

1.1 Senator moves to amend S.F. No. 958 as follows:

1.2 Delete everything after the enacting clause and insert:

1.3 "ARTICLE 1

1.4 APPROPRIATIONS

1.5 Section 1. AGRICULTURE APPROPRIATIONS.

1.6 The sums shown in the columns marked "Appropriations" are appropriated to the agencies
1.7 and for the purposes specified in this article. The appropriations are from the general fund,
1.8 or another named fund, and are available for the fiscal years indicated for each purpose.
1.9 The figures "2022" and "2023" used in this article mean that the appropriations listed under
1.10 them are available for the fiscal year ending June 30, 2022, or June 30, 2023, respectively.
1.11 "The first year" is fiscal year 2022. "The second year" is fiscal year 2023. "The biennium"
1.12 is fiscal years 2022 and 2023.

1.13	<u>APPROPRIATIONS</u>	
1.14	<u>Available for the Year</u>	
1.15	<u>Ending June 30</u>	
1.16	<u>2022</u>	<u>2023</u>

1.17 Sec. 2. DEPARTMENT OF AGRICULTURE

1.18	<u>Subdivision 1. Total Appropriation</u>	<u>\$</u>	<u>54,999,000</u>	<u>\$</u>	<u>54,835,000</u>
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1.19	<u>Appropriations by Fund</u>			
1.20		<u>2022</u>	<u>2023</u>	
1.21	<u>General</u>	<u>54,600,000</u>	<u>54,436,000"</u>	
1.22	<u>Remediation</u>	<u>399,000</u>	<u>399,000</u>	

1.23 The amounts that may be spent for each
1.24 purpose are specified in the following
1.25 subdivisions.

1.26 Subd. 2. Protection Services

1.27	<u>Appropriations by Fund</u>		
1.28		<u>2022</u>	<u>2023</u>
1.29	<u>General</u>	<u>18,027,000</u>	<u>18,027,000</u>
1.30	<u>Remediation</u>	<u>399,000</u>	<u>399,000</u>

1.31 (a) \$399,000 the first year and \$399,000 the
1.32 second year are from the remediation fund for
1.33 administrative funding for the voluntary
1.34 cleanup program.

2.1 (b) \$175,000 the first year and \$175,000 the
2.2 second year are for compensation for
2.3 destroyed or crippled livestock under
2.4 Minnesota Statutes, section 3.737. The first
2.5 year appropriation may be spent to compensate
2.6 for livestock that were destroyed or crippled
2.7 during fiscal year 2021. If the amount in the
2.8 first year is insufficient, the amount in the
2.9 second year is available in the first year. The
2.10 commissioner may use up to \$5,000 each year
2.11 to reimburse expenses incurred by university
2.12 extension educators to provide fair market
2.13 values of destroyed or crippled livestock. If
2.14 the commissioner receives federal dollars to
2.15 pay claims for destroyed or crippled livestock,
2.16 an equivalent amount of this appropriation
2.17 may be used to reimburse nonlethal prevention
2.18 methods performed by federal wildlife services
2.19 staff.

2.20 (c) \$300,000 the first year and \$300,000 the
2.21 second year are for rapid detection,
2.22 identification, containment, control, and
2.23 management of high-priority plant pests and
2.24 pathogens including emerald ash borer. The
2.25 commissioner may also use these funds for
2.26 agricultural emergency preparedness and
2.27 response.

2.28 (d) \$155,000 the first year and \$155,000 the
2.29 second year are for compensation for crop
2.30 damage under Minnesota Statutes, section
2.31 3.7371. If the amount in the first year is
2.32 insufficient, the amount in the second year is
2.33 available in the first year. The commissioner
2.34 may use up to \$10,000 of the appropriation
2.35 each year to reimburse expenses incurred by

3.1 the commissioner or the commissioner's
3.2 approved agent to investigate and resolve
3.3 claims, as well as for costs associated with
3.4 training for approved agents. The
3.5 commissioner may use up to \$20,000 of the
3.6 appropriation each year to make grants to
3.7 producers for measures to protect stored crops
3.8 from elk damage.

3.9 If the commissioner determines that claims
3.10 made under Minnesota Statutes, section 3.737
3.11 or 3.7371, are unusually high, amounts
3.12 appropriated for either program may be
3.13 transferred to the appropriation for the other
3.14 program.

3.15 (e) \$225,000 the first year and \$225,000 the
3.16 second year are for the noxious weed and
3.17 invasive plant program.

3.18 (f) \$175,000 the first year and \$175,000 the
3.19 second year are for industrial hemp
3.20 development.

3.21 (g) \$110,000 the first year and \$110,000 the
3.22 second year are for additional meat and poultry
3.23 inspection services. The commissioner is
3.24 encouraged to seek inspection waivers,
3.25 matching federal dollars, and offer more online
3.26 inspections for the purposes under this
3.27 paragraph.

3.28 (h) \$225,000 the first year and \$225,000 the
3.29 second year are to replace capital equipment
3.30 in the Department of Agriculture's analytical
3.31 laboratory.

4.1 **Subd. 3. Agricultural Marketing and**
4.2 **Development**

3,996,000

3,996,000

4.3 (a) \$186,000 the first year and \$186,000 the
4.4 second year are for transfer to the Minnesota
4.5 grown account and may be used as grants for
4.6 Minnesota grown promotion under Minnesota
4.7 Statutes, section 17.102. Grants may be made
4.8 for one year. Notwithstanding Minnesota
4.9 Statutes, section 16A.28, the appropriations
4.10 encumbered under contract on or before June
4.11 30, 2023, for Minnesota grown grants in this
4.12 paragraph are available until June 30, 2025.

