

1.1 moves to amend H.F. No. 4490 as follows:

1.2 Delete everything after the enacting clause and insert:

1.3 "ARTICLE 1

1.4 AGRICULTURE APPROPRIATIONS

1.5 Section 1. Laws 2019, First Special Session chapter 1, article 1, section 2, subdivision 3,
1.6 is amended to read:

1.7	Subd. 3. Agricultural Marketing and		3,996,000
1.8	Development	3,996,000	<u>4,046,000</u>

1.9 (a) \$186,000 the first year and \$186,000 the
 1.10 second year are for transfer to the Minnesota
 1.11 grown account and may be used as grants for
 1.12 Minnesota grown promotion under Minnesota
 1.13 Statutes, section 17.102. Grants may be made
 1.14 for one year. Notwithstanding Minnesota
 1.15 Statutes, section 16A.28, the appropriations
 1.16 encumbered under contract on or before June
 1.17 30, 2021, for Minnesota grown grants in this
 1.18 paragraph are available until June 30, 2023.

1.19 (b) \$100,000 the first year and \$100,000 the
 1.20 second year are to expand domestic and
 1.21 international marketing opportunities for
 1.22 farmers and value-added processors, including
 1.23 staffing to facilitate farm-to-school sales and
 1.24 new markets for Minnesota-grown hemp.

2.1 (c) \$634,000 the first year and \$634,000 the
2.2 second year are for continuation of the dairy
2.3 development and profitability enhancement
2.4 and dairy business planning grant programs
2.5 established under Laws 1997, chapter 216,
2.6 section 7, subdivision 2, and Laws 2001, First
2.7 Special Session chapter 2, section 9,
2.8 subdivision 2. The commissioner may allocate
2.9 the available sums among permissible
2.10 activities, including efforts to improve the
2.11 quality of milk produced in the state, in the
2.12 proportions that the commissioner deems most
2.13 beneficial to Minnesota's dairy farmers. The
2.14 commissioner must submit a detailed
2.15 accomplishment report and a work plan
2.16 detailing future plans for, and anticipated
2.17 accomplishments from, expenditures under
2.18 this program to the chairs and ranking minority
2.19 members of the legislative committees and
2.20 divisions with jurisdiction over agriculture
2.21 policy and finance on or before the start of
2.22 each fiscal year. If significant changes are
2.23 made to the plans in the course of the year,
2.24 the commissioner must notify the chairs and
2.25 ranking minority members.

2.26 (d) \$50,000 the first year and ~~\$50,000~~
2.27 \$100,000 the second year are for additional
2.28 community outreach on farms and rural mental
2.29 health services including the 24-hour hotline,
2.30 service availability, suicide prevention
2.31 training, mental health awareness and training
2.32 for farm and rural adolescents, and mental
2.33 health forums. Of this appropriation, \$12,000
2.34 each year is to provide professional
2.35 development training for Farm Business
2.36 Management instructors in the Minnesota State

3.1 system. The appropriations under this
 3.2 paragraph are onetime.

3.3 (e) The commissioner may use funds
 3.4 appropriated in this subdivision for annual
 3.5 cost-share payments to resident farmers or
 3.6 entities that sell, process, or package
 3.7 agricultural products in this state for the costs
 3.8 of organic certification. The commissioner
 3.9 may allocate these funds for assistance to
 3.10 persons transitioning from conventional to
 3.11 organic agriculture.

