, for agricultural
 12.20 growth, research, and innovation grants are
 12.21 available until June 30, 2026.

12.22 The base amount for the agricultural growth,
 12.23 research, and innovation program is
 12.24 \$14,906,000 in fiscal year 2024 and
 12.25 \$14,906,000 in fiscal year 2025, and includes
 12.26 funding for incentive payments under
 12.27 Minnesota Statutes, sections 41A.16, 41A.17,
 12.28 41A.18, and 41A.20.

12.29 **Subd. 5. Administration and Financial**
 12.30 **Assistance** 7,989,000 7,824,000

12.31 (a) \$474,000 the first year and \$474,000 the
 12.32 second year are for payments to county and
 12.33 district agricultural societies and associations
 12.34 under Minnesota Statutes, section 38.02,
 12.35 subdivision 1. Aid payments to county and
 13.1 district agricultural societies and associations
 13.2 shall be disbursed no later than July 15 of each
 13.3 year. These payments are the amount of aid

12.12 of the biofuels infrastructure financial
 12.13 assistance program.

12.14 (d) \$15,000 the first year and \$29,000 the
 12.15 second year are to maintain the current level
 12.16 of service delivery.

12.17 (e) No later than February 1, 2023, the
 12.18 commissioner must report equity data and
 12.19 outcomes for the agriculture research,
 12.20 education, extension, and technology transfer
 12.21 program and the agricultural growth, research,
 12.22 and innovation program to the legislative
 12.23 committees with jurisdiction over agriculture
 12.24 finance.

11.24 Notwithstanding Minnesota Statutes, section
 11.25 16A.28, any unencumbered balance does not
 11.26 cancel at the end of the first year and is
 11.27 available for the second year, and
 11.28 appropriations encumbered under contract on
 11.29 or before June 30, 2023, for agricultural
 11.30 growth, research, and innovation grants are
 11.31 available until June 30, 2026.

11.32 The base amount for the agricultural growth,
 11.33 research, and innovation program is
 11.34 \$15,584,000 in fiscal year 2024 and
 11.35 \$15,584,000 in fiscal year 2025, and includes
 12.1 funding for incentive payments under
 12.2 Minnesota Statutes, sections 41A.16, 41A.17,
 12.3 and 41A.18.

12.25 **Subd. 5. Administration and Financial**
 12.26 **Assistance** 9,414,000 9,403,000

12.27 (a) \$474,000 the first year and \$474,000 the
 12.28 second year are for payments to county and
 12.29 district agricultural societies and associations
 12.30 under Minnesota Statutes, section 38.02,
 12.31 subdivision 1. Aid payments to county and
 12.32 district agricultural societies and associations
 12.33 shall be disbursed no later than July 15 of each
 12.34 year. These payments are the amount of aid

13.4 from the state for an annual fair held in the
13.5 previous calendar year.

13.6 (b) \$50,000 the first year and \$50,000 the
13.7 second year are for the Northern Crops
13.8 Institute. These appropriations may be spent
13.9 to purchase equipment. These are onetime
13.10 appropriations.

13.11 (c) \$217,000 the first year and \$277,000 the
13.12 second year are for farm advocate services.
13.13 This appropriation is in addition to funds
13.14 allocated in section 5. When allowed under
13.15 federal law, the commissioner shall first use
13.16 federal COVID-19-related relief funds for
13.17 farm advocate services before using state
13.18 appropriated money under this paragraph for
13.19 similar services and expenses, except that the
13.20 commissioner must not use Coronavirus State
13.21 and Local Fiscal Recovery Funds from Public
13.22 Law 117-2, title IX, subtitle M, section 9901,
13.23 to satisfy the requirement under this paragraph.
13.24 The base amount for this appropriation in
13.25 fiscal year 2024 and thereafter is \$277,000.

13.26 (d) \$238,000 the first year and \$238,000 the
13.27 second year are for transfer to the Board of
13.28 Trustees of the Minnesota State Colleges and
13.29 Universities for statewide mental health
13.30 counseling support to farm families and
13.31 business operators through the Minnesota State
13.32 Agricultural Centers of Excellence. South
13.33 Central College and Central Lakes College
13.34 shall serve as the fiscal agents.

14.1 (e) \$1,700,000 the first year and \$1,700,000
14.2 the second year are for grants to Second
14.3 Harvest Heartland on behalf of Minnesota's
14.4 six Feeding America food banks for the
14.5 following:

14.6 (1) to purchase milk for distribution to
14.7 Minnesota's food shelves and other charitable
14.8 organizations that are eligible to receive food
14.9 from the food banks. Milk purchased under
14.10 the grants must be acquired from Minnesota

13.1 from the state for an annual fair held in the
13.2 previous calendar year.

15.31 (i) \$47,000 the first year and \$47,000 the
15.32 second year are for grants to the Northern
15.33 Crops Institute that may be used to purchase
15.34 equipment. These are onetime appropriations.

15.3 (b) \$287,000 the first year and \$287,000 the
15.4 second year are for farm advocate services.

13.5 (c) \$238,000 the first year and \$238,000 the
13.6 second year are for transfer to the Board of
13.7 Trustees of the Minnesota State Colleges and
13.8 Universities for statewide mental health
13.9 counseling support to farm families and
13.10 business operators through the Minnesota State
13.11 Agricultural Centers of Excellence. South
13.12 Central College and Central Lakes College
13.13 shall serve as the fiscal agents.

13.14 (d) \$1,650,000 the first year and \$1,650,000
13.15 the second year are for grants to Second
13.16 Harvest Heartland on behalf of Minnesota's
13.17 six Feeding America food banks for the
13.18 following:

13.19 (1) to purchase milk for distribution to
13.20 Minnesota's food shelves and other charitable
13.21 organizations that are eligible to receive food
13.22 from the food banks. Milk purchased under
13.23 the grants must be acquired from Minnesota

14.11 milk processors and based on low-cost bids.
14.12 The milk must be allocated to each Feeding
14.13 America food bank serving Minnesota
14.14 according to the formula used in the
14.15 distribution of United States Department of
14.16 Agriculture commodities under The
14.17 Emergency Food Assistance Program. Second
14.18 Harvest Heartland may enter into contracts or
14.19 agreements with food banks for shared funding
14.20 or reimbursement of the direct purchase of
14.21 milk. Each food bank that receives funding
14.22 under this clause may use up to two percent
14.23 for administrative expenses;

14.24 (2) to compensate agricultural producers and
14.25 processors for costs incurred to harvest and
14.26 package for transfer surplus fruits, vegetables,
14.27 and other agricultural commodities that would
14.28 otherwise go unharvested, be discarded, or
14.29 sold in a secondary market. Surplus
14.30 commodities must be distributed statewide to
14.31 food shelves and other charitable organizations
14.32 that are eligible to receive food from the food
14.33 banks. Surplus food acquired under this clause
14.34 must be from Minnesota producers and
14.35 processors. Second Harvest Heartland may
15.1 use up to 15 percent of each grant awarded
15.2 under this clause for administrative and
15.3 transportation expenses; and

15.4 (3) to purchase and distribute protein products,
15.5 which must be surplus products when
15.6 practicable, including but not limited to pork,
15.7 poultry, beef, dry legumes, cheese, and eggs
15.8 to Minnesota's food shelves and other
15.9 charitable organizations that are eligible to
15.10 receive food from the food banks. Second
15.11 Harvest Heartland may use up to two percent
15.12 of each grant awarded under this clause for
15.13 administrative expenses. To the extent
15.14 practicable, protein products purchased under
15.15 the grants must be acquired from Minnesota
15.16 processors and producers.

13.24 milk processors and based on low-cost bids.
13.25 The milk must be allocated to each Feeding
13.26 America food bank serving Minnesota
13.27 according to the formula used in the
13.28 distribution of United States Department of
13.29 Agriculture commodities under The
13.30 Emergency Food Assistance Program. Second
13.31 Harvest Heartland may enter into contracts or
13.32 agreements with food banks for shared funding
13.33 or reimbursement of the direct purchase of
13.34 milk. Each food bank that receives funding
14.1 under this clause may use up to two percent
14.2 for administrative expenses;

14.3 (2) to compensate agricultural producers and
14.4 processors for costs incurred to harvest and
14.5 package for transfer surplus fruits, vegetables,
14.6 and other agricultural commodities that would
14.7 otherwise go unharvested, be discarded, or
14.8 sold in a secondary market. Surplus
14.9 commodities must be distributed statewide to
14.10 food shelves and other charitable organizations
14.11 that are eligible to receive food from the food
14.12 banks. Surplus food acquired under this clause
14.13 must be from Minnesota producers and
14.14 processors. Second Harvest Heartland may
14.15 use up to 15 percent of each grant awarded
14.16 under this clause for administrative and
14.17 transportation expenses; and

14.18 (3) to purchase and distribute protein products,
14.19 including but not limited to pork, poultry, beef,
14.20 dry legumes, cheese, and eggs to Minnesota's
14.21 food shelves and other charitable organizations
14.22 that are eligible to receive food from the food
14.23 banks. Second Harvest Heartland may use up
14.24 to two percent of each grant awarded under
14.25 this clause for administrative expenses. Protein
14.26 products purchased under the grants must be
14.27 acquired from Minnesota processors and
14.28 producers.

15.17 Of the amount appropriated under this
15.18 paragraph, at least \$600,000 each year must
15.19 be allocated under clause (1). Notwithstanding
15.20 Minnesota Statutes, section 16A.28, any
15.21 unencumbered balance the first year does not
15.22 cancel and is available in the second year.
15.23 Second Harvest Heartland must submit
15.24 quarterly reports to the commissioner and the
15.25 chairs and ranking minority members of the
15.26 legislative committees with jurisdiction over
15.27 agriculture finance in the form prescribed by
15.28 the commissioner. The reports must include
15.29 but are not limited to information on the
15.30 expenditure of funds, the amount of milk or
15.31 other commodities purchased, and the
15.32 organizations to which this food was
15.33 distributed. When allowed under federal law,
15.34 the commissioner shall first use federal
15.35 COVID-19-related relief funds for food
16.1 shelves before using state-appropriated money
16.2 under this paragraph for similar services and
16.3 expenses, except that the commissioner must
16.4 not use Coronavirus State and Local Fiscal
16.5 Recovery Funds from Public Law 117-2, title
16.6 IX, subtitle M, section 9901, to satisfy the
16.7 requirement under this paragraph.

16.8 (f) \$150,000 the first year and \$150,000 the
16.9 second year are for grants to the Center for
16.10 Rural Policy and Development.

16.11 (g) \$250,000 the first year and \$250,000 the
16.12 second year are for grants to the Minnesota
16.13 Agricultural Education and Leadership
16.14 Council for programs of the council under
16.15 Minnesota Statutes, chapter 41D.

14.29 Of the amount appropriated under this
14.30 paragraph, at least \$600,000 each year must
14.31 be allocated under clause (1). Notwithstanding
14.32 Minnesota Statutes, section 16A.28, any
14.33 unencumbered balance the first year does not
14.34 cancel and is available in the second year.
14.35 Second Harvest Heartland must submit
15.1 quarterly reports to the commissioner and the
15.2 chairs and ranking minority members of the
15.3 legislative committees with jurisdiction over
15.4 agriculture finance in the form prescribed by
15.5 the commissioner. The reports must include
15.6 but are not limited to information on the
15.7 expenditure of funds, the amount of milk or
15.8 other commodities purchased, and the
15.9 organizations to which this food was
15.10 distributed.

15.27 (h) \$150,000 the first year and \$150,000 the
15.28 second year are for grants to the Center for
15.29 Rural Policy and Development. These are
15.30 onetime appropriations.

15.11 (e) \$250,000 the first year and \$250,000 the
15.12 second year are for grants to the Minnesota
15.13 Agricultural Education and Leadership
15.14 Council for programs of the council under
15.15 Minnesota Statutes, chapter 41D.

15.20 (g) \$1,000,000 the first year and \$1,000,000
15.21 the second year are for transfer to the
15.22 agricultural and environmental revolving loan
15.23 account established under Minnesota Statutes,
15.24 section 17.117, subdivision 5a, for low-interest

16.16 (h) \$100,000 the first year and \$100,000 the
16.17 second year are for farm safety grants and
16.18 outreach programs under Minnesota Statutes,
16.19 section 17.1195. Of this amount, \$10,000 is
16.20 for outreach, which may include creating and
16.21 presenting a grain storage facility safety
16.22 curriculum.

16.23 (i) \$200,000 the first year is to provide grants
16.24 to Central Lakes College for the purposes of
16.25 designing, building, and offering credentials
16.26 in the area of meat cutting and butchery that
16.27 align with industry needs as advised by local
16.28 industry advisory councils. Notwithstanding
16.29 Minnesota Statutes, section 16A.28, any
16.30 unencumbered balance does not cancel at the
16.31 end of the first year and is available for the
16.32 second year. This is a onetime appropriation.
16.33 Grants may be used for costs including but
16.34 not limited to:

17.1 (1) facility renovation to accommodate meat
17.2 cutting;

17.3 (2) curriculum design and approval from the
17.4 Higher Learning Commission;

17.5 (3) program operational start-up costs;

17.6 (4) equipment required for a meat cutting
17.7 program; and

17.8 (5) meat handling start-up costs in regard to
17.9 meat access and market channel building.

17.10 No later than January 15, 2023, Central Lakes
17.11 College must prepare a report outlining the
17.12 use of grant money to the chairs and ranking
17.13 minority members of the legislative
17.14 committees and divisions with jurisdiction
17.15 over agriculture and higher education.

17.16 (j) \$25,000 the first year is for grants to
17.17 organizations to acquire, host, and operate a

15.25 loans under Minnesota Statutes, section
15.26 17.117. These are onetime transfers.

8.3 (h) \$100,000 the first year and \$100,000 the
8.4 second year are for the farm safety grant and
8.5 outreach programs under Minnesota Statutes,
8.6 section 17.1195. These are onetime
8.7 appropriations.

17.18 mobile slaughter unit. The mobile unit must
17.19 coordinate with Minnesota state two-year
17.20 colleges that have meat cutting programs to
17.21 accommodate training as it relates to animal
17.22 slaughter. The mobile unit may coordinate
17.23 with livestock producers who desire to provide
17.24 value-added meat products by utilizing the
17.25 mobile slaughter unit. The mobile unit may
17.26 be used for research, training outside of the
17.27 two-year colleges, and other activities that
17.28 align with industry needs. This is a onetime
17.29 appropriation.

17.30 The commissioner is encouraged to seek
17.31 federal funds for the purpose under this
17.32 paragraph, except that the commissioner must

16.16 (k) \$1,000 the first year and \$1,000 the second
16.17 year are for grants to the Minnesota State
16.18 Poultry Association. These are onetime
16.19 appropriations.

16.20 (l) \$17,000 the first year and \$17,000 the
16.21 second year are for grants to the Minnesota
16.22 State Horticultural Society. These are onetime
16.23 appropriations.

16.24 (m) \$18,000 the first year and \$18,000 the
16.25 second year are for grants to the Minnesota
16.26 Livestock Breeders Association. These are
16.27 onetime appropriations.

16.28 (n) \$325,000 the first year and \$325,000 the
16.29 second year are for transfer to the Minnesota
16.30 Humanities Center for the healthy eating, here
16.31 at home program under Minnesota Statutes,
16.32 section 138.912. Participating nonprofit
16.33 organizations may receive up to three percent
16.34 of the amount transferred each year for
16.35 program administration costs.