4.13 (b) \$100,000 the first year and \$100,000 the
4.14 second year are to expand domestic and
4.15 international marketing opportunities for
4.16 farmers and value-added processors, including
4.17 staffing to facilitate farm-to-school sales and
4.18 new markets for Minnesota-grown hemp.

4.19 (c) \$634,000 the first year and \$634,000 the
4.20 second year are for continuation of the dairy
4.21 development and profitability enhancement
4.22 and dairy business planning grant programs
4.23 established under Laws 1997, chapter 216,
4.24 section 7, subdivision 2, and Laws 2001, First
4.25 Special Session chapter 2, section 9,
4.26 subdivision 2. The commissioner may allocate
4.27 the available sums among permissible
4.28 activities, including efforts to improve the
4.29 quality of milk produced in the state, in the
4.30 proportions that the commissioner deems most
4.31 beneficial to Minnesota's dairy farmers. The
4.32 commissioner must submit a detailed
4.33 accomplishment report and a work plan
4.34 detailing future plans for, and anticipated
4.35 accomplishments from, expenditures under

5.1 this program to the chairs and ranking minority
 5.2 members of the legislative committees and
 5.3 divisions with jurisdiction over agriculture
 5.4 policy and finance on or before the start of
 5.5 each fiscal year. If significant changes are
 5.6 made to the plans in the course of the year,
 5.7 the commissioner must notify the chairs and
 5.8 ranking minority members.

5.9 (d) \$50,000 the first year and \$50,000 the
 5.10 second year are for additional community
 5.11 outreach on farms and rural mental health
 5.12 services including the 24-hour hotline, service
 5.13 availability, and mental health forums. The
 5.14 appropriations under this paragraph are
 5.15 onetime.

5.16 (e) The commissioner may use funds
 5.17 appropriated in this subdivision for annual
 5.18 cost-share payments to resident farmers or
 5.19 entities that sell, process, or package
 5.20 agricultural products in this state for the costs
 5.21 of organic certification. The commissioner
 5.22 may allocate these funds for assistance to
 5.23 persons transitioning from conventional to
 5.24 organic agriculture.

5.25 **Subd. 4. Agriculture, Bioenergy, and Bioproduct**
 5.26 **Advancement**

24,588,000

24,589,000

5.27 (a) \$9,300,000 the first year and \$9,300,000
 5.28 the second year are for transfer to the
 5.29 agriculture research, education, extension, and
 5.30 technology transfer account under Minnesota
 5.31 Statutes, section 41A.14, subdivision 3. Of
 5.32 these amounts: at least \$600,000 the first year
 5.33 and \$600,000 the second year are for the
 5.34 Minnesota Agricultural Experiment Station's
 5.35 agriculture rapid response fund under

6.1 Minnesota Statutes, section 41A.14,
6.2 subdivision 1, clause (2); \$2,000,000 the first
6.3 year and \$2,000,000 the second year are for
6.4 grants to the Minnesota Agriculture Education
6.5 Leadership Council to enhance agricultural
6.6 education with priority given to Farm Business
6.7 Management challenge grants; \$350,000 the
6.8 first year and \$350,000 the second year are
6.9 for potato breeding; and \$450,000 the first
6.10 year and \$450,000 the second year are for the
6.11 cultivated wild rice breeding project at the
6.12 North Central Research and Outreach Center
6.13 to include a tenure track/research associate
6.14 plant breeder. The commissioner shall transfer
6.15 the remaining funds in this appropriation each
6.16 year to the Board of Regents of the University
6.17 of Minnesota for purposes of Minnesota
6.18 Statutes, section 41A.14. Of the amount
6.19 transferred to the Board of Regents, up to
6.20 \$1,000,000 each year is for research on avian
6.21 influenza. By January 15, 2023, entities
6.22 receiving grants for potato breeding and wild
6.23 rice breeding are requested to report to the
6.24 chairs and ranking minority members of the
6.25 legislative committees with jurisdiction over
6.26 agriculture and higher education regarding the
6.27 use of the grant money and to provide an
6.28 update on the status of research and related
6.29 accomplishments.

6.30 To the extent practicable, money expended
6.31 under Minnesota Statutes, section 41A.14,
6.32 subdivision 1, clauses (1) and (2), must
6.33 supplement and not supplant existing sources
6.34 and levels of funding. The commissioner may
6.35 use up to one percent of this appropriation for
6.36 costs incurred to administer the program.

7.1 (b) \$15,288,000 the first year and \$15,289,000
7.2 the second year are for the agricultural growth,
7.3 research, and innovation program in
7.4 Minnesota Statutes, section 41A.12. Except
7.5 as provided below, the commissioner may
7.6 allocate the appropriation each year among
7.7 the following areas: facilitating the start-up,
7.8 modernization, improvement, or expansion of
7.9 livestock operations including beginning and
7.10 transitioning livestock operations with
7.11 preference given to robotic dairy-milking
7.12 equipment; providing funding not to exceed
7.13 \$500,000 each year to develop and enhance
7.14 farm-to-school markets for Minnesota farmers
7.15 by providing more fruits, vegetables, meat,
7.16 grain, and dairy for Minnesota children in
7.17 school and child care settings including, at the
7.18 commissioner's discretion, reimbursing
7.19 schools for purchases from local farmers;
7.20 assisting value-added agricultural businesses
7.21 to begin or expand, to access new markets, or
7.22 to diversify, including aquaponics systems;
7.23 providing funding not to exceed \$150,000
7.24 each year for the good food access program
7.25 under Minnesota Statutes, section 17.1017;
7.26 facilitating the start-up, modernization, or
7.27 expansion of other beginning and transitioning
7.28 farms including by providing loans under
7.29 Minnesota Statutes, section 41B.056;
7.30 providing funding not to exceed \$350,000
7.31 each year for new market development grants,
7.32 of which \$50,000 in the first year may be spent
7.33 for additional funding for the industrial hemp
7.34 program for information technology
7.35 development; sustainable agriculture on-farm
7.36 research and demonstration; development or