3.12 Sec. 2. Laws 2019, First Special Session chapter 1, article 1, section 2, subdivision 4, is
 3.13 amended to read:

3.14	Subd. 4. Agriculture, Bioenergy, and Bioproduct		<u>23,654,000</u>
3.15	Advancement	23,653,000	<u>23,804,000</u>

3.16 (a) \$9,300,000 the first year and \$9,300,000
 3.17 the second year are for transfer to the
 3.18 agriculture research, education, extension, and
 3.19 technology transfer account under Minnesota
 3.20 Statutes, section 41A.14, subdivision 3. Of
 3.21 these amounts: at least \$600,000 the first year
 3.22 and \$600,000 the second year are for the
 3.23 Minnesota Agricultural Experiment Station's
 3.24 agriculture rapid response fund under
 3.25 Minnesota Statutes, section 41A.14,
 3.26 subdivision 1, clause (2); \$2,000,000 the first
 3.27 year and \$2,000,000 the second year are for
 3.28 grants to the Minnesota Agriculture Education
 3.29 Leadership Council to enhance agricultural
 3.30 education with priority given to Farm Business
 3.31 Management challenge grants; \$350,000 the
 3.32 first year and \$350,000 the second year are
 3.33 for potato breeding; and \$450,000 the first
 3.34 year and \$450,000 the second year are for the
 3.35 cultivated wild rice breeding project at the

4.1 North Central Research and Outreach Center
4.2 to include a tenure track/research associate
4.3 plant breeder. The commissioner shall transfer
4.4 the remaining funds in this appropriation each
4.5 year to the Board of Regents of the University
4.6 of Minnesota for purposes of Minnesota
4.7 Statutes, section 41A.14. Of the amount
4.8 transferred to the Board of Regents, up to
4.9 \$1,000,000 each year is for research on avian
4.10 influenza.

4.11 To the extent practicable, money expended
4.12 under Minnesota Statutes, section 41A.14,
4.13 subdivision 1, clauses (1) and (2), must
4.14 supplement and not supplant existing sources
4.15 and levels of funding. The commissioner may
4.16 use up to one percent of this appropriation for
4.17 costs incurred to administer the program.

4.18 (b) ~~\$14,353,000~~ the first year and ~~\$14,354,000~~
4.19 \$14,504,000 the second year are for the
4.20 agricultural growth, research, and innovation
4.21 program in Minnesota Statutes, section
4.22 41A.12. Except as provided below, the
4.23 commissioner may allocate the appropriation
4.24 each year among the following areas:
4.25 facilitating the start-up, modernization,
4.26 improvement, or expansion of livestock
4.27 operations including beginning and
4.28 transitioning livestock operations with
4.29 preference given to robotic dairy-milking
4.30 equipment; providing funding not to exceed
4.31 \$400,000 each year to develop and enhance
4.32 farm-to-school markets for Minnesota farmers
4.33 by providing more fruits, vegetables, meat,
4.34 grain, and dairy for Minnesota children in
4.35 school and child care settings including, at the

5.1 commissioner's discretion, reimbursing
5.2 schools for purchases from local farmers;
5.3 assisting value-added agricultural businesses
5.4 to begin or expand, to access new markets, or
5.5 to diversify, including aquaponics systems;
5.6 providing funding not to exceed \$300,000
5.7 each year for urban youth agricultural
5.8 education or urban agriculture community
5.9 development; providing funding not to exceed
5.10 \$300,000 each year for the good food access
5.11 program under Minnesota Statutes, section
5.12 17.1017; facilitating the start-up,
5.13 modernization, or expansion of other
5.14 beginning and transitioning farms including
5.15 by providing loans under Minnesota Statutes,
5.16 section 41B.056; sustainable agriculture
5.17 on-farm research and demonstration;
5.18 development or expansion of food hubs and
5.19 other alternative community-based food
5.20 distribution systems; enhancing renewable
5.21 energy infrastructure and use; crop research
5.22 including basic and applied turf seed research;
5.23 Farm Business Management tuition assistance;
5.24 and good agricultural practices/good handling
5.25 practices certification assistance. The
5.26 commissioner may use up to 6.5 percent of
5.27 this appropriation for costs incurred to
5.28 administer the program.

