

Chapter: 41

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Topic: Agriculture finance

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Overview

This is the initial omnibus agriculture finance act for the 2017 legislative session.

Governor Mark Dayton vetoed this act on May 12, 2017.

Article 1: Agriculture Appropriations

Overview

This article appropriates money to the Minnesota Department of Agriculture (MDA), the Board of Animal Health, and the Agricultural Utilization Research Institute. It also requires MDA to transfer money to the University of Minnesota for specified purposes.

- 1 **Agriculture appropriations.** Provides boilerplate appropriation language.
- 2 **Department of Agriculture.** Appropriates general fund and remediation fund dollars to MDA for specified purposes.

Subd. 1. Total appropriation. Denotes the total amount of money directly appropriated to MDA in this act.

Subd. 2. Protection services. Appropriates general fund and remediation fund dollars for MDA's regulatory programs. This subdivision provides funding for the following MDA divisions: Pesticide and Fertilizer Management, Laboratory Services, Plant Protection, Dairy and Meat Inspection, and Food and Feed Safety.

Subd. 3. Agricultural marketing and development. Appropriates general fund dollars for MDA's Agricultural Marketing and Development Division.

Subd. 4. Agriculture, bioenergy, and bioproduct advancement. Appropriates general fund dollars for specific programs and purposes within this category.

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Subd. 5. Administration and financial assistance. Appropriates general fund dollars for pass-through grants and agency administration.

- 3 Board of Animal Health.** Appropriates general fund dollars to the Board of Animal Health.
- 4 Agricultural Utilization Research Institute.** Appropriates general fund dollars to the Agricultural Utilization Research Institute.
- 5 Agriculture, bioenergy, and bioproduct advancement.** Reduces an existing fiscal year 2017 appropriation for the agricultural growth, research, and innovation (AGRI) program that was designated for bioeconomy incentive grants. Requires MDA to report to the legislature regarding the agency's use of other nondesignated AGRI dollars for this same purpose.
- 6 Appropriation cancellation.** Cancels to the general fund all unspent money from a prior AGRI appropriation that was designated by law for bioeconomy incentive payments (see section 5 above).

Effective date: This section would have taken effect the day following final enactment.

Article 2: Agricultural Policy

Overview

This article contains statutory provisions pertaining to compensation for crops or fencing damaged by elk; tractor rollover protection grants; noxious weeds; pollinators; verification of need for pesticide applications; the siding production incentive program; wolf-livestock conflict prevention grants; the Partition Fence Law; and the agricultural growth, research, and innovation (AGRI) program.

- 1 Compensation for crop or fence damage caused by elk.** Modifies an existing program that compensates persons for crops and/or fencing damaged by elk. Provides that MDA or MDA's agent—which may be a University of Minnesota Extension agent—will evaluate whether an applicant's damages are attributable to elk. Provides that the minimum compensation payment for fence damage or destruction is \$100.
- 2 Grants; eligibility.** Retroactively provides that schools are eligible for 100 percent reimbursement for eligible tractor rollover protection structures (ROPS). Retroactively modifies the description of reimbursement-eligible ROPS.
- 3 Promotion; administration.** Decreases MDA's administration and promotion allowance for the tractor rollover protection pilot grant program from 20 to six percent of total program dollars.
- 4 Noxious weed education and notification.** Requires MDA to post notice on the agency's website and alert appropriate media outlets when a weed on the state's eradicate list is confirmed for the first time in a county. Under current law, weeds on the eradicate list are those that are not yet widely established and must be eradicated to prevent their maturation

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and spread (Minn. Stat. § 18.771, para. (b)). Examples include Palmer amaranth, Oriental bittersweet, and Grecian foxglove.

- 5 Pollinator habitat and research account.** Establishes a new account in the agricultural fund. Appropriates all money in the account to the University of Minnesota for pollinator research and outreach.
- 6 Requirement.** Provides that a licensed commercial pesticide applicator is not required to verify, document, or otherwise prove a particular need before or after applying a pesticide that is registered under federal pesticide law.
- 7 Requirement.** Provides that a licensed noncommercial pesticide applicator (i.e., someone who applies pesticide as part of their official work duties, e.g., a groundskeeper) is not required to verify, document, or otherwise prove a particular need before or after applying a pesticide that is registered under federal pesticide law.
- 8 Requirement.** Provides that a certified private pesticide applicator (i.e., a farmer who applies restricted-used pesticide on their own agricultural property) is not required to verify, document, or otherwise prove a particular need before or after applying a pesticide that is registered under federal pesticide law.
- 9 Oversight.** Eliminates MDA's statutory authority to allocate AGRI appropriations among eligible uses. Provides that instead, MDA must allocate AGRI money as provided by law.
- 10 Eligibility.** Provides that payments to eligible siding producers under the siding production incentive program cannot begin until state fiscal year 2020.
- 11 Adjoining owners.** Modifies the Partition Fence Law so that adjoining landowners would only be required to share equally in fence construction and maintenance costs if both of the adjoining lands are used to produce or maintain livestock, as defined, for agricultural or commercial purposes.
- Effective date:** This section would have taken effect the day following final enactment and would have applied only to partition fences constructed on or after that date.
- 12 Wolf-livestock conflict prevention pilot program.** Authorizes MDA to reimburse livestock producers for practices intended to prevent conflicts between wolves and livestock. To be eligible, a producer must be located in Minnesota's wolf range or farming a property that MDA determines is affected by wolf-livestock conflicts. Livestock producers who receive reimbursement under this program would retain eligibility for compensation payments from MDA for livestock destroyed or crippled by a wolf. Establishes a partial list of eligible practices, including the purchase of guard animals and calving or lambing shelters.
- 13 Base budget report required.** Requires MDA to report to the legislature by October 15, 2018, regarding the agency's base budget, including any prior appropriation riders. A similar requirement was included in Laws 2015, First Special Session chapter 4.
- 14 Repealer.** Eliminates the statutory general fund appropriation for the siding production incentive program (Minn. Stat. § 41A.20, subd. 6) and a unique partition fence statute that applies only in St. Louis County (Minn. Stat. § 383C.809).