8.1 expansion of food hubs and other alternative
8.2 community-based food distribution systems;
8.3 enhancing renewable energy infrastructure
8.4 and use; crop research including basic and
8.5 applied turf seed research; Farm Business
8.6 Management tuition assistance; and good
8.7 agricultural practices/good handling practices
8.8 certification assistance. The commissioner
8.9 may use up to 3.8 percent of this appropriation
8.10 for costs incurred to administer the program.

8.11 Of the amount appropriated for the agricultural
8.12 growth, research, and innovation program in
8.13 Minnesota Statutes, section 41A.12:

8.14 (1) \$1,000,000 the first year and \$1,000,000
8.15 the second year are for distribution in equal
8.16 amounts to each of the state's county fairs to
8.17 preserve and promote Minnesota agriculture;

8.18 (2) \$4,000,000 the first year and \$4,000,000
8.19 the second year are for incentive payments
8.20 under Minnesota Statutes, sections 41A.16,
8.21 41A.17, and 41A.18. An incentive payment
8.22 must not exceed \$3,000,000 annually per
8.23 entity. Notwithstanding Minnesota Statutes,
8.24 section 16A.28, the first year appropriation is
8.25 available until June 30, 2023, and the second
8.26 year appropriation is available until June 30,
8.27 2024. If this appropriation exceeds the total
8.28 amount for which all producers are eligible in
8.29 a fiscal year, the balance of the appropriation
8.30 is available for the agricultural growth,
8.31 research, and innovation program.

8.32 (3) \$3,500,000 the first year and \$3,500,000
8.33 the second year are for grants that enable retail
8.34 petroleum dispensers to dispense biofuels to
8.35 the public in accordance with the biofuel

9.1 replacement goals established under
9.2 Minnesota Statutes, section 239.7911. A retail
9.3 petroleum dispenser selling petroleum for use
9.4 in spark ignition engines for vehicle model
9.5 years after 2000 is eligible for grant money
9.6 under this paragraph if the retail petroleum
9.7 dispenser has no more than 15 retail petroleum
9.8 dispensing sites and each site is located in
9.9 Minnesota. The grant money must be used to
9.10 replace or upgrade equipment that does not
9.11 have the ability to be certified for E25. A grant
9.12 award must not exceed 75 percent of the cost
9.13 of the technical assistance and appropriate
9.14 technology. A grant award must not exceed
9.15 \$200,000 per station. The commissioner must
9.16 cooperate with biofuel stakeholders in the
9.17 implementation of the grant program. The
9.18 commissioner must report to the chairs and
9.19 ranking minority members of the legislative
9.20 committees with jurisdiction over agriculture
9.21 by February 1 each year, detailing the number
9.22 of grants awarded statewide and by county,
9.23 and the projected effect of the grant program
9.24 on meeting the biofuel replacement goals
9.25 under Minnesota Statutes, section 239.7911.
9.26 These are onetime appropriations;
9.27 (4) \$500,000 the first year and \$500,000 the
9.28 second year are for grants to facilitate the
9.29 start-up, modernization, or expansion of meat,
9.30 poultry, egg, and milk processing facilities. A
9.31 grant award must not exceed \$200,000. When
9.32 allowed under federal law, the commissioner
9.33 shall first use federal COVID-19-related funds
9.34 for livestock processing before using
9.35 state-appropriated money under this clause for
9.36 similar services and expenses, except that the

10.1 commissioner must not use Coronavirus State
10.2 and Local Fiscal Recovery Funds from Public
10.3 Law 117-2, Subtitle M, to satisfy the
10.4 requirement under this clause;

10.5 (5) \$1,400,000 the first year and \$1,400,000
10.6 the second year are for livestock investment
10.7 grants under Minnesota Statutes, section
10.8 17.118. A grant award must not exceed
10.9 \$200,000;

10.10 (6) \$2,000,000 the first year and \$2,000,000
10.11 the second year are for value-added grants.
10.12 When allowed under federal law, the
10.13 commissioner shall first use federal
10.14 COVID-19-related funds for livestock
10.15 processing before using state-appropriated
10.16 money under this clause for similar services
10.17 and expenses, except that the commissioner
10.18 must not use Coronavirus State and Local
10.19 Fiscal Recovery Funds from Public Law 117-2
10.20 Subtitle M to satisfy the requirement under
10.21 this clause;

10.22 (7) \$600,000 the first year and \$600,000 the
10.23 second year are for Farm Business
10.24 Management tuition assistance;

10.25 (8) \$500,000 the first year and \$500,000 the
10.26 second year are for grants for beginning
10.27 farmers. These are onetime appropriations;