17.13 (q) \$222,000 the first year and \$286,000 the
17.14 second year are to maintain the current level
17.15 of service delivery.

17.33 not use Coronavirus State and Local Fiscal
17.34 Recovery Funds from Public Law 117-2, title
18.1 IX, subtitle M, section 9901, to satisfy the
18.2 requirement under this paragraph. By January
18.3 15, 2023, the commissioner must report to the
18.4 chairs and ranking minority members of the
18.5 legislative committees with jurisdiction over
18.6 agriculture regarding the status of the project,
18.7 including on the use of any state or federal
18.8 funds to complete the project.

18.9 (k) The commissioner shall continue to
18.10 increase connections between ethnic minority
18.11 and immigrant farmers and farming
18.12 opportunities and farming programs
18.13 throughout the state.

18.14 Sec. 3. BOARD OF ANIMAL HEALTH \$ 5,877,000 \$ 5,877,000

18.15 (a) \$200,000 the first year and \$200,000 the
18.16 second year are for agricultural emergency
18.17 preparedness and response.

18.18 (b) \$200,000 the first year and \$200,000 the
18.19 second year are for the board's regulatory
18.20 responsibilities and oversight over farmed
18.21 Cervidae.

18.22 Sec. 4. AGRICULTURAL UTILIZATION
18.23 RESEARCH INSTITUTE \$ 3,893,000 \$ 3,893,000

18.24 Sec. 5. Laws 2020, chapter 101, section 5, subdivision 2, is amended to read:

18.25 Subd. 2. Farm advocate services. (a) \$60,000 in fiscal year 2020 is appropriated from
18.26 the coronavirus relief federal fund to the commissioner of agriculture for additional farm
18.27 advocate services in response to the COVID-19 crisis. This is a onetime appropriation.

15.16 (f) The commissioner shall continue to
15.17 increase connections with ethnic minority and
15.18 immigrant farmers to farming opportunities
15.19 and farming programs throughout the state.

17.16 Sec. 3. BOARD OF ANIMAL HEALTH \$ 5,980,000 \$ 6,081,000

17.17 (a) \$200,000 the first year and \$200,000 the
17.18 second year are for agricultural emergency
17.19 preparedness and response.

17.20 (b) \$103,000 the first year and \$204,000 the
17.21 second year are to maintain the current level
17.22 of service delivery.

17.23 Sec. 4. AGRICULTURAL UTILIZATION
17.24 RESEARCH INSTITUTE \$ 4,043,000 \$ 4,043,000

17.25 \$150,000 the first year and \$150,000 the
17.26 second year are for a meat scientist.

18.28 (b) By January 31, 2022, the commissioner must report to the chairs and ranking minority
18.29 members of the legislative committees with jurisdiction over agriculture finance regarding
18.30 the uses of this appropriation. This report must include but is not limited to a description
18.31 of the methods used to recruit applicants for this position and list the number of people who
18.32 applied for positions created by this appropriation, the number of people interviewed for
19.1 positions created by this appropriation, and the number of people hired for positions created
19.2 by this appropriation.

19.3 **EFFECTIVE DATE.** This section is effective retroactively from December 30, 2020.

19.4 Sec. 6. Laws 2020, chapter 101, section 5, subdivision 7, is amended to read:

19.5 Subd. 7. **Eligible expenditure from the coronavirus relief fund.** (a) No money in this
19.6 section may be spent until the commissioner of management and budget determines that
19.7 the appropriations in this section are an eligible use of the coronavirus relief fund.

19.8 (b) The commissioner may transfer funds between the appropriations under subdivisions
19.9 4 and 6 based on need, the availability of nonstate funds, or other factors.

19.10 (c) The appropriations in this section subdivisions 1, 3, 4, 5, and 6, are available until
19.11 December 30, 2020. The appropriation in subdivision 2 is available until December 31,
19.12 2021.

19.13 **EFFECTIVE DATE.** This section is effective retroactively from December 30, 2020.

19.14 Sec. 7. **CANCELLATIONS.**

19.15 (a) The day following final enactment of this section, \$916,553 of the 2021 fiscal year
19.16 appropriation for protection services under Laws 2019, First Special Session chapter 1,
19.17 article 1, section 2, subdivision 2, is canceled to the general fund.

19.18 (b) The day following final enactment of this section, \$136,000 of the 2021 fiscal year
19.19 appropriation for agricultural marketing and development under Laws 2019, First Special
19.20 Session chapter 1, article 1, section 2, subdivision 3, is canceled to the general fund.

19.21 (c) The day following final enactment of this section, \$120,000 of the 2021 fiscal year
19.22 appropriation for agriculture, bioenergy, and bioproduct advancement under Laws 2019,
19.23 First Special Session chapter 1, article 1, section 2, subdivision 4, is canceled to the general
19.24 fund.

19.25 (d) The day following final enactment of this section, \$157,500 of the 2021 fiscal year
19.26 appropriation for administration and financial assistance under Laws 2019, First Special
19.27 Session chapter 1, article 1, section 2, subdivision 5, is canceled to the general fund.

17.27 Sec. 5. **CANCELLATIONS.**

17.28 (a) \$916,553 of the fiscal year 2021 general fund appropriation for protection services
17.29 under Laws 2019, First Special Session chapter 1, article 1, section 2, subdivision 2, is
17.30 canceled.

17.31 (b) \$136,000 of the fiscal year 2021 general fund appropriation for agricultural marketing
17.32 and development under Laws 2019, First Special Session chapter 1, article 1, section 2,
17.33 subdivision 3, is canceled.

18.1 (c) \$120,000 of the fiscal year 2021 general fund appropriation for agriculture, bioenergy,
18.2 and bioproduct advancement under Laws 2019, First Special Session chapter 1, article 1,
18.3 section 2, subdivision 4, is canceled.

18.4 (d) \$157,500 of the fiscal year 2021 general fund appropriation for administration and
18.5 financial assistance under Laws 2019, First Special Session chapter 1, article 1, section 2,
18.6 subdivision 5, is canceled.

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

20.1
20.2

ARTICLE 2

AGRICULTURAL AND RURAL DEVELOPMENT POLICY

20.3
20.4
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Section 1. Minnesota Statutes 2020, section 3.737, is amended by adding a subdivision to read:

Subd. 7. **Report.** The commissioner must submit a report to the chairs and ranking minority members of the house of representatives and senate committees and divisions with jurisdiction over agriculture and environment and natural resources by December 15 each year. The report must include:

(1) all payments made under this section, by county and statewide, in the previous five fiscal years;

(2) the program's total revenue by funding source including state appropriations; and

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Sec. 6. **FEDERAL FUNDS REPLACEMENT; APPROPRIATION.**

Notwithstanding any law to the contrary, the commissioner of management and budget must determine whether the expenditures authorized under this article are eligible uses of federal funding received under the Coronavirus State Fiscal Recovery Fund or any other federal funds received by the state under the American Rescue Plan Act, Public Law 117-2. If the commissioner of management and budget determines an expenditure is eligible for funding under Public Law 117-2, the amount of the eligible expenditure is appropriated from the account or fund where those amounts have been deposited and the corresponding general fund amounts appropriated under this article are canceled to the general fund. No later than February 1, 2022, the commissioner of agriculture, in consultation with the commissioner of management and budget, must report all appropriations, cancellations, and expenditures under this section to the legislative committees with jurisdiction over agriculture finance.

ARTICLE 2

AGRICULTURE STATUTORY CHANGES

Section 1. Minnesota Statutes 2020, section 15.057, is amended to read:

15.057 PUBLICITY REPRESENTATIVES.

No state department, bureau, or division, whether the same operates on funds appropriated or receipts or fees of any nature whatsoever, except the Department of Transportation, the Department of Employment and Economic Development, the Department of Agriculture, the Game and Fish Division, State Agricultural Society, and Explore Minnesota Tourism shall use any of such funds for the payment of the salary or expenses of a publicity representative. The head of any such department, bureau, or division shall be personally liable for funds used contrary to this provision. This section shall not be construed, however, as preventing any such department, bureau, or division from sending out any bulletins or other publicity required by any state law or necessary for the satisfactory conduct of the business for which such department, bureau, or division was created.

20.12 (3) how each revenue source is used in expenditures including administrative costs used
20.13 to carry out this section.

19.3 Sec. 2. Minnesota Statutes 2020, section 17.055, subdivision 1, is amended to read:

19.4 Subdivision 1. **Emerging farmer working group.** (a) To advise the commissioner and
19.5 legislature regarding the development and implementation of programs and initiatives that
19.6 support emerging farmers in this state, the commissioner must periodically convene a
19.7 working group consisting, to the extent possible, of persons who are, and organizations that
19.8 represent, farmers or aspiring farmers who are women, veterans, persons with disabilities,
19.9 American Indian or Alaskan Natives, members of a community of color, young, and urban,
19.10 and any other emerging farmers as determined by the commissioner. No later than January
19.11 15 each year, the commissioner must update the chairs and ranking minority members of
19.12 the legislative committees and divisions with jurisdiction over agriculture regarding the
19.13 working group's activities and recommendations.

19.14 (b) The commissioner may accept on behalf of the state donations of money, services,
19.15 or other assistance or gifts from public or private sources to further the objectives of the
19.16 emerging farmer working group.

19.17 Sec. 3. Minnesota Statutes 2020, section 17.055, is amended by adding a subdivision to
19.18 read:

19.19 Subd. 1a. **Emerging farmer account.** An emerging farmer account is established in the
19.20 agricultural fund. The account consists of money appropriated by law and any other money
19.21 donated, allotted, transferred, or otherwise provided to the account. Money in the account,
19.22 including interest, is appropriated to the commissioner for the purposes of this section and
19.23 must be used to further the objectives of the emerging farmer working group.

19.24 Sec. 4. **[17.1016] COOPERATIVE GRANTS.**

19.25 Subdivision 1. **Definitions.** For purposes of this section:

19.26 (1) "agricultural commodity" and "agricultural product processing facility" have the
19.27 meanings given in section 17.101, subdivision 5; and

19.28 (2) "agricultural service" means an action made under the direction of a farmer that
19.29 provides value to another entity. Agricultural service includes grazing to manage vegetation.

19.30 Subd. 2. **Grant program.** (a) The commissioner must establish and implement a grant
19.31 program to help farmers finance new cooperatives that organize for purposes of operating
20.1 an agricultural product processing facility or marketing an agricultural product or agricultural
20.2 service.

20.3 (b) To be eligible for this program, a grantee must:

20.14 Sec. 2. Minnesota Statutes 2020, section 17.1017, subdivision 6, is amended to read:

20.15 Subd. 6. **Qualifications for receipt of financing and other financial or technical**
20.16 **assistance.** (a) An applicant for receipt of financing through an economic or community
20.17 development financial institution, or an applicant for a grant or other financial or technical
20.18 assistance, may be a for-profit or not-for-profit entity, including, but not limited to, a sole
20.19 proprietorship, limited liability company, corporation, cooperative, nonprofit organization,
20.20 or nonprofit community development organization. Each applicant must:

20.21 (1) demonstrate community engagement in and support for the project;

20.4 (1) be a cooperative organized under chapter 308A;

20.5 (2) certify that all control and equity in the cooperative is from farmers, family farm
20.6 partnerships, family farm limited liability companies, or family farm corporations as defined
20.7 in section 500.24, subdivision 2, who are actively engaged in agricultural commodity
20.8 production;

20.9 (3) be operated primarily to process agricultural commodities or market agricultural
20.10 products or services produced in Minnesota; and

20.11 (4) receive agricultural commodities produced primarily by shareholders or members
20.12 of the cooperative.

20.13 (c) The commissioner may receive applications and make grants up to \$50,000 to eligible
20.14 grantees for feasibility, marketing analysis, assistance with organizational development,
20.15 financing and managing new cooperatives, product development, development of business
20.16 and marketing plans, and predesign of facilities including site analysis, development of bid
20.17 specifications, preliminary blueprints and schematics, and completion of purchase agreements
20.18 and other necessary legal documents.

20.19 Sec. 5. Minnesota Statutes 2020, section 17.1017, subdivision 5, is amended to read:

20.20 Subd. 5. **Eligible projects.** (a) The commissioner, in cooperation with the program
20.21 partners and advisers, shall establish project eligibility guidelines and application processes
20.22 to be used to review and select project applicants for financing or other financial or technical
20.23 assistance. ~~All projects must be located in an underserved community or must serve primarily~~
20.24 ~~underserved communities in low-income and moderate-income areas.~~

20.25 (b) Projects eligible for financing include, but are not limited to, new construction,
20.26 renovations, expansions of operations, and infrastructure upgrades of grocery stores and
20.27 small food retailers to improve the availability of and access to affordable, nutritious food,
20.28 including fresh fruits and vegetables, and build capacity in areas of greatest need.

20.29 (c) Projects eligible for other types of financial assistance such as grants or technical
20.30 assistance are primarily projects throughout the state, including, but not limited to, feasibility
20.31 studies, new construction, renovations, expansion of operations, and infrastructure upgrades
20.32 of small food retailers.

21.1 Sec. 6. Minnesota Statutes 2020, section 17.1017, subdivision 6, is amended to read:

21.2 Subd. 6. **Qualifications for receipt of financing and other financial or technical**
21.3 **assistance.** (a) An applicant for receipt of financing through an economic or community
21.4 development financial institution, or an applicant for a grant or other financial or technical
21.5 assistance, may be a for-profit or not-for-profit entity, including, but not limited to, a sole
21.6 proprietorship, limited liability company, corporation, cooperative, nonprofit organization,
21.7 or nonprofit community development organization. Each applicant must:

21.8 (1) demonstrate community engagement in and support for the project;

- 20.22 (2) demonstrate the capacity to successfully implement the project;
- 20.23 (3) demonstrate a viable plan for long-term sustainability, including the ability to increase
20.24 the availability of and access to affordable, nutritious, and culturally appropriate food,
20.25 including fresh fruits and vegetables, for underserved communities in low-income and
20.26 moderate-income areas; and
- 20.27 (4) demonstrate the ability to repay the debt, to the extent that the financing requires
20.28 repayment.
- 20.29 (b) Each applicant must also agree to comply with the following conditions for a period
20.30 of at least five years, except as otherwise specified in this section:
- 20.31 (1) accept Supplemental Nutrition Assistance Program (SNAP) benefits;
- 21.1 ~~(2) apply to accept Special Supplemental Nutrition Program for Women, Infants, and~~
21.2 ~~Children (WIC) benefits and, if approved, accept WIC benefits;~~
- 21.3 ~~(2)~~ (2) allocate at least 30 percent of retail space for the sale of affordable, nutritious,
21.4 and culturally appropriate foods, including fruits and vegetables, low-fat and nonfat dairy,
21.5 fortified dairy substitute beverages such as soy-based or nut-based dairy substitute beverages,
21.6 whole grain-rich staple foods, meats, poultry, fish, seafood, and other proteins, consistent
21.7 with nutrition standards in national guidelines described in the current United States
21.8 Department of Agriculture Dietary Guidelines for Americans;
- 21.9 ~~(3)~~ (3) comply with all data collection and reporting requirements established by the
21.10 commissioner; and
- 21.11 ~~(4)~~ (4) promote the hiring, training, and retention of local or regional residents from
21.12 low-income and moderate-income areas that reflect area demographics, including
21.13 communities of color.
- 21.14 (c) A selected project that is a small food retailer is not subject to the allocation agreement
21.15 under paragraph (b), clause (3), and may use financing, grants, or other financial or technical
21.16 assistance for refrigeration, displays, or onetime capital expenditures for the promotion and
21.17 sale of perishable foods, including a combination of affordable, nutritious, and culturally
21.18 appropriate fresh or frozen dairy, dairy substitute products, produce, meats, poultry, and
21.19 fish, consistent with nutrition standards in national guidelines described in the current United
21.20 States Department of Agriculture Dietary Guidelines for Americans.