10.28 (9) \$25,000 the first year and \$25,000 the
10.29 second year are for Southern Minnesota
10.30 Initiative Foundation's promotion of local
10.31 foods through an annual event that raises
10.32 public awareness of local foods and connects
10.33 local food producers and processors with
10.34 potential buyers;

11.1 (10) \$100,000 the first year and \$100,000 the
11.2 second year are for grants to Greater Mankato
11.3 Growth, Inc. for assistance to
11.4 agricultural-related businesses to promote jobs,
11.5 innovation, and synergy development. This is
11.6 a onetime appropriation; and

11.7 (11) \$75,000 the first year and \$75,000 the
11.8 second year are for grants to the Minnesota
11.9 Turf Seed Council for basic and applied
11.10 research. The Minnesota Turf Seed Council
11.11 may subcontract with a qualified third party
11.12 for some or all of the basic or applied research.
11.13 No later than January 15, 2023, the Minnesota
11.14 Turf Seed Council must submit a report
11.15 outlining the use of the grant money and
11.16 related accomplishments to the chairs and
11.17 ranking minority members of the legislative
11.18 committees with jurisdiction over agriculture.
11.19 This is a onetime appropriation.

11.20 Notwithstanding Minnesota Statutes, section
11.21 16A.28, any unencumbered balance does not
11.22 cancel at the end of the first year and is
11.23 available for the second year and
11.24 appropriations encumbered under contract on
11.25 or before June 30, 2023, for agricultural
11.26 growth, research, and innovation grants are
11.27 available until June 30, 2026.

11.28 The base amount for the agricultural growth,
11.29 research, and innovation program is
11.30 \$14,693,000 in fiscal year 2024 and
11.31 \$14,693,000 in fiscal year 2025, and includes
11.32 funding for incentive payments under
11.33 Minnesota Statutes, sections 41A.16, 41A.17,
11.34 41A.18, and 41A.20.

12.1 **Subd. 5. Administration and Financial**
 12.2 **Assistance**

7,989,000

7,824,000

12.3 (a) \$474,000 the first year and \$474,000 the
 12.4 second year are for payments to county and
 12.5 district agricultural societies and associations
 12.6 under Minnesota Statutes, section 38.02,
 12.7 subdivision 1. Aid payments to county and
 12.8 district agricultural societies and associations
 12.9 shall be disbursed no later than July 15 of each
 12.10 year. These payments are the amount of aid
 12.11 from the state for an annual fair held in the
 12.12 previous calendar year.

12.13 (b) \$50,000 the first year and \$50,000 the
 12.14 second year are for the Northern Crops
 12.15 Institute. These appropriations may be spent
 12.16 to purchase equipment. These are onetime
 12.17 appropriations.

12.18 (c) \$217,000 the first year and \$277,000 the
 12.19 second year are for farm advocate services.
 12.20 This appropriation is in addition to funds
 12.21 allocated in section 5. When allowed under
 12.22 federal law, the commissioner shall first use
 12.23 federal COVID-19-related relief funds for
 12.24 farm advocates services before using state
 12.25 appropriated money under this paragraph for
 12.26 similar services and expenses, except that the
 12.27 commissioner must not use Coronavirus State
 12.28 and Local Fiscal Recovery Funds from Public
 12.29 Law 117-2 Subtitle M to satisfy the
 12.30 requirement under this paragraph. The base
 12.31 amount for this appropriation in fiscal year
 12.32 2024 and all years thereafter is \$277,000.

12.33 (d) \$238,000 the first year and \$238,000 the
 12.34 second year are for transfer to the Board of
 12.35 Trustees of the Minnesota State Colleges and

13.1 Universities for statewide mental health
13.2 counseling support to farm families and
13.3 business operators through the Minnesota State
13.4 Agricultural Centers of Excellence. South
13.5 Central College and Central Lakes College
13.6 shall serve as the fiscal agents.

13.7 (e) \$1,700,000 the first year and \$1,700,000
13.8 the second year are for grants to Second
13.9 Harvest Heartland on behalf of Minnesota's
13.10 six Feeding America food banks for the
13.11 following:

13.12 (1) to purchase milk for distribution to
13.13 Minnesota's food shelves and other charitable
13.14 organizations that are eligible to receive food
13.15 from the food banks. Milk purchased under
13.16 the grants must be acquired from Minnesota
13.17 milk processors and based on low-cost bids.
13.18 The milk must be allocated to each Feeding
13.19 America food bank serving Minnesota
13.20 according to the formula used in the
13.21 distribution of United States Department of
13.22 Agriculture commodities under The
13.23 Emergency Food Assistance Program. Second
13.24 Harvest Heartland may enter into contracts or
13.25 agreements with food banks for shared funding
13.26 or reimbursement of the direct purchase of
13.27 milk. Each food bank that receives funding
13.28 under this clause may use up to two percent
13.29 for administrative expenses;

13.30 (2) to compensate agricultural producers and
13.31 processors for costs incurred to harvest and
13.32 package for transfer surplus fruits, vegetables,
13.33 and other agricultural commodities that would
13.34 otherwise go unharvested, be discarded, or
13.35 sold in a secondary market. Surplus

14.1 commodities must be distributed statewide to
14.2 food shelves and other charitable organizations
14.3 that are eligible to receive food from the food
14.4 banks. Surplus food acquired under this clause
14.5 must be from Minnesota producers and
14.6 processors. Second Harvest Heartland may
14.7 use up to 15 percent of each grant awarded
14.8 under this clause for administrative and
14.9 transportation expenses; and

14.10 (3) to purchase and distribute protein products,
14.11 which must be surplus products when
14.12 practicable, including but not limited to pork,
14.13 poultry, beef, dry legumes, cheese, and eggs
14.14 to Minnesota's food shelves and other
14.15 charitable organizations that are eligible to
14.16 receive food from the food banks. Second
14.17 Harvest Heartland may use up to two percent
14.18 of each grant awarded under this clause for
14.19 administrative expenses. To the extent
14.20 practicable, protein products purchased under
14.21 the grants must be acquired from Minnesota
14.22 processors and producers.

14.23 Of the amount appropriated under this
14.24 paragraph, at least \$600,000 each year must
14.25 be allocated under clause (1). Notwithstanding
14.26 Minnesota Statutes, section 16A.28, any
14.27 unencumbered balance the first year does not
14.28 cancel and is available in the second year.
14.29 Second Harvest Heartland must submit
14.30 quarterly reports to the commissioner and the
14.31 chairs and ranking minority members of the
14.32 legislative committees with jurisdiction over
14.33 agriculture finance in the form prescribed by
14.34 the commissioner. The reports must include
14.35 but are not limited to information on the

15.1 expenditure of funds, the amount of milk or
15.2 other commodities purchased, and the
15.3 organizations to which this food was
15.4 distributed. When allowed under federal law,
15.5 the commissioner shall first use federal
15.6 COVID-19-related relief funds for food
15.7 shelves before using state-appropriated money
15.8 under this paragraph for similar services and
15.9 expenses, except that the commissioner must
15.10 not use Coronavirus State and Local Fiscal
15.11 Recovery Funds from Public Law 117-2
15.12 Subtitle M to satisfy the requirement under
15.13 this paragraph.

15.14 (f) \$150,000 the first year and \$150,000 the
15.15 second year are for grants to the Center for
15.16 Rural Policy and Development.

15.17 (g) \$250,000 the first year and \$250,000 the
15.18 second year are for grants to the Minnesota
15.19 Agricultural Education and Leadership
15.20 Council for programs of the council under
15.21 Minnesota Statutes, chapter 41D.

15.22 (h) \$100,000 the first year and \$100,000 the
15.23 second year are for farm safety grants and
15.24 outreach programs under Minnesota Statutes,
15.25 section 17.1195. Of this amount, \$10,000 is
15.26 for outreach, which may include creating and
15.27 presenting a grain storage facility safety
15.28 curriculum.

15.29 (i) \$200,000 the first year is to provide grants
15.30 to Central Lakes College for the purposes of
15.31 designing, building, and offering credentials
15.32 in the area of meat cutting and butchery that
15.33 align with industry needs as advised by local
15.34 industry advisory councils. Notwithstanding
15.35 Minnesota Statutes, section 16A.28, any

16.1 unencumbered balance does not cancel at the
16.2 end of the first year and is available for the
16.3 second year. This is a onetime appropriation.
16.4 Grants may be used for costs including but
16.5 not limited to:
16.6 (1) facility renovation to accommodate meat
16.7 cutting;
16.8 (2) curriculum design and approval from the
16.9 Higher Learning Commission;
16.10 (3) program operational start-up costs;
16.11 (4) equipment required for a meat cutting
16.12 program; and
16.13 (5) meat handling start-up costs in regard to
16.14 meat access and market channel building.
16.15 No later than January 15, 2023, Central Lakes
16.16 College must prepare a report outlining the
16.17 use of grant money to the chairs and ranking
16.18 minority members of the legislative
16.19 committees and divisions with jurisdiction
16.20 over agriculture and higher education.
16.21 (j) \$25,000 the first year is for grants to
16.22 organizations to acquire, host, and operate a
16.23 mobile slaughter unit. The mobile unit must
16.24 coordinate with Minnesota state two-year
16.25 colleges that have meat cutting programs to
16.26 accommodate training as it relates to animal
16.27 slaughter. The mobile unit may coordinate
16.28 with livestock producers who desire to provide
16.29 value-added meat products by utilizing the
16.30 mobile slaughter unit. The mobile unit may
16.31 be used for research, training outside of the
16.32 two-year colleges, and other activities that
16.33 align with industry needs. This is a onetime
16.34 appropriation.

17.1 The commissioner is encouraged to seek
17.2 federal funds for the purpose under this
17.3 paragraph, except that the commissioner must
17.4 not use Coronavirus State and Local Fiscal
17.5 Recovery Funds from Public Law 117-2
17.6 Subtitle M to satisfy the requirement under
17.7 this paragraph. By January 15, 2023, the
17.8 commissioner must report to the chairs and
17.9 ranking minority members of the legislative
17.10 committees with jurisdiction over agriculture
17.11 regarding the status of the project, including
17.12 on the use of any state or federal funds to
17.13 complete the project.

17.14 (k) The commissioner shall continue to
17.15 increase connections with ethnic minority and
17.16 immigrant farmers to farming opportunities
17.17 and farming programs throughout the state.

17.18 Sec. 3. **BOARD OF ANIMAL HEALTH** \$ 5,877,000 \$ 5,877,000
17.19 \$200,000 the first year and \$200,000 the
17.20 second year are for agricultural emergency
17.21 preparedness and response.

17.22 \$200,000 the first year and \$200,000 the
17.23 second year are for the board's regulatory
17.24 responsibilities and oversight over farmed
17.25 Cervidae.