- 21.9 (2) demonstrate the capacity to successfully implement the project;
- 21.10 (3) demonstrate a viable plan for long-term sustainability, including the ability to increase
21.11 the availability of and access to affordable, nutritious, and culturally appropriate food,
21.12 including fresh fruits and vegetables, for underserved communities in low-income and
21.13 moderate-income areas; and
- 21.14 (4) demonstrate the ability to repay the debt, to the extent that the financing requires
21.15 repayment.
- 21.16 (b) Each applicant must also agree to comply with the following conditions for a period
21.17 of at least five years, except as otherwise specified in this section:
- 21.18 (1) accept Supplemental Nutrition Assistance Program (SNAP) benefits;
- 21.19 ~~(2) apply to accept Special Supplemental Nutrition Program for Women, Infants, and~~
21.20 ~~Children (WIC) benefits and, if approved, accept WIC benefits;~~
- 21.21 ~~(2)~~ (2) allocate at least 30 percent of retail space for the sale of affordable, nutritious,
21.22 and culturally appropriate foods, including fruits and vegetables, low-fat and nonfat dairy,
21.23 fortified dairy substitute beverages such as soy-based or nut-based dairy substitute beverages,
21.24 whole grain-rich staple foods, meats, poultry, fish, seafood, and other proteins, consistent
21.25 with nutrition standards in national guidelines described in the current United States
21.26 Department of Agriculture Dietary Guidelines for Americans;
- 21.27 ~~(3)~~ (3) comply with all data collection and reporting requirements established by the
21.28 commissioner; and
- 21.29 ~~(4)~~ (4) promote the hiring, training, and retention of local or regional residents from
21.30 low-income and moderate-income areas that reflect area demographics, including
21.31 communities of color.
- 22.1 (c) A selected project that is a small food retailer is not subject to the allocation agreement
22.2 under paragraph (b), clause ~~(3)~~ (2), and may use financing, grants, or other financial or
22.3 technical assistance for refrigeration, displays, or onetime capital expenditures for the
22.4 promotion and sale of perishable foods, including a combination of affordable, nutritious,
22.5 and culturally appropriate fresh or frozen dairy, dairy substitute products, produce, meats,
22.6 poultry, and fish, consistent with nutrition standards in national guidelines described in the
22.7 current United States Department of Agriculture Dietary Guidelines for Americans.
- 22.8 Sec. 7. Minnesota Statutes 2020, section 17.116, subdivision 2, is amended to read:
- 22.9 Subd. 2. **Eligibility.** (a) Grants may only be made to farmers, educational institutions,
22.10 individuals at educational institutions, or nonprofit organizations residing or located in the
22.11 state for research or demonstrations on farms in the state.
- 22.12 (b) Grants may only be made for projects that show:
- 22.13 (1) the ability to maximize direct or indirect energy savings or production;

- 22.14 (2) a positive effect or reduced adverse effect on the environment; ~~and or~~
- 22.15 (3) increased profitability for the individual farm by reducing costs or improving
- 22.16 marketing opportunities.
- 22.17 Sec. 8. Minnesota Statutes 2020, section 18B.26, subdivision 3, is amended to read:
- 22.18 Subd. 3. **Registration application and gross sales fee.** (a) For an agricultural pesticide,
- 22.19 a registrant shall pay an annual registration application fee for each agricultural pesticide
- 22.20 of \$350. The fee is due by December 31 preceding the year for which the application for
- 22.21 registration is made. The fee is nonrefundable.
- 22.22 (b) For a nonagricultural pesticide, a registrant shall pay a minimum annual registration
- 22.23 application fee for each nonagricultural pesticide of \$350. The fee is due by December 31
- 22.24 preceding the year for which the application for registration is made. The fee is
- 22.25 nonrefundable. If the registrant's annual gross sales of the nonagricultural pesticide exceeded
- 22.26 \$70,000 in the previous calendar year, the registrant shall pay, in addition to the \$350
- 22.27 minimum fee, a fee equal to ~~0.5~~ 0.9 percent of that portion of the annual gross sales over
- 22.28 \$70,000. For purposes of this subdivision, gross sales includes both nonagricultural pesticide
- 22.29 sold in the state and nonagricultural pesticide sold into the state for use in this state. No
- 22.30 additional fee is required if the fee due amount based on percent of annual gross sales of a
- 22.31 nonagricultural pesticide is less than \$10. The registrant shall secure sufficient sales
- 22.32 information of nonagricultural pesticides distributed into this state from distributors and
- 23.1 dealers, regardless of distributor location, to make a determination. Sales of nonagricultural
- 23.2 pesticides in this state and sales of nonagricultural pesticides for use in this state by
- 23.3 out-of-state distributors are not exempt and must be included in the registrant's annual report,
- 23.4 as required under paragraph (g), and fees shall be paid by the registrant based upon those
- 23.5 reported sales. Sales of nonagricultural pesticides in the state for use outside of the state are
- 23.6 exempt from the gross sales fee in this paragraph if the registrant properly documents the
- 23.7 sale location and distributors. A registrant paying more than the minimum fee shall pay the
- 23.8 balance due by March 1 based on the gross sales of the nonagricultural pesticide by the
- 23.9 registrant for the preceding calendar year. A pesticide determined by the commissioner to
- 23.10 be a sanitizer or disinfectant is exempt from the gross sales fee.
- 23.11 (c) For agricultural pesticides, a licensed agricultural pesticide dealer or licensed pesticide
- 23.12 dealer shall pay a gross sales fee of ~~0.55~~ 0.9 percent of annual gross sales of the agricultural
- 23.13 pesticide in the state and the annual gross sales of the agricultural pesticide sold into the
- 23.14 state for use in this state.
- 23.15 (d) In those cases where a registrant first sells an agricultural pesticide in or into the
- 23.16 state to a pesticide end user, the registrant must first obtain an agricultural pesticide dealer
- 23.17 license and is responsible for payment of the annual gross sales fee under paragraph (c),
- 23.18 record keeping under paragraph (i), and all other requirements of section 18B.316.
- 23.19 (e) ~~If the total annual revenue from fees collected in fiscal year 2011, 2012, or 2013, by~~
- 23.20 ~~the commissioner on the registration and sale of pesticides is less than \$6,600,000, the~~

- 23.21 ~~commissioner, after a public hearing, may increase proportionally the pesticide sales and~~
23.22 ~~product registration fees under this chapter by the amount necessary to ensure this level of~~
23.23 ~~revenue is achieved. The authority under this section expires on June 30, 2014. The~~
23.24 ~~commissioner shall report any fee increases under this paragraph 60 days before the fee~~
23.25 ~~change is effective to the senate and house of representatives agriculture budget divisions.~~
- 23.26 ~~(f)~~ (e) An additional fee of 50 percent of the registration application fee must be paid
23.27 by the applicant for each pesticide to be registered if the application is a renewal application
23.28 that is submitted after December 31.
- 23.29 ~~(g)~~ (f) A registrant must annually report to the commissioner the amount, type and annual
23.30 gross sales of each registered nonagricultural pesticide sold, offered for sale, or otherwise
23.31 distributed in the state. The report shall be filed by March 1 for the previous year's
23.32 registration. The commissioner shall specify the form of the report or approve the method
23.33 for submittal of the report and may require additional information deemed necessary to
23.34 determine the amount and type of nonagricultural pesticide annually distributed in the state.
24.1 The information required shall include the brand name, United States Environmental
24.2 Protection Agency registration number, and amount of each nonagricultural pesticide sold,
24.3 offered for sale, or otherwise distributed in the state, but the information collected, if made
24.4 public, shall be reported in a manner which does not identify a specific brand name in the
24.5 report.
- 24.6 ~~(h)~~ (g) A licensed agricultural pesticide dealer or licensed pesticide dealer must annually
24.7 report to the commissioner the amount, type, and annual gross sales of each registered
24.8 agricultural pesticide sold, offered for sale, or otherwise distributed in the state or into the
24.9 state for use in the state. The report must be filed by January 31 for the previous year's sales.
24.10 The commissioner shall specify the form, contents, and approved electronic method for
24.11 submittal of the report and may require additional information deemed necessary to determine
24.12 the amount and type of agricultural pesticide annually distributed within the state or into
24.13 the state. The information required must include the brand name, United States Environmental
24.14 Protection Agency registration number, and amount of each agricultural pesticide sold,
24.15 offered for sale, or otherwise distributed in the state or into the state.
- 24.16 ~~(i)~~ (h) A person who registers a pesticide with the commissioner under paragraph (b),
24.17 or a registrant under paragraph (d), shall keep accurate records for five years detailing all
24.18 distribution or sales transactions into the state or in the state and subject to a fee and surcharge
24.19 under this section.
- 24.20 ~~(j)~~ (i) The records are subject to inspection, copying, and audit by the commissioner and
24.21 must clearly demonstrate proof of payment of all applicable fees and surcharges for each
24.22 registered pesticide product sold for use in this state. A person who is located outside of
24.23 this state must maintain and make available records required by this subdivision in this state
24.24 or pay all costs incurred by the commissioner in the inspecting, copying, or auditing of the
24.25 records.

21.21 Sec. 3. Minnesota Statutes 2020, section 18B.33, subdivision 1, is amended to read:

21.22 Subdivision 1. **Requirement.** (a) A person may not apply a pesticide for hire without a
21.23 commercial applicator license for the appropriate use categories or a structural pest control
21.24 license.

21.25 (b) A commercial applicator licensee must have a valid license identification card to
21.26 purchase a restricted use pesticide or apply pesticides for hire and must display it upon
21.27 demand by an authorized representative of the commissioner or a law enforcement officer.
21.28 The commissioner shall prescribe the information required on the license identification
21.29 card.

21.30 (c) A person licensed under this section is considered qualified and is not required to
21.31 verify, document, or otherwise prove a particular need prior to use, except as required by
21.32 the federal label.

22.1 (d) A person who uses a general-use sanitizer or disinfectant for hire is exempt from the
22.2 commercial applicator license requirements under this section.

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

22.4 Sec. 4. Minnesota Statutes 2020, section 18E.04, subdivision 4, is amended to read:

22.5 Subd. 4. **Reimbursement payments.** (a) The board shall pay a person that is eligible
22.6 for reimbursement or payment under subdivisions 1, 2, and 3 from the agricultural chemical
22.7 response and reimbursement account for 80 percent of the total reasonable and necessary
22.8 corrective action costs greater than \$1,000 and less than or equal to ~~\$350,000~~\$600,000.

22.9 (b) A reimbursement or payment may not be made until the board has determined that
22.10 the costs are reasonable and are for a reimbursement of the costs that were actually incurred.

22.11 (c) The board may make periodic payments or reimbursements as corrective action costs
22.12 are incurred upon receipt of invoices for the corrective action costs.

22.13 (d) Money in the agricultural chemical response and reimbursement account is
22.14 appropriated to the commissioner to make payments and reimbursements directed by the
22.15 board under this subdivision.

22.16 (e) The board may not make reimbursement greater than the maximum allowed under
22.17 paragraph (a) for all incidents on a single site which:

24.26 ~~(j)~~ (j) The commissioner may adopt by rule regulations that require persons subject to
24.27 audit under this section to provide information determined by the commissioner to be
24.28 necessary to enable the commissioner to perform the audit.

24.29 ~~(k)~~ (k) A registrant who is required to pay more than the minimum fee for any pesticide
24.30 under paragraph (b) must pay a late fee penalty of \$100 for each pesticide application fee
24.31 paid after March 1 in the year for which the license is to be issued.

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- 22.18 (1) were not reported at the time of release but were discovered and reported after July
22.19 1, 1989; and
- 22.20 (2) may have occurred prior to July 1, 1989, as determined by the commissioner.
- 22.21 (f) The board may only reimburse an eligible person for separate incidents within a
22.22 single site if the commissioner determines that each incident is completely separate and
22.23 distinct in respect of location within the single site or time of occurrence.
- 22.24 (g) Except for an emergency incident, the board may not reimburse or pay for more than
22.25 60 percent of the corrective action costs of an eligible person or for an incident within five
22.26 years of a previous incident at a single site resulting from a site recontamination.
- 22.27 (h) The deduction of \$1,000 and 20 percent from the ~~\$350,000~~\$600,000 remuneration
22.28 may be waived by the board if the incident took place on or after August 18, 2007, and was
22.29 caused by flooding associated with Presidential Declaration of Major Disaster DR-1717.

- 25.1 Sec. 9. Minnesota Statutes 2020, section 21.82, subdivision 3, is amended to read:
- 25.2 Subd. 3. **Treated seed.** For all named agricultural, vegetable, flower, or wildflower
25.3 seeds which are treated, for which a separate label may be used, the label must contain:
- 25.4 (1) a word or statement to indicate that the seed has been treated;
- 25.5 (2) the commonly accepted, coined, chemical, or abbreviated generic chemical name of
25.6 the applied substance;
- 25.7 (3) the caution statement "Do not use for food, feed, or oil purposes" if the substance in
25.8 the amount present with the seed is harmful to human or other vertebrate animals;
- 25.9 (4) in the case of mercurials or similarly toxic substances, a poison statement and symbol;
- 25.10 (5) a word or statement describing the process used when the treatment is not of pesticide
25.11 origin; ~~and~~
- 25.12 (6) the date beyond which the inoculant is considered ineffective if the seed is treated
25.13 with an inoculant. It must be listed on the label as "inoculant: expires (month and year)" or
25.14 wording that conveys the same meaning; and
- 25.15 (7) for corn or soybean seed treated with neonicotinoid pesticide, the following caution
25.16 statement framed in a box and including a bee icon approved by the commissioner: "Planting
25.17 seed treated with a neonicotinoid pesticide may negatively impact pollinator health. Please
25.18 use care when handling and planting this seed. Do not use for food, feed, or oil purposes,
25.19 or ethanol production."
- 25.20 Sec. 10. Minnesota Statutes 2020, section 21.86, subdivision 2, is amended to read:
- 25.21 Subd. 2. **Miscellaneous violations.** No person may:

23.1 Sec. 5. **[25.391] EXEMPTION FOR COTTAGE FOOD PRODUCERS;**
23.2 **HOME-PROCESSED PET TREATS.**
23.3 Subdivision 1. **Exemption.** The provisions of this chapter do not apply to an individual
23.4 who prepares and sells home-processed pet treats for dogs and cats, provided the following
23.5 conditions are met:
23.6 (1) the individual is registered with the commissioner under section 28A.152, subdivision
23.7 4;

25.22 (a) detach, alter, deface, or destroy any label required in sections 21.82 and 21.83, alter
25.23 or substitute seed in a manner that may defeat the purposes of sections 21.82 and 21.83, or
25.24 alter or falsify any seed tests, laboratory reports, records, or other documents to create a
25.25 misleading impression as to kind, variety, history, quality, or origin of the seed;
25.26 (b) hinder or obstruct in any way any authorized person in the performance of duties
25.27 under sections 21.80 to 21.92;
25.28 (c) fail to comply with a "stop sale" order or to move or otherwise handle or dispose of
25.29 any lot of seed held under a stop sale order or attached tags, except with express permission
25.30 of the enforcing officer for the purpose specified;
26.1 (d) use the word "type" in any labeling in connection with the name of any agricultural
26.2 seed variety;
26.3 (e) use the word "trace" as a substitute for any statement which is required;
26.4 (f) plant any agricultural seed which the person knows contains weed seeds or noxious
26.5 weed seeds in excess of the limits for that seed; ~~or~~
26.6 (g) advertise or sell seed containing patented, protected, or proprietary varieties used
26.7 without permission of the patent or certificate holder of the intellectual property associated
26.8 with the variety of seed; or
26.9 (h) use or sell as food, feed, oil, or ethanol feedstock any seed treated or coated with
26.10 neonicotinoid pesticide.
26.11 Sec. 11. **[21.915] PROHIBITED DISPOSAL METHODS.**
26.12 A person must not dispose of seed treated or coated with neonicotinoid pesticide in a
26.13 manner inconsistent with the product label, where applicable, or by:
26.14 (1) burial near a drinking water source or any creek, stream, river, lake, or other surface
26.15 water;
26.16 (2) composting; or
26.17 (3) incinerating within a home or other dwelling.