17.26 Sec. 4. **AGRICULTURAL UTILIZATION**
17.27 **RESEARCH INSTITUTE** \$ 3,893,000 \$ 3,893,000

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

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

17.32 (b) By January 31, 2022, the commissioner must report to the chairs and ranking minority
17.33 members of the legislative committees with jurisdiction over agriculture finance regarding

the uses of this appropriation. This report must include but is not limited to a description of the methods used to recruit applicants for this position and list the number of people who applied for positions created by this appropriation, the number of people interviewed for positions created by this appropriation, and the number of people hired for positions created by this appropriation.

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

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

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

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

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

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

Sec. 7. **CANCELLATIONS.**

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

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

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

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

19.1 **ARTICLE 2**

19.2 **AGRICULTURAL AND RURAL DEVELOPMENT POLICY**

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

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

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

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

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

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

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

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

19.22 (2) demonstrate the capacity to successfully implement the project;

19.23 (3) demonstrate a viable plan for long-term sustainability, including the ability to increase
19.24 the availability of and access to affordable, nutritious, and culturally appropriate food,
19.25 including fresh fruits and vegetables, for underserved communities in low-income and
19.26 moderate-income areas; and

19.27 (4) demonstrate the ability to repay the debt, to the extent that the financing requires
19.28 repayment.

19.29 (b) Each applicant must also agree to comply with the following conditions for a period
19.30 of at least five years, except as otherwise specified in this section:

19.31 (1) accept Supplemental Nutrition Assistance Program (SNAP) benefits;

20.1 ~~(2) apply to accept Special Supplemental Nutrition Program for Women, Infants, and~~
20.2 ~~Children (WIC) benefits and, if approved, accept WIC benefits;~~

20.3 ~~(3)~~ (2) allocate at least 30 percent of retail space for the sale of affordable, nutritious,
20.4 and culturally appropriate foods, including fruits and vegetables, low-fat and nonfat dairy,
20.5 fortified dairy substitute beverages such as soy-based or nut-based dairy substitute beverages,
20.6 whole grain-rich staple foods, meats, poultry, fish, seafood, and other proteins, consistent
20.7 with nutrition standards in national guidelines described in the current United States
20.8 Department of Agriculture Dietary Guidelines for Americans;

20.9 ~~(4)~~ (3) comply with all data collection and reporting requirements established by the
20.10 commissioner; and

20.11 ~~(5)~~ (4) promote the hiring, training, and retention of local or regional residents from
20.12 low-income and moderate-income areas that reflect area demographics, including
20.13 communities of color.

20.14 (c) A selected project that is a small food retailer is not subject to the allocation agreement
20.15 under paragraph (b), clause (3), and may use financing, grants, or other financial or technical
20.16 assistance for refrigeration, displays, or onetime capital expenditures for the promotion and
20.17 sale of perishable foods, including a combination of affordable, nutritious, and culturally
20.18 appropriate fresh or frozen dairy, dairy substitute products, produce, meats, poultry, and
20.19 fish, consistent with nutrition standards in national guidelines described in the current United
20.20 States Department of Agriculture Dietary Guidelines for Americans.

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

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

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

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

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

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

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

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

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

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

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

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

21.18 (1) were not reported at the time of release but were discovered and reported after July
21.19 1, 1989; and

21.20 (2) may have occurred prior to July 1, 1989, as determined by the commissioner.

21.21 (f) The board may only reimburse an eligible person for separate incidents within a
21.22 single site if the commissioner determines that each incident is completely separate and
21.23 distinct in respect of location within the single site or time of occurrence.

21.24 (g) Except for an emergency incident, the board may not reimburse or pay for more than
21.25 60 percent of the corrective action costs of an eligible person or for an incident within five
21.26 years of a previous incident at a single site resulting from a site recontamination.

21.27 (h) The deduction of \$1,000 and 20 percent from the ~~\$350,000~~ \$600,000 remuneration
21.28 may be waived by the board if the incident took place on or after August 18, 2007, and was
21.29 caused by flooding associated with Presidential Declaration of Major Disaster DR-1717.

22.1 Sec. 5. **[25.391] EXEMPTION FOR COTTAGE FOOD PRODUCERS;**
22.2 **HOME-PROCESSED PET TREATS.**

22.3 Subdivision 1. **Exemption.** The provisions of this chapter do not apply to an individual
22.4 who prepares and sells home-processed pet treats for dogs and cats, provided the following
22.5 conditions are met:

22.6 (1) the individual is registered with the commissioner under section 28A.152, subdivision
22.7 4;

22.8 (2) the pet treats are prepared using not potentially hazardous food, as defined in
22.9 Minnesota Rules, part 4626.0020, subpart 62, that is safe for human consumption and for
22.10 consumption by the intended species;

22.11 (3) the pet treats are baked or dehydrated;

22.12 (4) the individual displays at the point of sale a clearly legible sign or placard stating,
22.13 "These pet treats are homemade and not subject to state inspection"; and

22.14 (5) each individual pet treat package is labeled with the following: (i) the name, home
22.15 address or post office box address, and phone number of the individual preparing the pet
22.16 treat; (ii) the date on which the pet treat was prepared; (iii) the ingredients listed in descending
22.17 order of predominance; and (iv) the following statement: "These pet treats are homemade
22.18 and not subject to state inspection."

22.19 Subd. 2. **Direct sales to consumers.** An individual qualifying for the exemption under
22.20 subdivision 1 may sell the exempt pet treats to consumers in accordance with section
22.21 28A.152, subdivision 2.

22.22 Sec. 6. Minnesota Statutes 2020, section 28A.15, is amended by adding a subdivision to
22.23 read:

22.24 Subd. 11. **Seasonal processors of game meat.** A person who processes noninspected
22.25 meat from game animals, as that term is defined in Minnesota Rules, part 4626.0020, subpart
22.26 37, for the owner of the carcass, and who returns the meat products derived from the
22.27 processing to the owner, if the person does not engage in processing for more than one
22.28 90-day period per calendar year.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

23.29 Subd. 3. **Limitation on sales.** An individual selling exempt foods under this section is
23.30 limited to total sales with gross receipts of ~~\$18,000~~ \$78,000 or less in a calendar year.
23.31 Beginning January 1, 2027, and every five years thereafter, the commissioner shall adjust

24.1 the maximum gross receipts amount under this subdivision based on the consumer price
24.2 index using 2021 as the index year.

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

24.4 Subd. 4. **Registration.** An individual who prepares and sells exempt food under
24.5 subdivision 1 must register annually with the commissioner. The commissioner shall register
24.6 an individual within 30 days of submitting a complete registration to the commissioner. A
24.7 registration shall be deemed accepted after 30 days following an individual's complete
24.8 registration to the commissioner. The annual registration fee is ~~\$50~~ \$25. An individual with
24.9 \$5,000 or less in annual gross receipts from the sale of exempt food under this section is
24.10 not required to pay the registration fee. Beginning January 1, 2022, and every five years
24.11 thereafter, the commissioner shall adjust the gross receipts amount of this fee exemption
24.12 based on the consumer price index using 2015 as the index year for the \$5,000 gross receipts
24.13 exemption.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

27.27 (b) An eligible producer who utilizes agricultural cellulosic biomass and receives
27.28 payments under this section shall submit an annual report on the producer's responsible
27.29 biomass sourcing plan to the commissioner by January 15 each year. The report must include
27.30 data on progress made by the producer in meeting specific goals laid out in the plan. The
27.31 commissioner shall make the report publicly available. The commissioner shall perform an
27.32 annual review of submitted reports and may make a determination that the producer is not
27.33 following the plan based on the reports submitted. The commissioner may take appropriate

28.1 steps, including reducing or ceasing payments, until the producer is in compliance with the
28.2 plan.

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

28.4 Subd. 7. **Counties; processing applications for animal lot permits.** (a) Any Minnesota
28.5 county board may, by resolution, with approval of the Pollution Control Agency, assume
28.6 responsibility for processing applications for permits required by the Pollution Control
28.7 Agency under this section for livestock feedlots, poultry lots or other animal lots. The
28.8 responsibility for permit application processing, if assumed by a county, may be delegated
28.9 by the county board to any appropriate county officer or employee.

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

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

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

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

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

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

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

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

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

29.12 (h) The Pollution Control Agency shall adopt rules governing the issuance and denial
29.13 of permits for livestock feedlots, poultry lots or other animal lots pursuant to this section.
29.14 Pastures are exempt from the rules authorized under this paragraph. ~~No feedlot permit shall~~
29.15 ~~include any terms or conditions that impose any requirements related to any pastures owned~~
29.16 ~~or utilized by the feedlot operator other than restrictions under a manure management plan.~~
29.17 A feedlot permit is not required for livestock feedlots with more than ten but less than 50
29.18 animal units; provided they are not in shoreland areas. A livestock feedlot permit does not
29.19 become required solely because of a change in the ownership of the buildings, grounds, or
29.20 feedlot. These rules apply both to permits issued by counties and to permits issued by the
29.21 Pollution Control Agency directly. No feedlot permit issued by the Pollution Control Agency
29.22 shall include terms or conditions that:

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

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

29.26 (3) require establishing a cover crop as a condition of allowing application of manure
29.27 in September; or

29.28 (4) require implementing nitrogen best management practices as a condition of allowing
29.29 application of manure in October.

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

29.32 (j) Any new rules or amendments to existing rules proposed under the authority granted
29.33 in this subdivision, or to implement new fees on animal feedlots, must be submitted to the

30.1 members of legislative policy and finance committees with jurisdiction over agriculture and
30.2 the environment prior to final adoption. The rules must not become effective until 90 days
30.3 after the proposed rules are submitted to the members.

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

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

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

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

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

30.20 (p) For the purposes of feedlot permitting, manure that is land applied, or a manure
30.21 stockpile that is managed according to agency rule, must not be considered a discharge into
30.22 waters of the state, unless the discharge is to waters of the state, as defined by section
30.23 103G.005, subdivision 17, except type 1 or type 2 wetlands, as defined in section 103G.005,
30.24 subdivision 17b, and does not meet discharge standards established for feedlots under agency
30.25 rule.