23.8 (2) the pet treats are prepared using not potentially hazardous food, as defined in
23.9 Minnesota Rules, part 4626.0020, subpart 62, that is safe for human consumption and for
23.10 consumption by the intended species;
23.11 (3) the pet treats are baked or dehydrated;
23.12 (4) the individual displays at the point of sale a clearly legible sign or placard stating,
23.13 "These pet treats are homemade and not subject to state inspection"; and
23.14 (5) each individual pet treat package is labeled with the following: (i) the name, home
23.15 address or post office box address, and phone number of the individual preparing the pet
23.16 treat; (ii) the date on which the pet treat was prepared; (iii) the ingredients listed in descending
23.17 order of predominance; and (iv) the following statement: "These pet treats are homemade
23.18 and not subject to state inspection."
23.19 Subd. 2. **Direct sales to consumers.** An individual qualifying for the exemption under
23.20 subdivision 1 may sell the exempt pet treats to consumers in accordance with section
23.21 28A.152, subdivision 2.

23.22 Sec. 6. Minnesota Statutes 2020, section 28A.15, is amended by adding a subdivision to
23.23 read:
23.24 Subd. 11. **Seasonal processors of game meat.** A person who processes noninspected
23.25 meat from game animals, as that term is defined in Minnesota Rules, part 4626.0020, subpart
23.26 37, for the owner of the carcass, and who returns the meat products derived from the
23.27 processing to the owner, if the person does not engage in processing for more than one
23.28 90-day period per calendar year.

26.18 Sec. 12. Minnesota Statutes 2020, section 28A.08, is amended by adding a subdivision to
26.19 read:
26.20 Subd. 4. **Food handler license account; appropriation.** A food handler license account
26.21 is established in the agricultural fund. Fees paid under subdivision 3 must be deposited in
26.22 the account. Money in the account, including interest, is appropriated to the commissioner
26.23 for expenses relating to licensing and inspecting food handlers under chapters 28 to 34A or
26.24 rules adopted under one of those chapters.
26.25 Sec. 13. Minnesota Statutes 2020, section 28A.09, is amended by adding a subdivision to
26.26 read:
26.27 Subd. 3. **Vending machine inspection account; appropriation.** A vending machine
26.28 inspection account is established in the agricultural fund. Fees paid under subdivision 1
26.29 must be deposited in the account. Money in the account, including interest, is appropriated
27.1 to the commissioner for expenses relating to identifying and inspecting food vending
27.2 machines under chapters 28 to 34A or rules adopted under one of those chapters.
28.25 Sec. 18. **[28A.153] WILD GAME PROCESSOR EXEMPTION.**
28.26 Subdivision 1. **Licensing provisions applicability.** The licensing provisions of sections
28.27 28A.01 to 28A.16 do not apply to an individual who processes wild game or fowl as
28.28 described in section 31A.15, subdivision 1, clause (2), if the following requirements are
28.29 met:
28.30 (1) the individual does not conduct another operation subject to the licensing provisions
28.31 of sections 28A.01 to 28A.16;

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

25.26 Sec. 11. Minnesota Statutes 2020, section 31A.15, subdivision 1, is amended to read:

25.27 Subdivision 1. **Inspection.** The provisions of sections 31A.01 to 31A.16 requiring
25.28 inspection of the slaughter of animals and the preparation of the carcasses, parts of carcasses,
25.29 meat, poultry, poultry food products, and meat food products at establishments conducting
25.30 slaughter and preparation do not apply:

25.31 (1) to the processing by a person of the person's own animals and the owner's preparation
25.32 and transportation in intrastate commerce of the carcasses, parts of carcasses, meat, poultry,
26.1 poultry food products, and meat food products of those animals exclusively for use by the
26.2 owner and members of the owner's household, nonpaying guests, and employees; ~~or~~

26.3 (2) to the custom processing by a person of animals, wild game, or fowl delivered by
26.4 the owner for processing, and the preparation or transportation in intrastate commerce of
26.5 the carcasses, parts of carcasses, meat, poultry, poultry food products, and meat food products
26.6 of animals, exclusively for use in the household of the owner by the owner and members
26.7 of the owner's household, nonpaying guests, and employees. Meat from custom processing
26.8 must be identified and handled as required by the commissioner, during all phases of
26.9 processing, chilling, cooling, freezing, preparation, storage, and transportation. The custom
26.10 processor may not engage in the business of buying or selling carcasses, parts of carcasses,
26.11 meat, poultry, poultry food products, or meat food products of animals usable as human
26.12 food unless the carcasses, parts of carcasses, meat, poultry, poultry food products, or meat
26.13 food products have been inspected and passed and are identified as inspected and passed
26.14 by the Minnesota Department of Agriculture or the United States Department of Agriculture;
26.15 ~~or~~

26.16 (3) to the custom processing of meat from game animals not listed in clause (2) for the
26.17 owner of the carcasses, if the custom processor returns the meat products derived from the
26.18 processing to the owner and does not engage in custom processing for more than one 90-day
26.19 period per calendar year. For purposes of this clause, "game animals" has the meaning given
26.20 in Minnesota Rules, part 4626.0020, subpart 37.

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

24.1 Sec. 7. Minnesota Statutes 2020, section 28A.152, subdivision 1, is amended to read:

24.2 Subdivision 1. **Licensing provisions applicability.** (a) The licensing provisions of
24.3 sections 28A.01 to 28A.16 do not apply to the following:

24.4 (1) an individual who prepares and sells food that is not potentially hazardous food, as
24.5 defined in Minnesota Rules, part 4626.0020, subpart 62, if the following requirements are
24.6 met:

29.1 (2) the individual's operation is limited to the handling of raw products, to include cutting,
29.2 grinding, and packaging, and without further preparation of the wild game or fowl products;

29.3 (3) the individual does not add any additional ingredients to the wild game or fowl
29.4 products;

29.5 (4) the wild game or fowl products are not donated; and

29.6 (5) all wild game or fowl products are packaged and labeled as "Not for Sale."

29.7 Subd. 2. **Sales limitation.** An individual processing wild game or fowl under this section
29.8 is limited to total services with gross receipts of \$20,000 or less in a calendar year.

29.9 Subd. 3. **Registration.** An individual processing wild game under this section must
29.10 register annually with the commissioner. The commissioner must not assess a registration
29.11 fee.

29.12 Subd. 4. **Permit exemption.** An individual processing wild game under this section is
29.13 not required to obtain a custom processing permit under section 28A.04, subdivision 2.

29.14 Subd. 5. **Local ordinances.** This section does not preempt the application of any business
29.15 licensing requirement or sanitation, public health, or zoning ordinance of a political
29.16 subdivision.

29.17 Subd. 6. **Chronic wasting disease.** An individual processing wild game under this
29.18 section must:

29.19 (1) ensure that each white-tailed deer processed by the individual and harvested from a
29.20 chronic wasting disease management zone established by the commissioner of natural
29.21 resources is tested for chronic wasting disease; and

29.22 (2) dispose of the carcass of each white-tailed deer under clause (1) through a chronic
29.23 wasting disease adopt-a-dumpster program administered by the commissioner of natural
29.24 resources.

27.3 Sec. 14. Minnesota Statutes 2020, section 28A.152, subdivision 1, is amended to read:

27.4 Subdivision 1. **Licensing provisions applicability.** (a) The licensing provisions of
27.5 sections 28A.01 to 28A.16 do not apply to the following:

27.6 (1) an individual who prepares and sells food that is not potentially hazardous food, as
27.7 defined in Minnesota Rules, part 4626.0020, subpart 62, if the following requirements are
27.8 met:

24.7 (i) the prepared food offered for sale under this clause is labeled to accurately reflect
24.8 the name and the registration number or address of the individual preparing and selling the
24.9 food, the date on which the food was prepared, and the ingredients and any possible allergens;
24.10 and

24.11 (ii) the individual displays at the point of sale a clearly legible sign or placard stating:
24.12 "These products are homemade and not subject to state inspection."; and

24.13 (2) an individual who prepares and sells home-processed and home-canned food products
24.14 if the following requirements are met:

24.15 (i) the products are pickles, vegetables, or fruits having an equilibrium pH value of 4.6
24.16 or lower, or a water activity value of .85 or less;

24.17 (ii) the products are home-processed and home-canned in Minnesota;

24.18 (iii) the individual displays at the point of sale a clearly legible sign or placard stating:
24.19 "These canned goods are homemade and not subject to state inspection."; and

24.20 (iv) each container of the product sold or offered for sale under this clause is accurately
24.21 labeled to provide the name and the registration number or address of the individual who
24.22 processed and canned the goods, the date on which the goods were processed and canned,
24.23 and ingredients and any possible allergens.

24.24 (b) An individual who qualifies for an exemption under paragraph (a), clause (2), is also
24.25 exempt from the provisions of sections 31.31 and 31.392.

24.26 (c) An individual who qualifies for an exemption under paragraph (a) may organize the
24.27 individual's cottage food business as a business entity recognized by state law.

24.28 Sec. 8. Minnesota Statutes 2020, section 28A.152, subdivision 3, is amended to read:

24.29 Subd. 3. **Limitation on sales.** An individual selling exempt foods under this section is
24.30 limited to total sales with gross receipts of ~~\$18,000~~ \$78,000 or less in a calendar year.
24.31 Beginning January 1, 2027, and every five years thereafter, the commissioner shall adjust
25.1 the maximum gross receipts amount under this subdivision based on the consumer price
25.2 index using 2021 as the index year.

25.3 Sec. 9. Minnesota Statutes 2020, section 28A.152, subdivision 4, is amended to read:

25.4 Subd. 4. **Registration.** An individual who prepares and sells exempt food under
25.5 subdivision 1 must register annually with the commissioner. The commissioner shall register
25.6 an individual within 30 days of submitting a complete registration to the commissioner. A
25.7 registration shall be deemed accepted after 30 days following an individual's complete
25.8 registration to the commissioner. The annual registration fee is ~~\$50~~ \$25. An individual with
25.9 \$5,000 or less in annual gross receipts from the sale of exempt food under this section is
25.10 not required to pay the registration fee. Beginning January 1, 2022, and every five years
25.11 thereafter, the commissioner shall adjust the gross receipts amount of this fee exemption

27.9 (i) the prepared food offered for sale under this clause is labeled to accurately reflect
27.10 the name and the registration number or address of the individual preparing and selling the
27.11 food, the date on which the food was prepared, and the ingredients and any possible allergens;
27.12 and

27.13 (ii) the individual displays at the point of sale a clearly legible sign or placard stating:
27.14 "These products are homemade and not subject to state inspection."; and

27.15 (2) an individual who prepares and sells home-processed and home-canned food products
27.16 if the following requirements are met:

27.17 (i) the products are pickles, vegetables, or fruits having an equilibrium pH value of 4.6
27.18 or lower, or a water activity value of .85 or less;

27.19 (ii) the products are home-processed and home-canned in Minnesota;

27.20 (iii) the individual displays at the point of sale a clearly legible sign or placard stating:
27.21 "These canned goods are homemade and not subject to state inspection."; and

27.22 (iv) each container of the product sold or offered for sale under this clause is accurately
27.23 labeled to provide the name and the registration number or address of the individual who
27.24 processed and canned the goods, the date on which the goods were processed and canned,
27.25 and ingredients and any possible allergens.

27.26 (b) An individual who qualifies for an exemption under paragraph (a), clause (2), is also
27.27 exempt from the provisions of sections 31.31 and 31.392.

27.28 (c) An individual who qualifies for an exemption under paragraph (a) may organize the
27.29 individual's cottage food business as a business entity recognized by state law.

28.1 Sec. 15. Minnesota Statutes 2020, section 28A.152, subdivision 3, is amended to read:

28.2 Subd. 3. **Limitation on sales.** An individual selling exempt foods under this section is
28.3 limited to total sales with gross receipts of ~~\$18,000~~ \$78,000 or less in a calendar year.

28.4 Sec. 16. Minnesota Statutes 2020, section 28A.152, subdivision 4, is amended to read:

28.5 Subd. 4. **Registration.** An individual who prepares and sells exempt food under
28.6 subdivision 1 must register annually with the commissioner. The commissioner shall register
28.7 an individual within 30 days of submitting a complete registration to the commissioner. A
28.8 registration shall be deemed accepted after 30 days following an individual's complete
28.9 registration to the commissioner. The annual registration fee is ~~\$50~~ \$25. An individual with
28.10 \$5,000 or less in annual gross receipts from the sale of exempt food under this section is
28.11 not required to pay the registration fee. Beginning January 1, 2022, and every five years
28.12 thereafter, the commissioner shall adjust the gross receipts amount of this fee exemption

25.12 based on the consumer price index using 2015 as the index year for the \$5,000 gross receipts
25.13 exemption.

25.14 Sec. 10. Minnesota Statutes 2020, section 28A.152, subdivision 5, is amended to read:

25.15 Subd. 5. **Training.** (a) An individual with gross receipts between \$5,000 and \$18,000
25.16 in a calendar year from the sale of who sells exempt food under this section and is required
25.17 to pay the registration fee in subdivision 4 must complete a safe food handling training
25.18 course that is approved by the commissioner before registering under subdivision 4. The
25.19 training shall not exceed eight hours and must be completed every three years while the
25.20 individual is registered under subdivision 4.

25.21 (b) An individual with gross receipts of less than \$5,000 in a calendar year from the sale
25.22 of who sells exempt food under this section and is exempt from paying the registration fee
25.23 in subdivision 4 must satisfactorily complete an online course and exam as approved by the
25.24 commissioner before registering under subdivision 4. The commissioner shall offer the
25.25 online course and exam under this paragraph at no cost to the individual.

26.22 Sec. 12. Minnesota Statutes 2020, section 35.155, subdivision 5, is amended to read:

26.23 Subd. 5. **Disease control programs.** Farmed Cervidae are subject to this chapter and
26.24 the rules of the Board of Animal Health in the same manner as other livestock and domestic
26.25 animals, including provisions related to importation and transportation. The board must not
26.26 designate or continue a disease management or endemic zone for chronic wasting disease
26.27 unless chronic wasting disease is found on a specific property where a cervid farm is located.