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

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

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

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

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

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

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

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

(a) a person from rendering necessary gratuitous assistance in the treatment of any animal when the assistance does not amount to prescribing, testing for, or diagnosing, operating, or vaccinating and when the attendance of a licensed veterinarian cannot be procured;

(b) a person who is a regular student in an accredited or approved college of veterinary medicine from performing duties or actions assigned by instructors or preceptors or working under the direct supervision of a licensed veterinarian;

(c) a veterinarian regularly licensed in another jurisdiction from consulting with a licensed veterinarian in this state;

(d) the owner of an animal and the owner's regular employee from caring for and administering to the animal belonging to the owner, except where the ownership of the animal was transferred for purposes of circumventing this chapter;

(e) veterinarians who are in compliance with subdivision 6 and who are employed by the University of Minnesota from performing their duties with the College of Veterinary Medicine, College of Agriculture, Agricultural Experiment Station, Agricultural Extension Service, Medical School, School of Public Health, or other unit within the university; or a person from lecturing or giving instructions or demonstrations at the university or in connection with a continuing education course or seminar to veterinarians or pathologists at the University of Minnesota Veterinary Diagnostic Laboratory;

(f) any person from selling or applying any pesticide, insecticide or herbicide;

(g) any person from engaging in bona fide scientific research or investigations which reasonably requires experimentation involving animals;

(h) any employee of a licensed veterinarian from performing duties other than diagnosis, prescription or surgical correction under the direction and supervision of the veterinarian, who shall be responsible for the performance of the employee;

(i) a graduate of a foreign college of veterinary medicine from working under the direct personal instruction, control, or supervision of a veterinarian faculty member of the College of Veterinary Medicine, University of Minnesota in order to complete the requirements necessary to obtain an ECFVG or PAVE certificate;

(j) a licensed chiropractor registered under section 148.01, subdivision 1a, from practicing animal chiropractic; or

(k) a person certified by the Emergency Medical Services Regulatory Board under chapter 144E from providing emergency medical care to a police dog wounded in the line of duty.

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

Sec. 18. **AMENDING PERMITS TO CONFORM WITH ACT.**

The commissioner of the Pollution Control Agency must, when necessary, amend all general and individual permits for feedlots to conform with Minnesota Statutes, section 116.07, subdivision 7, paragraph (h), as amended by section 16.

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

Sec. 19. **DISCONTINUATION OF CURRENT ZONES.**

All disease management or endemic zones in effect on the effective date of this section that do not contain a chronic wasting disease positive cervid farm are discontinued.

33.1

33.2

ARTICLE 3
BROADBAND

33.3

Section 1. APPROPRIATIONS.

33.4

33.5

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

	<u>APPROPRIATIONS</u> <u>Available for the Year</u> <u>Ending June 30</u>			
		<u>2022</u>		<u>2023</u>
33.11	<u>Sec. 2. DEPARTMENT OF EMPLOYMENT</u> <u>AND ECONOMIC DEVELOPMENT</u>	\$	<u>30,350,000</u>	\$
33.12				
33.13				
33.14				
33.15	<u>(a) \$350,000 each year is for the Broadband</u> <u>Development Office.</u>			
33.16				
33.17	<u>(b) \$30,000,000 the first year and \$10,000,000</u> <u>the second year are appropriated from the</u> <u>general fund to the commissioner of</u> <u>employment and economic development for</u> <u>deposit in the border-to-border broadband fund</u> <u>account under Minnesota Statutes, section</u> <u>116J.396. Of the amount in fiscal year 2022,</u> <u>\$10,000,000 must be used only to provide</u> <u>broadband service in unserved areas, and</u> <u>broadband infrastructure as defined in</u> <u>Minnesota Statutes, section 116J.394, in</u> <u>underserved areas when used to provide</u> <u>service in unserved areas. Notwithstanding</u> <u>the limitation in Minnesota Statutes, section</u> <u>116J.395, subdivision 7, paragraph (a), the</u> <u>grants are available for 55 percent of total</u> <u>project cost if money is received from another</u> <u>nonstate entity for the project. The nonstate</u>			
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34.1 entity may include but is not limited to
34.2 organized townships, cities, counties,
34.3 foundations, nonprofits, school districts, or
34.4 higher education institutions. Expect as
34.5 specified in this section, the appropriation
34.6 must be used for grants and the purposes
34.7 specified under Minnesota Statutes, sections
34.8 116J.395 and 116J.396. These are onetime
34.9 appropriations.

34.10 (c) When allowed under federal law, the
34.11 commissioner shall first use federal
34.12 COVID-19-related relief funds for broadband
34.13 before using state-appropriated money under
34.14 this paragraph for similar services and
34.15 expenses, except that the commissioner must
34.16 not use Coronavirus State and Local Fiscal
34.17 Recovery Funds from Public Law 117-2
34.18 Subtitle M to satisfy the requirement under
34.19 this paragraph.

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

34.21 **116J.394 DEFINITIONS.**

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

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

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

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

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

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

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

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

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

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

116J.397 UPDATED BROADBAND DEPLOYMENT DATA AND MAPS.

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

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

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

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

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

Delete the title and insert:

"A bill for an act

relating to state government; establishing a budget for the Department of Agriculture, the Board of Animal Health, the Agricultural Utilization Research Institute, and broadband development; making policy and technical changes to various provisions related to agriculture, food, rural development, and broadband development, including provisions related to grants, loans, pesticides, feedlots, bioincentive programs, Cervidae, veterinary services, reports, and mapping;

36.1 amending Minnesota Statutes 2020, sections 3.737, by adding a subdivision;
36.2 17.1017, subdivision 6; 18B.33, subdivision 1; 18E.04, subdivision 4; 28A.15, by
36.3 adding a subdivision; 28A.152, subdivisions 1, 3, 4, 5; 31A.15, subdivision 1;
36.4 35.155, subdivisions 5, 11; 41A.16, subdivision 5; 41A.17, subdivision 4; 116.07,
36.5 subdivision 7; 116J.394; 116J.397; 156.12, subdivision 2; Laws 2020, chapter
36.6 101, section 5, subdivisions 2, 7; proposing coding for new law in Minnesota
36.7 Statutes, chapter 25."