28.13 based on the consumer price index using 2015 as the index year for the \$5,000 gross receipts
28.14 exemption.

28.15 Sec. 17. Minnesota Statutes 2020, section 28A.152, subdivision 5, is amended to read:

28.16 Subd. 5. **Training.** (a) An individual with gross receipts between \$5,000 and \$18,000
28.17 in a calendar year from the sale of exempt food under this section must complete a safe
28.18 food handling training course that is approved by the commissioner before registering under
28.19 subdivision 4. The training shall not exceed eight hours and must be completed every three
28.20 years while the individual is registered under subdivision 4.

28.21 (b) An individual with gross receipts of less than \$5,000 in a calendar year from the sale
28.22 of exempt food under this section must satisfactorily complete an online course and exam
28.23 as approved by the commissioner before registering under subdivision 4. The commissioner
28.24 shall offer the online course and exam under this paragraph at no cost to the individual.

29.25 Sec. 19. Minnesota Statutes 2020, section 35.02, subdivision 1, is amended to read:

29.26 Subdivision 1. **Members; officers.** The board has ~~five~~ seven members appointed by the
29.27 governor with the advice and consent of the senate, three of whom are producers of livestock
29.28 in the state, and ~~two~~ three of whom are practicing veterinarians licensed in Minnesota at
29.29 least one of whom is a small-animal veterinarian, and one of whom is a member of a federally
29.30 recognized Tribe located in Minnesota with knowledge of animal health. The commissioners
29.31 of agriculture, natural resources, and health, the dean of the College of Veterinary Medicine,
29.32 and the director of the Veterinary Diagnostic Laboratory of the University of Minnesota
30.1 ~~may~~ shall serve as consultants to the board without vote. Appointments to fill unexpired
30.2 terms must be made from the classes to which the retiring members belong. The board shall
30.3 elect a president and a vice-president from among its members and. The governor shall
30.4 appoint a veterinarian licensed in Minnesota who is not a member to be its executive director
30.5 for a term of one year and until a successor qualifies. The board shall set the duties of the
30.6 director.

30.7 **EFFECTIVE DATE.** This section is effective July 1, 2021, and the governor's duty to
30.8 appoint the executive director of the Board of Animal Health begins with the appointment
30.9 for state fiscal year 2023.

26.28 The zone is limited to that chronic wasting disease positive property and does not extend
26.29 to other noncontiguous property owned by the same person or entity.

26.30 Sec. 13. Minnesota Statutes 2020, section 35.155, subdivision 11, is amended to read:

26.31 Subd. 11. **Mandatory surveillance for chronic wasting disease; depopulation.** (a)
26.32 An inventory for each farmed Cervidae herd must be verified by an accredited veterinarian
26.33 and filed with the Board of Animal Health every 12 months.

27.1 (b) Movement of farmed Cervidae from any premises to another location must be reported
27.2 to the Board of Animal Health within 14 days of the movement on forms approved by the
27.3 Board of Animal Health.

27.4 (c) All animals from farmed Cervidae herds that are over 12 months of age that die or
27.5 are slaughtered must be tested for chronic wasting disease.

27.6 (d) The owner of a premises where chronic wasting disease is detected must:

27.7 (1) depopulate the premises of Cervidae after the appraisal process for federal
27.8 indemnification process has been completed or, if an indemnification application is not
27.9 submitted, within a reasonable time determined by the board in consultation with the
27.10 commissioner of natural resources;

27.11 (2) maintain the fencing required under subdivision 4 on the premises for five years after
27.12 the date of detection; and

27.13 (3) post the fencing on the premises with biohazard signs as directed by the board.

30.10 Sec. 20. Minnesota Statutes 2020, section 41A.16, subdivision 2, is amended to read:

30.11 Subd. 2. **Payment amounts; limits.** (a) The commissioner shall make payments to
30.12 eligible producers of advanced biofuel. The amount of the payment for each eligible
30.13 producer's annual production is \$2.1053 per MMBtu for advanced biofuel production from
30.14 cellulosic biomass, and \$1.053 per MMBtu for advanced biofuel production from sugar,
30.15 starch, oil, or animal fat at a specific location for ten years after the start of production.

30.16 (b) Total payments under this section to an eligible biofuel producer in a fiscal year may
30.17 not exceed the amount necessary for 2,850,000 MMBtu of biofuel production. Total payments
30.18 under this section to all eligible biofuel producers in a fiscal year may not exceed the amount
30.19 necessary for 17,100,000 MMBtu of biofuel production. If the total amount for which all
30.20 producers are eligible in a quarter exceeds the amount available for payments, the
30.21 commissioner shall make the payments on a pro rata basis. An eligible producer may reapply
30.22 for payment of the amount of the difference between the claim for payment filed under
30.23 subdivision 6 and the pro rata amount received until the full amount of the original claim
30.24 is paid.

27.14 Sec. 14. Minnesota Statutes 2020, section 41A.16, subdivision 5, is amended to read:

27.15 Subd. 5. **Agricultural cellulosic biomass sourcing plan.** (a) An eligible producer who
27.16 utilizes agricultural cellulosic biomass other than corn kernel fiber or biogas must submit
27.17 a responsible biomass sourcing plan for approval by the commissioner prior to applying for
27.18 payments under this section. The commissioner shall make the plan publicly available. The
27.19 plan must:

27.20 (1) provide a detailed explanation of how agricultural cellulosic biomass will be produced
27.21 and managed in a way that preserves soil quality, does not increase soil and nutrient runoff,
27.22 avoids introduction of harmful invasive species, limits negative impacts on wildlife habitat,
27.23 and reduces greenhouse gas emissions;

27.24 (2) include the producer's approach to verifying that biomass suppliers are following
27.25 the plan;

27.26 (3) discuss how new technologies and practices that are not yet commercially viable
27.27 may be encouraged and adopted during the life of the facility, and how the producer will
27.28 encourage continuous improvement during the life of the project;

27.29 (4) include specific numeric goals and timelines for making progress;

27.30 (5) require agronomic practices that result in a positive Natural Resources Conservation
27.31 Service Soil Conditioning Index score for acres from which biomass from corn stover will
27.32 be harvested; and

28.1 (6) include biennial soil sampling to verify maintained or increased levels of soil organic
28.2 matter.

28.3 (b) An eligible producer who utilizes agricultural cellulosic biomass and receives
28.4 payments under this section shall submit an annual report on the producer's responsible
28.5 biomass sourcing plan to the commissioner by January 15 each year. The report must include
28.6 data on progress made by the producer in meeting specific goals laid out in the plan. The
28.7 commissioner shall make the report publicly available. The commissioner shall perform an
28.8 annual review of submitted reports and may make a determination that the producer is not
28.9 following the plan based on the reports submitted. The commissioner may take appropriate
28.10 steps, including reducing or ceasing payments, until the producer is in compliance with the
28.11 plan.

30.25 (c) For purposes of this section, an entity that holds a controlling interest in more than
30.26 one advanced biofuel facility is considered a single eligible producer.

30.27 **EFFECTIVE DATE.** This section is effective retroactively from January 1, 2020, and
30.28 applies to claims filed after January 1, 2020.

30.29 Sec. 21. Minnesota Statutes 2020, section 41A.16, subdivision 5, is amended to read:

30.30 Subd. 5. **Agricultural cellulosic biomass sourcing plan.** (a) An eligible producer who
30.31 utilizes agricultural cellulosic biomass other than corn kernel fiber or biogas must submit
30.32 a responsible biomass sourcing plan for approval by the commissioner prior to applying for
31.1 payments under this section. The commissioner shall make the plan publicly available. The
31.2 plan must:

31.3 (1) provide a detailed explanation of how agricultural cellulosic biomass will be produced
31.4 and managed in a way that preserves soil quality, does not increase soil and nutrient runoff,
31.5 avoids introduction of harmful invasive species, limits negative impacts on wildlife habitat,
31.6 and reduces greenhouse gas emissions;

31.7 (2) include the producer's approach to verifying that biomass suppliers are following
31.8 the plan;

31.9 (3) discuss how new technologies and practices that are not yet commercially viable
31.10 may be encouraged and adopted during the life of the facility, and how the producer will
31.11 encourage continuous improvement during the life of the project;

31.12 (4) include specific numeric goals and timelines for making progress;

31.13 (5) require agronomic practices that result in a positive Natural Resources Conservation
31.14 Service Soil Conditioning Index score for acres from which biomass from corn stover will
31.15 be harvested; and

31.16 (6) include biennial soil sampling to verify maintained or increased levels of soil organic
31.17 matter.

31.18 (b) An eligible producer who utilizes agricultural cellulosic biomass and receives
31.19 payments under this section shall submit an annual report on the producer's responsible
31.20 biomass sourcing plan to the commissioner by January 15 each year. The report must include
31.21 data on progress made by the producer in meeting specific goals laid out in the plan. The
31.22 commissioner shall make the report publicly available. The commissioner shall perform an
31.23 annual review of submitted reports and may make a determination that the producer is not
31.24 following the plan based on the reports submitted. The commissioner may take appropriate
31.25 steps, including reducing or ceasing payments, until the producer is in compliance with the
31.26 plan.

31.27 Sec. 22. Minnesota Statutes 2020, section 41A.16, subdivision 6, is amended to read:

31.28 Subd. 6. **Claims.** (a) By the last day of October, January, April, and July, each eligible
31.29 biofuel producer shall file a claim for payment for advanced biofuel production during the
31.30 preceding three calendar months. An eligible biofuel producer that files a claim under this
31.31 subdivision shall include a statement of the eligible biofuel producer's total advanced biofuel
31.32 production in Minnesota during the quarter covered by the claim and certify that the eligible
31.33 producer will not use payments received under this section to compensate a lobbyist who
32.1 is required to register with the Campaign Finance and Public Disclosure Board under section
32.2 10A.03. For each claim and statement of total advanced biofuel production filed under this
32.3 subdivision, the volume of advanced biofuel production must be examined by a CPA firm
32.4 with a valid permit to practice under chapter 326A, in accordance with Statements on
32.5 Standards for Attestation Engagements established by the American Institute of Certified
32.6 Public Accountants.

32.7 (b) The commissioner must issue payments by November 15, February 15, May 15, and
32.8 August 15. A separate payment must be made for each claim filed.

32.9 Sec. 23. Minnesota Statutes 2020, section 41A.17, subdivision 2, is amended to read:

32.10 Subd. 2. **Payment amounts; bonus; limits.** (a) The commissioner shall make payments
32.11 to eligible producers of renewable chemicals located in the state. The amount of the payment
32.12 for each producer's annual production is \$0.03 per pound of sugar-derived renewable
32.13 chemical, \$0.03 per pound of cellulosic sugar, starch, oil, or animal fat, and \$0.06 per pound
32.14 of cellulosic-derived renewable chemical produced at a specific location for ten years after
32.15 the start of production.

32.16 (b) An eligible facility producing renewable chemicals using agricultural cellulosic
32.17 biomass is eligible for a 20 percent bonus payment for each pound produced from agricultural
32.18 biomass that is derived from perennial crop or cover crop biomass.

32.19 (c) Total payments under this section to an eligible renewable chemical producer in a
32.20 fiscal year may not exceed the amount necessary for 99,999,999 pounds of renewable
32.21 chemical production. Total payments under this section to all eligible renewable chemical
32.22 producers in a fiscal year may not exceed the amount necessary for 599,999,999 pounds of
32.23 renewable chemical production. If the total amount for which all producers are eligible in
32.24 a quarter exceeds the amount available for payments, the commissioner shall make the
32.25 payments on a pro rata basis. An eligible producer may reapply for payment of the amount
32.26 of the difference between the claim for payment filed under subdivision 5 and the pro rata
32.27 amount received until the full amount of the original claim is paid.

32.28 (d) An eligible facility may blend renewable chemicals with other chemicals that are
32.29 not renewable chemicals, but only the percentage attributable to renewable chemicals in
32.30 the blended product is eligible to receive payment.

32.31 (e) For purposes of this section, an entity that holds a controlling interest in more than
32.32 one renewable chemical production facility is considered a single eligible producer.

28.12 Sec. 15. Minnesota Statutes 2020, section 41A.17, subdivision 4, is amended to read:

28.13 Subd. 4. **Agricultural cellulosic biomass sourcing plan.** (a) An eligible producer who
28.14 utilizes agricultural cellulosic biomass other than corn kernel fiber or biogas must submit
28.15 a responsible biomass sourcing plan to the commissioner prior to applying for payments
28.16 under this section. The plan must:

28.17 (1) provide a detailed explanation of how agricultural cellulosic biomass will be produced
28.18 and managed in a way that preserves soil quality, does not increase soil and nutrient runoff,
28.19 avoids introduction of harmful invasive species, limits negative impacts on wildlife habitat,
28.20 and reduces greenhouse gas emissions;

28.21 (2) include the producer's approach to verifying that biomass suppliers are following
28.22 the plan;

28.23 (3) discuss how new technologies and practices that are not yet commercially viable
28.24 may be encouraged and adopted during the life of the facility, and how the producer will
28.25 encourage continuous improvement during the life of the project; and

28.26 (4) include specific numeric goals and timelines for making progress.

28.27 (b) An eligible producer who utilizes agricultural cellulosic biomass and receives
28.28 payments under this section shall submit an annual report on the producer's responsible
28.29 biomass sourcing plan to the commissioner by January 15 each year. The report must include
28.30 data on progress made by the producer in meeting specific goals laid out in the plan. The
28.31 commissioner shall make the report publicly available. The commissioner shall perform an
28.32 annual review of submitted reports and may make a determination that the producer is not
28.33 following the plan based on the reports submitted. The commissioner may take appropriate
29.1 steps, including reducing or ceasing payments, until the producer is in compliance with the
29.2 plan.

33.1 **EFFECTIVE DATE.** This section is effective retroactively from January 1, 2020, and
33.2 applies to claims filed after January 1, 2020.

33.3 Sec. 24. Minnesota Statutes 2020, section 41A.17, subdivision 4, is amended to read:

33.4 Subd. 4. **Agricultural cellulosic biomass sourcing plan.** (a) An eligible producer who
33.5 utilizes agricultural cellulosic biomass other than corn kernel fiber or biogas must submit
33.6 a responsible biomass sourcing plan to the commissioner prior to applying for payments
33.7 under this section. The plan must:

33.8 (1) provide a detailed explanation of how agricultural cellulosic biomass will be produced
33.9 and managed in a way that preserves soil quality, does not increase soil and nutrient runoff,
33.10 avoids introduction of harmful invasive species, limits negative impacts on wildlife habitat,
33.11 and reduces greenhouse gas emissions;

33.12 (2) include the producer's approach to verifying that biomass suppliers are following
33.13 the plan;

33.14 (3) discuss how new technologies and practices that are not yet commercially viable
33.15 may be encouraged and adopted during the life of the facility, and how the producer will
33.16 encourage continuous improvement during the life of the project; and

33.17 (4) include specific numeric goals and timelines for making progress.

33.18 (b) An eligible producer who utilizes agricultural cellulosic biomass and receives
33.19 payments under this section shall submit an annual report on the producer's responsible
33.20 biomass sourcing plan to the commissioner by January 15 each year. The report must include
33.21 data on progress made by the producer in meeting specific goals laid out in the plan. The
33.22 commissioner shall make the report publicly available. The commissioner shall perform an
33.23 annual review of submitted reports and may make a determination that the producer is not
33.24 following the plan based on the reports submitted. The commissioner may take appropriate
33.25 steps, including reducing or ceasing payments, until the producer is in compliance with the
33.26 plan.

33.27 Sec. 25. Minnesota Statutes 2020, section 41A.17, subdivision 5, is amended to read:

33.28 Subd. 5. **Claims.** (a) By the last day of October, January, April, and July, each eligible
33.29 renewable chemical producer shall file a claim for payment for renewable chemical
33.30 production during the preceding three calendar months. An eligible renewable chemical
33.31 producer that files a claim under this subdivision shall include a statement of the eligible
33.32 producer's total renewable chemical production in Minnesota during the quarter covered by
34.1 the claim and certify that the eligible producer will not use payments received under this
34.2 section to compensate a lobbyist who is required to register with the Campaign Finance and
34.3 Public Disclosure Board under section 10A.03. For each claim and statement of total
34.4 renewable chemical production filed under this paragraph, the volume of renewable chemical
34.5 production must be examined by a CPA firm with a valid permit to practice under chapter

34.6 326A, in accordance with Statements on Standards for Attestation Engagements established
34.7 by the American Institute of Certified Public Accountants.

34.8 (b) The commissioner must issue payments by November 15, February 15, May 15, and
34.9 August 15. A separate payment must be made for each claim filed.

34.10 Sec. 26. Minnesota Statutes 2020, section 41A.18, subdivision 2, is amended to read:

34.11 Subd. 2. **Payment amounts; bonus; limits; blending.** (a) The commissioner shall make
34.12 payments to eligible producers of biomass thermal located in the state. The amount of the
34.13 payment for each producer's annual production is \$5.00 per MMBtu of biomass thermal
34.14 production produced at a specific location for ten years after the start of production.

34.15 (b) An eligible facility producing biomass thermal using agricultural cellulosic biomass
34.16 is eligible for a 20 percent bonus payment for each MMBtu produced from agricultural
34.17 biomass that is derived from perennial crop or cover crop biomass.

34.18 (c) Total payments under this section to an eligible thermal producer in a fiscal year
34.19 may not exceed the amount necessary for 30,000 MMBtu of thermal production. Total
34.20 payments under this section to all eligible thermal producers in a fiscal year may not exceed
34.21 the amount necessary for 150,000 MMBtu of total thermal production. If the total amount
34.22 for which all producers are eligible in a quarter exceeds the amount available for payments,
34.23 the commissioner shall make the payments on a pro rata basis. An eligible producer may
34.24 reapply for payment of the amount of the difference between the claim for payment filed
34.25 under subdivision 5 and the pro rata amount received until the full amount of the original
34.26 claim is paid.

34.27 (d) An eligible facility may blend a cellulosic feedstock with other fuels in the biomass
34.28 thermal production facility, but only the percentage attributable to biomass meeting the
34.29 cellulosic forestry biomass requirements or agricultural cellulosic biomass sourcing plan is
34.30 eligible to receive payment.

34.31 (e) When a facility is eligible due to adding production capacity or retrofitting existing
34.32 capacity, the entire amount of biomass meeting the cellulosic forestry biomass requirements
35.1 or agricultural cellulosic biomass sourcing plan is assumed to have been used for the biomass
35.2 thermal production from the added or retrofitted production capacity.

35.3 (f) For purposes of this section, an entity that holds a controlling interest in more than
35.4 one biomass thermal production facility is considered a single eligible producer.

35.5 **EFFECTIVE DATE.** This section is effective retroactively from January 1, 2020, and
35.6 applies to claims filed after January 1, 2020.

35.7 Sec. 27. Minnesota Statutes 2020, section 41A.18, subdivision 5, is amended to read:

35.8 Subd. 5. **Claims.** (a) By the last day of October, January, April, and July, each producer
35.9 shall file a claim for payment for biomass thermal production during the preceding three
35.10 calendar months. A producer that files a claim under this subdivision shall include a statement

35.11 of the producer's total biomass thermal production in Minnesota during the quarter covered
35.12 by the claim and certify that the eligible producer will not use payments received under this
35.13 section to compensate a lobbyist who is required to register with the Campaign Finance and
35.14 Public Disclosure Board under section 10A.03. For each claim and statement of total biomass
35.15 thermal production filed under this paragraph, the volume of biomass thermal production
35.16 must be examined by a CPA firm with a valid permit to practice under chapter 326A, in
35.17 accordance with Statements on Standards for Attestation Engagements established by the
35.18 American Institute of Certified Public Accountants.

35.19 (b) The commissioner must issue payments by November 15, February 15, May 15, and
35.20 August 15. A separate payment shall be made for each claim filed.

35.21 Sec. 28. Minnesota Statutes 2020, section 41A.19, is amended to read:

35.22 **41A.19 REPORT; INCENTIVE PROGRAMS.**

35.23 By January 15 each year, the commissioner shall report on the incentive programs under
35.24 sections 41A.16, 41A.17, and 41A.18 to the legislative committees with jurisdiction over
35.25 environment policy and finance and agriculture policy and finance. The report shall include
35.26 information on production and incentive expenditures under the programs, as well as the
35.27 following information that the commissioner must require of each producer who receives
35.28 a payment during the reporting period:

35.29 (1) business structure of the producer;

35.30 (2) the name and address of the parent company of the producer, if any;

35.31 (3) a cumulative list of all financial assistance received from all grantors for the project;

36.1 (4) goals for the number of jobs created and progress in achieving these goals, which
36.2 may include separate goals for the number of part-time or full-time jobs, or, in cases where
36.3 job loss is specific and demonstrable, goals for the number of jobs retained;

36.4 (5) equity hiring goals and progress in achieving these goals;

36.5 (6) wage goals and progress in achieving these goals for all jobs created or maintained
36.6 by the producer;

36.7 (7) board member and executive compensation;

36.8 (8) evidence of compliance with environmental permits;

36.9 (9) the producer's intended and actual use of payments received from the commissioner;
36.10 and

36.11 (10) if applicable, the latest financial audit opinion statement produced by a certified
36.12 public accountant in accordance with standards established by the American Institute of
36.13 Certified Public Accountants.

- 36.14 Sec. 29. **41A.25 BIOFUELS INFRASTRUCTURE FINANCIAL ASSISTANCE**
36.15 **PROGRAM.**
- 36.16 Subdivision 1. **Definitions.** (a) For purposes of this section, the following terms have
36.17 the meanings given.
- 36.18 (b) "Account" means the biofuels infrastructure financial assistance account established
36.19 in subdivision 3.
- 36.20 (c) "Biofuel" has the meaning given in section 239.051.
- 36.21 (d) "Biodiesel blend" has the meaning given in section 239.77.
- 36.22 (e) "Biodiesel fuel" has the meaning given in section 239.77.
- 36.23 (f) "Biofuels Infrastructure Financial Assistance Program Advisory Committee" or
36.24 "advisory committee" means the Biofuels Infrastructure Financial Assistance Program
36.25 Advisory Committee under section 41A.26.
- 36.26 (g) "Commissioner" means the commissioner of agriculture.
- 36.27 (h) "Financing" means loans, including low-interest loans, zero-interest loans, forgivable
36.28 loans, and other types of financial assistance other than grants.
- 36.29 (i) "Program" means the biofuels infrastructure financial assistance program established
36.30 in this section.
- 37.1 (j) "Technical assistance" means individualized guidance, presentations, workshops,
37.2 trainings, printed materials, or other guidance and resources on relevant topics.
- 37.3 (k) "Transportation fuel storage and dispensing infrastructure" means an underground
37.4 storage tank or above-ground storage tank, as those terms are defined in section 116.46 and
37.5 any rules adopted under that section. Transportation fuel storage and dispensing infrastructure
37.6 includes any structures or appurtenances to an underground storage tank or above-ground
37.7 storage tank.
- 37.8 Subd. 2. **Program established.** (a) A biofuels infrastructure financial assistance program
37.9 is established within the Department of Agriculture to provide financing and financial
37.10 assistance to owners of transportation fuel storage and dispensing infrastructure for the
37.11 purpose of upgrading infrastructure to become compatible with blends of gasoline containing
37.12 greater than ten percent biofuel by volume or biodiesel blends containing greater than 20
37.13 percent of biodiesel fuel by volume. The commissioner, in cooperation with public and
37.14 private partners, must establish and implement the program as provided in this section.
- 37.15 (b) The biofuels infrastructure financial assistance program must be comprised of state
37.16 or private grants, loans, or other types of financial and technical assistance for the purpose
37.17 as provided in this subdivision.

- 37.18 (c) The commissioner's actions under this subdivision are not subject to chapter 14.
- 37.19 Subd. 3. **Biofuels infrastructure financial assistance account.** A biofuels infrastructure
37.20 financial assistance account is established in the agricultural fund. The account consists of
37.21 money appropriated to the commissioner and any other money donated, allotted, transferred,
37.22 or otherwise provided to the account. Money in the account, including interest, is appropriated
37.23 to the commissioner for the purposes of this section, and must be used, to the extent
37.24 practicable, to leverage other forms of public and private financing or financial assistance
37.25 for the projects.
- 37.26 Subd. 4. **Program administration.** (a) The commissioner is the administrator of the
37.27 account for auditing purposes and must establish program requirements and a competitive
37.28 process for projects applying for financial and technical assistance.
- 37.29 (b) The commissioner may receive money or other assets from any source, including
37.30 but not limited to philanthropic foundations and financial investors, for deposit into the
37.31 account.
- 37.32 (c) Through issuance of requests for proposals, the commissioner may contract with one
37.33 or more qualified economic or community development financial institutions to manage
38.1 the financing component of the program and with one or more qualified organizations or
38.2 public agencies with financial or other program-related expertise to manage the provision
38.3 of technical assistance to project grantees.
- 38.4 (d) Money in the account at the close of each fiscal year does not cancel. In each
38.5 biennium, the commissioner must determine the appropriate proportion of money to be
38.6 allocated to loans, grants, technical assistance, and any other types of financial assistance.
- 38.7 (e) To encourage public-private, cross-sector collaboration and investment in the account
38.8 and program and to ensure that the program intent is maintained throughout implementation,
38.9 the commissioner must convene and maintain the Biofuels Infrastructure Financial Assistance
38.10 Program Advisory Committee.
- 38.11 (f) The commissioner, in cooperation with the Biofuels Infrastructure Financial Assistance
38.12 Program Advisory Committee, must manage the program, establish program criteria, facilitate
38.13 leveraging of additional public and private investment, and promote the program statewide.
- 38.14 (g) The commissioner, in cooperation with the Biofuels Infrastructure Financial
38.15 Assistance Program Advisory Committee must establish annual monitoring and accountability
38.16 mechanisms for all projects receiving financing or other financial or technical assistance
38.17 through this program.
- 38.18 Subd. 5. **Eligible projects.** (a) The commissioner, in cooperation with the Biofuels
38.19 Infrastructure Financial Assistance Program Advisory Committee, must establish project
38.20 eligibility guidelines and application processes to be used to review and select project
38.21 applicants for financing or other financial or technical assistance.

38.22 (b) Projects eligible for financing, financial assistance such as grants, or technical
38.23 assistance, must fulfill the purpose as provided in subdivision 2.

38.24 Subd. 6. **Legislative report.** The commissioner, in cooperation with any economic or
38.25 community development financial institution and any other entity with which it contracts,
38.26 must submit a report on the biofuels infrastructure financial assistance program by January
38.27 15 of each year to the chairs and ranking minority members of the legislative committees
38.28 and divisions with jurisdiction over agriculture policy and finance. The annual report must
38.29 include but not be limited to a summary of the following metrics:

38.30 (1) the number and types of projects financed;

38.31 (2) the amount of dollars leveraged or matched per project;

38.32 (3) the geographic distribution of financed projects;

39.1 (4) the number and types of technical assistance recipients;

39.2 (5) any market expansion associated with upgraded infrastructure;

39.3 (6) the demographics of the areas served;

39.4 (7) the costs of the program; and

39.5 (8) the number of loans or grants to minority-owned or female-owned businesses.

39.6 Sec. 30. **[41A.26] BIOFUELS INFRASTRUCTURE FINANCIAL ASSISTANCE**
39.7 **PROGRAM ADVISORY COMMITTEE.**

39.8 Subdivision 1. **Definitions.** As used in this section, the following terms have the meanings
39.9 given:

39.10 (1) "commissioner" means the commissioner of agriculture; and

39.11 (2) "program" means the biofuels infrastructure financial assistance program under
39.12 section 41A.25.

39.13 Subd. 2. **Creation.** The Biofuels Infrastructure Financial Assistance Program Advisory
39.14 Committee consists of no more than 15 members appointed by the commissioner of
39.15 agriculture, including but not limited to representatives of agriculture, the biofuels industry,
39.16 and motor fuel retailers.

39.17 Subd. 3. **Duties.** The advisory committee must advise the commissioner of agriculture
39.18 on managing the program, establishing program criteria, establishing project eligibility
39.19 guidelines, establishing application processes and additional selection criteria, establishing
39.20 annual monitoring and accountability mechanisms, facilitating leveraging of additional
39.21 public and private investments, and promoting the program statewide.

- 39.22 Subd. 4. **Meetings.** The commissioner must convene the advisory committee at least
39.23 two times per year to achieve the committee's duties.
- 39.24 Subd. 5. **Administrative support.** The commissioner of agriculture must provide staffing,
39.25 meeting space, and administrative services for the advisory committee.
- 39.26 Subd. 6. **Chair.** The commissioner of agriculture or the commissioner's designee must
39.27 serve as chair of the committee.
- 39.28 Subd. 7. **Compensation.** The public members of the advisory committee serve without
39.29 compensation or payment of expenses.
- 40.1 Sec. 31. Minnesota Statutes 2020, section 41B.048, subdivision 2, is amended to read:
- 40.2 Subd. 2. **Establishment.** The authority shall establish and implement an agroforestry
40.3 loan program to help finance the production of short rotation woody crops. The authority
40.4 may contract with a fiscal agent to provide an efficient delivery system for this program.
- 40.5 Sec. 32. Minnesota Statutes 2020, section 41B.048, subdivision 4, is amended to read:
- 40.6 Subd. 4. **Definitions.** (a) The definitions in this subdivision apply to this section.
- 40.7 (b) "Fiscal agent" means any lending institution or other organization of a for-profit or
40.8 nonprofit nature that is in good standing with the state of Minnesota that has the appropriate
40.9 business structure and trained personnel suitable to providing efficient disbursement of loan
40.10 funds and the servicing and collection of loans over an extended period of time.
- 40.11 (b) "Growing cycle" means the number of years from planting to harvest.
- 40.12 (c) "Harvest" means the day that the crop arrives at the scale of the buyer of the crop.
- 40.13 (d) "Short rotation woody crops" or "crop" means hybrid poplar and other woody
40.14 plants that are harvested for their fiber within 15 years of planting.
- 40.15 Sec. 33. Minnesota Statutes 2020, section 41B.048, subdivision 6, is amended to read:
- 40.16 Subd. 6. **Loans.** (a) The authority may disburse loans through a fiscal agent participate
40.17 with eligible lenders in agroforestry loans to farmers and agricultural landowners who are
40.18 eligible under subdivision 5. The total accumulative loan principal must not exceed. The
40.19 authority's participation is limited to 45 percent or \$75,000 of total accumulative principal
40.20 per loan.
- 40.21 (b) The fiscal agent may impose a loan origination fee in the amount of one percent of
40.22 the total approved loan. This fee is to be paid by the borrower to the fiscal agent at the time
40.23 of loan closing. The interest rates and repayment terms of the authority's participation interest
40.24 may differ from those of the lender's retained portion of the loan.
- 40.25 (c) The loan may be disbursed over a period not to exceed 12 years.

- 40.26 (d) A borrower may receive loans, depending on the availability of funds, for planted
40.27 areas up to 160 acres for up to:
- 40.28 (1) the total amount necessary for establishment of the crop;
- 40.29 (2) the total amount of maintenance costs, including weed control, during the first three
40.30 years; and
- 41.1 (3) 70 percent of the estimated value of one year's growth of the crop for years four
41.2 through 12.
- 41.3 (e) Security for the loan must be the crop, a personal note executed by the borrower, ~~an~~
41.4 ~~interest in the land upon which the crop is growing,~~ and whatever other security is required
41.5 by the ~~fiscal agent~~ eligible lender or the authority. All recording fees must be paid by the
41.6 borrower.
- 41.7 (f) The authority may prescribe forms and establish an application process for applicants
41.8 to apply for a loan.
- 41.9 (g) The authority may impose a reasonable, nonrefundable application fee for each
41.10 application for a loan under this program. The application fee is initially \$50. Application
41.11 fees received by the authority must be deposited in the Rural Finance Authority administrative
41.12 account established in section 41B.03.
- 41.13 (h) Loans under the program must be made using money in the revolving loan account
41.14 established under section 41B.06.
- 41.15 (i) All repayments of financial assistance granted under this section, including principal
41.16 and interest, must be deposited into the revolving loan account established under section
41.17 41B.06.
- 41.18 (j) ~~The interest payable on loans made by the authority for the agroforestry loan program~~
41.19 ~~must, if funded by revenue bond proceeds, be at a rate not less than the rate on the revenue~~
41.20 ~~bonds, and may be established at a higher rate necessary to pay costs associated with the~~
41.21 ~~issuance of the revenue bonds and a proportionate share of the cost of administering the~~
41.22 ~~program.~~ The interest payable on loans for the agroforestry loan program ~~funded from~~
41.23 ~~sources other than revenue bond proceeds~~ must be at a rate determined by the authority.
- 41.24 (k) Loan principal balance outstanding plus all assessed interest must be repaid within
41.25 120 days of harvest, but no later than 15 years from planting.

29.3 Sec. 16. Minnesota Statutes 2020, section 116.07, subdivision 7, is amended to read:

29.4 Subd. 7. **Counties; processing applications for animal lot permits.** (a) Any Minnesota
29.5 county board may, by resolution, with approval of the Pollution Control Agency, assume
29.6 responsibility for processing applications for permits required by the Pollution Control
29.7 Agency under this section for livestock feedlots, poultry lots or other animal lots. The

29.8 responsibility for permit application processing, if assumed by a county, may be delegated
29.9 by the county board to any appropriate county officer or employee.

29.10 (b) For the purposes of this subdivision, the term "processing" includes:

29.11 (1) the distribution to applicants of forms provided by the Pollution Control Agency;

29.12 (2) the receipt and examination of completed application forms, and the certification,
29.13 in writing, to the Pollution Control Agency either that the animal lot facility for which a
29.14 permit is sought by an applicant will comply with applicable rules and standards, or, if the
29.15 facility will not comply, the respects in which a variance would be required for the issuance
29.16 of a permit; and

29.17 (3) rendering to applicants, upon request, assistance necessary for the proper completion
29.18 of an application.

29.19 (c) For the purposes of this subdivision, the term "processing" may include, at the option
29.20 of the county board, issuing, denying, modifying, imposing conditions upon, or revoking
29.21 permits pursuant to the provisions of this section or rules promulgated pursuant to it, subject
29.22 to review, suspension, and reversal by the Pollution Control Agency. The Pollution Control
29.23 Agency shall, after written notification, have 15 days to review, suspend, modify, or reverse
29.24 the issuance of the permit. After this period, the action of the county board is final, subject
29.25 to appeal as provided in chapter 14. For permit applications filed after October 1, 2001,
29.26 section 15.99 applies to feedlot permits issued by the agency or a county pursuant to this
29.27 subdivision.

29.28 (d) For the purpose of administration of rules adopted under this subdivision, the
29.29 commissioner and the agency may provide exceptions for cases where the owner of a feedlot
29.30 has specific written plans to close the feedlot within five years. These exceptions include
29.31 waiving requirements for major capital improvements.

30.1 (e) For purposes of this subdivision, a discharge caused by an extraordinary natural event
30.2 such as a precipitation event of greater magnitude than the 25-year, 24-hour event, tornado,
30.3 or flood in excess of the 100-year flood is not a "direct discharge of pollutants."

30.4 (f) In adopting and enforcing rules under this subdivision, the commissioner shall
30.5 cooperate closely with other governmental agencies.

30.6 (g) The Pollution Control Agency shall work with the Minnesota Extension Service, the
30.7 Department of Agriculture, the Board of Water and Soil Resources, producer groups, local
30.8 units of government, as well as with appropriate federal agencies such as the Natural
30.9 Resources Conservation Service and the Farm Service Agency, to notify and educate
30.10 producers of rules under this subdivision at the time the rules are being developed and
30.11 adopted and at least every two years thereafter.

30.12 (h) The Pollution Control Agency shall adopt rules governing the issuance and denial
30.13 of permits for livestock feedlots, poultry lots or other animal lots pursuant to this section.
30.14 Pastures are exempt from the rules authorized under this paragraph. ~~No feedlot permit shall~~

30.15 ~~include any terms or conditions that impose any requirements related to any pastures owned~~
30.16 ~~or utilized by the feedlot operator other than restrictions under a manure management plan.~~
30.17 A feedlot permit is not required for livestock feedlots with more than ten but less than 50
30.18 animal units; provided they are not in shoreland areas. A livestock feedlot permit does not
30.19 become required solely because of a change in the ownership of the buildings, grounds, or
30.20 feedlot. These rules apply both to permits issued by counties and to permits issued by the
30.21 Pollution Control Agency directly. ~~No feedlot permit issued by the Pollution Control Agency~~
30.22 ~~shall include terms or conditions that:~~

30.23 (1) ~~impose requirements related to pastures owned or used by the feedlot operator other~~
30.24 ~~than restrictions under a manure management plan;~~

30.25 (2) ~~prohibit application of solid manure during February and March;~~

30.26 (3) ~~require establishing a cover crop as a condition of allowing application of manure~~
30.27 ~~in September; or~~

30.28 (4) ~~require implementing nitrogen best management practices as a condition of allowing~~
30.29 ~~application of manure in October.~~

30.30 (i) ~~The Pollution Control Agency shall exercise supervising authority with respect to~~
30.31 ~~the processing of animal lot permit applications by a county.~~

30.32 (j) ~~Any new rules or amendments to existing rules proposed under the authority granted~~
30.33 ~~in this subdivision, or to implement new fees on animal feedlots, must be submitted to the~~
31.1 ~~members of legislative policy and finance committees with jurisdiction over agriculture and~~
31.2 ~~the environment prior to final adoption. The rules must not become effective until 90 days~~
31.3 ~~after the proposed rules are submitted to the members.~~

31.4 (k) ~~Until new rules are adopted that provide for plans for manure storage structures, any~~
31.5 ~~plans for a liquid manure storage structure must be prepared or approved by a registered~~
31.6 ~~professional engineer or a United States Department of Agriculture, Natural Resources~~
31.7 ~~Conservation Service employee.~~

31.8 (l) ~~A county may adopt by ordinance standards for animal feedlots that are more stringent~~
31.9 ~~than standards in Pollution Control Agency rules.~~

31.10 (m) ~~After January 1, 2001, a county that has not accepted delegation of the feedlot permit~~
31.11 ~~program must hold a public meeting prior to the agency issuing a feedlot permit for a feedlot~~
31.12 ~~facility with 300 or more animal units, unless another public meeting has been held with~~
31.13 ~~regard to the feedlot facility to be permitted.~~

31.14 (n) ~~After the proposed rules published in the State Register, volume 24, number 25, are~~
31.15 ~~finally adopted, the agency may not impose additional conditions as a part of a feedlot~~
31.16 ~~permit, unless specifically required by law or agreed to by the feedlot operator.~~

31.17 (o) For the purposes of feedlot permitting, a discharge from land-applied manure or a
31.18 manure stockpile that is managed according to agency rule must not be subject to a fine for
31.19 a discharge violation.

31.20 (p) For the purposes of feedlot permitting, manure that is land applied, or a manure
31.21 stockpile that is managed according to agency rule, must not be considered a discharge into
31.22 waters of the state, unless the discharge is to waters of the state, as defined by section
31.23 103G.005, subdivision 17, except type 1 or type 2 wetlands, as defined in section 103G.005,
31.24 subdivision 17b, and does not meet discharge standards established for feedlots under agency
31.25 rule.

31.26 (q) Unless the upgrade is needed to correct an immediate public health threat under
31.27 section 145A.04, subdivision 8, or the facility is determined to be a concentrated animal
31.28 feeding operation under Code of Federal Regulations, title 40, section 122.23, in effect on
31.29 April 15, 2003, the agency may not require a feedlot operator:

31.30 (1) to spend more than \$3,000 to upgrade an existing feedlot with less than 300 animal
31.31 units unless cost-share money is available to the feedlot operator for 75 percent of the cost
31.32 of the upgrade; or

32.1 (2) to spend more than \$10,000 to upgrade an existing feedlot with between 300 and
32.2 500 animal units, unless cost-share money is available to the feedlot operator for 75 percent
32.3 of the cost of the upgrade or \$50,000, whichever is less.

32.4 (r) A feedlot operator who stores and applies up to 100,000 gallons per calendar year of
32.5 private truck wash wastewater resulting from trucks that transport animals or supplies to
32.6 and from the feedlot does not require a permit to land-apply industrial by-products if the
32.7 feedlot operator stores and applies the wastewater in accordance with Pollution Control
32.8 Agency requirements for land applications of industrial by-product that do not require a
32.9 permit.

32.10 (s) A feedlot operator who holds a permit from the Pollution Control Agency to
32.11 land-apply industrial by-products from a private truck wash is not required to have a certified
32.12 land applicator apply the private truck wash wastewater if the wastewater is applied by the
32.13 feedlot operator to cropland owned or leased by the feedlot operator or by a commercial
32.14 animal waste technician licensed by the commissioner of agriculture under chapter 18C.
32.15 For purposes of this paragraph and paragraph (r), "private truck wash" means a truck washing
32.16 facility owned or leased, operated, and used only by a feedlot operator to wash trucks owned
32.17 or leased by the feedlot operator and used to transport animals or supplies to and from the
32.18 feedlot.

32.19 **EFFECTIVE DATE.** This section is effective retroactively from February 1, 2021.

32.20 Sec. 17. Minnesota Statutes 2020, section 156.12, subdivision 2, is amended to read:

32.21 Subd. 2. **Authorized activities.** No provision of this chapter shall be construed to prohibit:

- 32.22 (a) a person from rendering necessary gratuitous assistance in the treatment of any animal
32.23 when the assistance does not amount to prescribing, testing for, or diagnosing, operating,
32.24 or vaccinating and when the attendance of a licensed veterinarian cannot be procured;
- 32.25 (b) a person who is a regular student in an accredited or approved college of veterinary
32.26 medicine from performing duties or actions assigned by instructors or preceptors or working
32.27 under the direct supervision of a licensed veterinarian;
- 32.28 (c) a veterinarian regularly licensed in another jurisdiction from consulting with a licensed
32.29 veterinarian in this state;
- 32.30 (d) the owner of an animal and the owner's regular employee from caring for and
32.31 administering to the animal belonging to the owner, except where the ownership of the
32.32 animal was transferred for purposes of circumventing this chapter;
- 33.1 (e) veterinarians who are in compliance with subdivision 6 and who are employed by
33.2 the University of Minnesota from performing their duties with the College of Veterinary
33.3 Medicine, College of Agriculture, Agricultural Experiment Station, Agricultural Extension
33.4 Service, Medical School, School of Public Health, or other unit within the university; or a
33.5 person from lecturing or giving instructions or demonstrations at the university or in
33.6 connection with a continuing education course or seminar to veterinarians or pathologists
33.7 at the University of Minnesota Veterinary Diagnostic Laboratory;
- 33.8 (f) any person from selling or applying any pesticide, insecticide or herbicide;
- 33.9 (g) any person from engaging in bona fide scientific research or investigations which
33.10 reasonably requires experimentation involving animals;
- 33.11 (h) any employee of a licensed veterinarian from performing duties other than diagnosis,
33.12 prescription or surgical correction under the direction and supervision of the veterinarian,
33.13 who shall be responsible for the performance of the employee;
- 33.14 (i) a graduate of a foreign college of veterinary medicine from working under the direct
33.15 personal instruction, control, or supervision of a veterinarian faculty member of the College
33.16 of Veterinary Medicine, University of Minnesota in order to complete the requirements
33.17 necessary to obtain an ECFVG or PAVE certificate;
- 33.18 (j) a licensed chiropractor registered under section 148.01, subdivision 1a, from practicing
33.19 animal chiropractic; or
- 33.20 (k) a person certified by the Emergency Medical Services Regulatory Board under
33.21 chapter 144E from providing emergency medical care to a police dog wounded in the line
33.22 of duty.
- 33.23 **EFFECTIVE DATE.** This section is effective the day following final enactment.

41.26 Sec. 34. Minnesota Statutes 2020, section 583.215, is amended to read:

41.27 **583.215 EXPIRATION.**

41.28 Sections 336.9-601, subsections (h) and (i); 550.365; 559.209; 582.039; and 583.20 to
41.29 583.32, expire June 30, ~~2022~~ 2027.

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

42.1 Sec. 35. Minnesota Statutes 2020, section 583.26, subdivision 4, is amended to read:

42.2 Subd. 4. **Mediation proceeding notice.** (a) By ten days after receiving a mediation
42.3 request, the director shall send: (1) a mediation proceeding notice to the debtor; (2) a
42.4 mediation proceeding notice to all creditors listed by the debtor in the mediation request
42.5 and any additional secured creditors identified by the director from the credit report obtained
42.6 with the debtor's permission under subdivision 2; and (3) a claim form to all secured creditors
42.7 stated by the debtor or identified by the director.

42.8 (b) The mediation proceeding notice must state:

42.9 (1) the name and address of the debtor;

42.10 (2) that the debtor has requested mediation under the Farmer-Lender Mediation Act;

42.11 (3) the time and place for the orientation session;

42.12 (4) the time and place for the initial mediation meeting;

42.13 (5) a list of the names of three mediators that may be assigned to the proceeding, along
42.14 with background information on those mediators including biographical information, a
42.15 summary of previous mediation experience, and the number of agreements signed by parties
42.16 to previous mediation;

42.17 (6) that the debtor and the initiating creditor may each request the director to exclude
42.18 one mediator by notifying the director within three days after receiving the notice;

42.19 (7) that in lieu of having a mediator assigned by the director, the debtor and any one or
42.20 more of the creditors may agree to select and pay for a professional mediator that is approved
42.21 by the director;

42.22 (8) that the Farmer-Lender Mediation Act prohibits the creditor from beginning or
42.23 continuing a proceeding to enforce the debt against agricultural property for ~~90~~ 120 days
42.24 after the debtor files a mediation request with the director unless otherwise allowed; and

42.25 (9) that the creditor must provide the debtor by the initial mediation meeting with copies
42.26 of notes and contracts for debts subject to the Farmer-Lender Mediation Act and provide a
42.27 statement of interest rates on the debts, delinquent payments, unpaid principal and interest
42.28 balances, the creditor's value of the collateral, and debt restructuring programs available by
42.29 the creditor.

- 42.30 (c) An initial mediation meeting must be held within 20 days of the notice.
- 43.1 (d) The initiating creditor and the debtor may each request the director to exclude one
43.2 mediator from the list by sending the director a notice to exclude the mediator within three
43.3 days after receiving the mediation proceeding notice.
- 43.4 (e) In lieu of the director assigning a mediator, the debtor and any one or more of the
43.5 creditors may agree to select and pay for a professional mediator for the mediation
43.6 proceeding. The director must approve the professional mediator before the professional
43.7 mediator may be assigned to the mediation proceeding. The professional mediator may not
43.8 be approved unless the professional mediator prepares and signs an affidavit:
- 43.9 (1) disclosing any biases, relationships, or previous associations with the debtor or
43.10 creditors subject to the mediation proceedings;
- 43.11 (2) stating certifications, training, or qualifications as a professional mediator;
- 43.12 (3) disclosing fees to be charged or a rate schedule of fees for the mediation proceeding;
43.13 and
- 43.14 (4) affirming to uphold the Farmer-Lender Mediation Act and faithfully discharge the
43.15 duties of a mediator.
- 43.16 (f) After receiving a mediation proceeding notice, a secured creditor must return a claim
43.17 form if the debt is not subject to the Farmer-Lender Mediation Act and specify why the debt
43.18 is not subject to sections 583.20 to 583.32.
- 43.19 **EFFECTIVE DATE.** This section is effective the day following final enactment and
43.20 applies to mediation proceedings in progress on that date and mediation proceedings
43.21 beginning after that date.
- 43.22 Sec. 36. Minnesota Statutes 2020, section 583.26, subdivision 5, is amended to read:
- 43.23 Subd. 5. **Effect of mediation proceeding notice.** (a) Except as provided in paragraphs
43.24 (b), (c), and (d), if a creditor receives a mediation proceeding notice under subdivision 4
43.25 the creditor and the creditor's successors in interest may not begin or continue proceedings
43.26 to enforce a debt subject to the Farmer-Lender Mediation Act against agricultural property
43.27 of the debtor under chapter 580 or 581 or sections 336.9-501 to 336.9-508, to terminate a
43.28 contract for deed to purchase agricultural property under section 559.21, or to garnish, levy
43.29 on, execute on, seize, or attach agricultural property until ~~90~~ 120 days after the date the
43.30 debtor files a mediation request with the director.
- 43.31 (b) Except as provided in paragraph (c), if a creditor is an agency of the United States
43.32 and receives a mediation proceeding notice under subdivision 4, the creditor and the creditor's
44.1 successors in interest may not begin or continue proceedings to enforce a debt against
44.2 agricultural property of the debtor under chapter 580 or 581 or sections 336.9-501 to
44.3 336.9-508, to terminate a contract for deed to purchase agricultural property under section

- 44.4 559.21, or to garnish, levy on, execute on, seize, or attach agricultural property until ~~90~~ 120
44.5 days after the date the debtor files a mediation request with the director.
- 44.6 (c) Notwithstanding paragraphs (a) and (b) or subdivision 1, a creditor receiving a
44.7 mediation proceeding notice may begin proceedings to enforce a debt against agricultural
44.8 property of the debtor:
- 44.9 (1) at the time the creditor receives a mediator's affidavit of the debtor's lack of good
44.10 faith under section 583.27; or
- 44.11 (2) five days after the date the debtor and creditor sign an agreement allowing the creditor
44.12 to proceed to enforce the debt against agricultural property if the debtor has not rescinded
44.13 the agreement within the five days.
- 44.14 (d) A creditor receiving a mediation proceeding notice must provide the debtor by the
44.15 initial mediation meeting with copies of notes and contracts for debts subject to the
44.16 Farmer-Lender Mediation Act and provide a statement of interest rates on the debts,
44.17 delinquent payments, unpaid principal balance, a list of all collateral securing debts, a
44.18 creditor's estimate of the value of the collateral, and debt restructuring programs available
44.19 by the creditor.
- 44.20 (e) The provisions of this subdivision are subject to section 583.27, relating to extension
44.21 or reduction in the period before a creditor may begin to enforce a debt and court-supervised
44.22 mediation.
- 44.23 **EFFECTIVE DATE.** This section is effective the day following final enactment and
44.24 applies to mediation proceedings in progress on that date and mediation proceedings
44.25 beginning after that date.
- 44.26 Sec. 37. Minnesota Statutes 2020, section 583.26, subdivision 8, is amended to read:
- 44.27 Subd. 8. **Mediation period.** The mediator may call mediation meetings during the
44.28 mediation period, which is up to ~~60~~ 90 days after the initial mediation meeting.
- 44.29 **EFFECTIVE DATE.** This section is effective the day following final enactment and
44.30 applies to mediation proceedings in progress on that date and mediation proceedings
44.31 beginning after that date.
- 45.1 Sec. 38. Minnesota Statutes 2020, section 583.27, subdivision 3, is amended to read:
- 45.2 Subd. 3. **Creditor's bad faith; court supervision.** If the mediator finds the creditor has
45.3 not participated in mediation in good faith, the debtor may require court supervised mandatory
45.4 mediation by filing the affidavit with the district court of the county of the debtor's residence
45.5 with a request for court supervision of mediation and serving a copy of the request on the
45.6 creditor. Upon request the court shall require both parties to mediate under the supervision
45.7 of the court in good faith for a period of not more than ~~60~~ 90 days. All creditor remedies
45.8 must be suspended during this period. The court may issue orders necessary to effect good
45.9 faith mediation. Following the mediation period, if the court finds the creditor has not

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- 33.24 Sec. 18. **AMENDING PERMITS TO CONFORM WITH ACT.**
- 33.25 The commissioner of the Pollution Control Agency must, when necessary, amend all
- 33.26 general and individual permits for feedlots to conform with Minnesota Statutes, section
- 33.27 116.07, subdivision 7, paragraph (h), as amended by section 16.
- 33.28 **EFFECTIVE DATE.** This section is effective retroactively from February 1, 2021.
- 33.29 Sec. 19. **DISCONTINUATION OF CURRENT ZONES.**
- 33.30 All disease management or endemic zones in effect on the effective date of this section
- 33.31 that do not contain a chronic wasting disease positive cervid farm are discontinued.

- 45.10 participated in mediation in good faith, the court shall by order suspend the creditor's
- 45.11 remedies for an additional period of 180 days. A creditor found by the mediator not to have
- 45.12 participated in good faith shall pay attorneys' fees and costs of the debtor requesting
- 45.13 court-supervision of mediation or additional suspension of creditor's remedies.
- 45.14 **EFFECTIVE DATE.** This section is effective the day following final enactment and
- 45.15 applies to mediation proceedings in progress on that date and mediation proceedings
- 45.16 beginning after that date.
- 45.17 Sec. 39. Laws 2020, chapter 71, article 2, section 19, is amended to read:
- 45.18 Sec. 19. **USES OF GENERAL-USE SANITIZERS AND DISINFECTANTS FOR**
- 45.19 **TREATMENT OF COVID-19.**
- 45.20 (a) A person who uses a general-use sanitizer or disinfectant for hire in response to
- 45.21 COVID-19 is exempt from the commercial applicator license requirements under Minnesota
- 45.22 Statutes, section 18B.33.
- 45.23 (b) This section expires April 1, ~~2024~~ 2022, or 60 days after the peacetime emergency
- 45.24 declared in response to the infectious disease known as COVID-19 expires or is terminated
- 45.25 by the proper authority, whichever is later.
- 45.26 **EFFECTIVE DATE.** This section is effective retroactively from March 31, 2021.
- 45.27 Sec. 40. **REPEALER.**
- 45.28 Minnesota Statutes 2020, section 41B.048, subdivision 8, is repealed.

34.1 **ARTICLE 3**
34.2 **BROADBAND**

34.3 Section 1. **APPROPRIATIONS.**

34.4 The sums shown in the columns marked "Appropriations" are appropriated to the agencies
34.5 and for the purposes specified in this article. The appropriations are from the general fund,
34.6 or another named fund, and are available for the fiscal years indicated for each purpose.
34.7 The figures "2022" and "2023" used in this article mean that the appropriations listed under
34.8 them are available for the fiscal year ending June 30, 2022, or June 30, 2023, respectively.
34.9 "The first year" is fiscal year 2022. "The second year" is fiscal year 2023. "The biennium"
34.10 is fiscal years 2022 and 2023.

34.11		<u>APPROPRIATIONS</u>	
34.12		<u>Available for the Year</u>	
34.13		<u>Ending June 30</u>	
34.14		<u>2022</u>	<u>2023</u>

34.15 Sec. 2. **DEPARTMENT OF EMPLOYMENT**
34.16 **AND ECONOMIC DEVELOPMENT** \$ **30,350,000** \$ **10,350,000**

34.17 (a) \$350,000 each year is for the Office of
34.18 Broadband Development.
34.19 (b) \$30,000,000 the first year and \$10,000,000
34.20 the second year are appropriated from the
34.21 general fund to the commissioner of
34.22 employment and economic development for
34.23 deposit in the border-to-border broadband fund
34.24 account under Minnesota Statutes, section
34.25 116J.396. Of the amount in fiscal year 2022,
34.26 \$10,000,000 must be used only to provide
34.27 broadband service in unserved areas and
34.28 broadband infrastructure as defined in
34.29 Minnesota Statutes, section 116J.394, in
34.30 underserved areas when used to provide
34.31 service in unserved areas. Notwithstanding
34.32 the limitation in Minnesota Statutes, section
34.33 116J.395, subdivision 7, paragraph (a), the
34.34 grants are available for 55 percent of the total

46.1 **ARTICLE 3**
46.2 **BROADBAND**

46.3 Section 1. **BROADBAND DEVELOPMENT APPROPRIATIONS.**

46.4 The sums shown in the columns marked "Appropriations" are appropriated to the agency
46.5 and for the purposes specified in this article. The appropriations are from the general fund,
46.6 or another named fund, and are available for the fiscal years indicated for each purpose.
46.7 The figures "2022" and "2023" used in this article mean that the appropriations listed under
46.8 them are available for the fiscal year ending June 30, 2022, or June 30, 2023, respectively.
46.9 "The first year" is fiscal year 2022. "The second year" is fiscal year 2023. "The biennium"
46.10 is fiscal years 2022 and 2023.

46.11		<u>APPROPRIATIONS</u>	
46.12		<u>Available for the Year</u>	
46.13		<u>Ending June 30</u>	
46.14		<u>2022</u>	<u>2023</u>

46.15 Sec. 2. **DEPARTMENT OF EMPLOYMENT**
46.16 **AND ECONOMIC DEVELOPMENT** \$ **30,350,000** \$ **350,000**

46.17 (a) \$350,000 each year is for the Office of
46.18 Broadband Development.
46.19 (b) \$30,000,000 the first year is for transfer to
46.20 the border-to-border broadband fund account
46.21 under Minnesota Statutes, section 116J.396.
46.22 This transfer is onetime.

34.35 project cost if money is received from another
34.36 nonstate entity for the project. The nonstate
35.1 entity may include but is not limited to
35.2 organized townships, cities, counties,
35.3 foundations, nonprofits, school districts, or
35.4 higher education institutions. Except as
35.5 specified in this section, the appropriation
35.6 must be used for grants and the purposes
35.7 specified under Minnesota Statutes, sections
35.8 116J.395 and 116J.396. These are onetime
35.9 appropriations.

35.10 (c) When allowed under federal law, the
35.11 commissioner shall first use federal
35.12 COVID-19-related relief funds of up to
35.13 \$30,000,000 the first year and up to
35.14 \$50,000,000 in the second year if federal funds
35.15 are available for broadband before using
35.16 state-appropriated money under paragraph (b)
35.17 for similar services and expenses, except that
35.18 the commissioner must not use Coronavirus
35.19 State and Local Fiscal Recovery Funds from
35.20 Public Law 117-2, title IX, subtitle M, section
35.21 9901, to satisfy the requirement under this
35.22 paragraph.

35.23 Sec. 3. Minnesota Statutes 2020, section 116J.394, is amended to read:

35.24 **116J.394 DEFINITIONS.**

35.25 (a) For the purposes of sections 116J.394 to 116J.398, the following terms have the
35.26 meanings given them.

35.27 (b) "Broadband" or "broadband service" has the meaning given in section 116J.39,
35.28 subdivision 1, paragraph (b).

35.29 (c) "Broadband infrastructure" means networks of deployed telecommunications
35.30 equipment and technologies necessary to provide high-speed Internet access and other
35.31 advanced telecommunications services for end users.

35.32 (d) "Commissioner" means the commissioner of employment and economic development.

36.1 (e) "Last-mile infrastructure" means broadband infrastructure that serves as the final leg
36.2 connecting the broadband service provider's network to the end-use customer's on-premises
36.3 telecommunications equipment.

36.4 (f) "Middle-mile infrastructure" means broadband infrastructure that links a broadband
36.5 service provider's core network infrastructure to last-mile infrastructure.

36.6 (g) "Political subdivision" means any county, city, town, school district, special district
36.7 or other political subdivision, or public corporation.

36.8 (h) "Underserved areas" means areas of Minnesota in which households or businesses
36.9 lack access to wire-line or fixed wireless broadband service at speeds of at least 100 megabits
36.10 per second download and at least 20 megabits per second upload.

36.11 (i) "Unserved areas" means areas of Minnesota in which households or businesses lack
36.12 access to wire-line or fixed wireless broadband service, as defined in section 116J.39.

36.13 Sec. 4. Minnesota Statutes 2020, section 116J.397, is amended to read:

36.14 **116J.397 UPDATED BROADBAND DEPLOYMENT DATA AND MAPS.**

36.15 (a) ~~Beginning in 2016 and continuing each year thereafter,~~ The Office of Broadband
36.16 Development shall contract annually with one or more independent organizations that have
36.17 extensive experience working with Minnesota broadband providers to:

36.18 (1) collect broadband deployment data reflecting all broadband delivery technologies
36.19 from Minnesota providers, verify its accuracy through on-the-ground testing, and create
36.20 state and county maps available to the public ~~by April 15, 2017, and each April 15 thereafter,~~
36.21 showing the availability of broadband service at various upload and download speeds
36.22 throughout Minnesota;

36.23 (2) analyze the deployment data collected to help inform future investments in broadband
36.24 infrastructure; and

36.25 (3) conduct business and residential surveys that measure broadband adoption and use
36.26 in the state.

36.27 (b) Data provided by a broadband provider under this section is nonpublic data under
36.28 section 13.02, subdivision 9. Maps produced under this paragraph are public data under
36.29 section 13.03.