5.29 Of the amount appropriated for the agricultural
5.30 growth, research, and innovation program in
5.31 Minnesota Statutes, section 41A.12:

5.32 (1) \$1,000,000 the first year and \$1,000,000
5.33 the second year are for distribution in equal
5.34 amounts to each of the state's county fairs to
5.35 preserve and promote Minnesota agriculture;

6.1 (2) \$2,500,000 the first year and \$2,500,000
6.2 the second year are for incentive payments
6.3 under Minnesota Statutes, sections 41A.16,
6.4 41A.17, and 41A.18. Notwithstanding
6.5 Minnesota Statutes, section 16A.28, the first
6.6 year appropriation is available until June 30,
6.7 2021, and the second year appropriation is
6.8 available until June 30, 2022. If this
6.9 appropriation exceeds the total amount for
6.10 which all producers are eligible in a fiscal
6.11 year, the balance of the appropriation is
6.12 available for the agricultural growth, research,
6.13 and innovation program. The base amount for
6.14 the allocation under this clause is \$3,000,000
6.15 in fiscal year 2022 and later;

6.16 (3) up to \$5,000,000 the first year is for Dairy
6.17 Assistance, Investment, Relief Initiative
6.18 (DAIRI) grants to Minnesota dairy farmers
6.19 who enroll for five years of coverage under
6.20 the federal dairy margin coverage program
6.21 and produced no more than 16,000,000 pounds
6.22 of milk in 2018. The commissioner must
6.23 award DAIRI grants based on participating
6.24 producers' amount of 2018 milk, up to
6.25 5,000,000 pounds per participating producer,
6.26 at a rate determined by the commissioner
6.27 within the limits of available funding;

6.28 (4) up to \$5,000,000 the second year is for
6.29 innovative soybean processing and research;

6.30 (5) \$75,000 the first year is for a grant to
6.31 Greater Mankato Growth, Inc. for assistance
6.32 to agricultural-related businesses to promote
6.33 jobs, innovation, and synergy development;
6.34 ~~and~~

7.1 (6) \$75,000 the first year and \$75,000 the
7.2 second year are for grants to the Minnesota
7.3 Turf Seed Council for basic and applied
7.4 research; and
7.5 (7) \$150,000 the second year is for assistance
7.6 to farmers and value-added agricultural
7.7 businesses whose markets and operations were
7.8 negatively impacted by COVID-19.
7.9 The amounts in clauses (3) to ~~(6)~~ (7) are
7.10 onetime.
7.11 Notwithstanding Minnesota Statutes, section
7.12 16A.28, any unencumbered balance does not
7.13 cancel at the end of the first year and is
7.14 available for the second year and
7.15 appropriations encumbered under contract on
7.16 or before June 30, 2021, for agricultural
7.17 growth, research, and innovation grants are
7.18 available until June 30, 2024.
7.19 The base amount for the agricultural growth,
7.20 research, and innovation program is
7.21 \$14,693,000 in fiscal year 2022 and
7.22 \$14,693,000 in fiscal year 2023, and includes
7.23 funding for incentive payments under
7.24 Minnesota Statutes, sections 41A.16, 41A.17,
7.25 41A.18, and 41A.20.
7.26 The commissioner must consult with the
7.27 commissioner of transportation, the
7.28 commissioner of administration, and local
7.29 units of government to identify at least ten
7.30 parcels of publicly owned land that are suitable
7.31 for urban agriculture.

8.1 Sec. 3. Laws 2019, First Special Session chapter 1, article 1, section 2, subdivision 5, as
8.2 amended by Laws 2020, chapter 74, article 1, section 3, is amended to read:

8.3 **Subd. 5. Administration and Financial**
8.4 **Assistance**

8,760,000 ~~7,508,000~~ 7,533,000

8.5 (a) \$474,000 the first year and \$474,000 the
8.6 second year are for payments to county and
8.7 district agricultural societies and associations
8.8 under Minnesota Statutes, section 38.02,
8.9 subdivision 1. Aid payments to county and
8.10 district agricultural societies and associations
8.11 shall be disbursed no later than July 15 of each
8.12 year. These payments are the amount of aid
8.13 from the state for an annual fair held in the
8.14 previous calendar year.

8.15 (b) \$2,000 the first year is for a grant to the
8.16 Minnesota State Poultry Association. This is
8.17 a onetime appropriation, and is available until
8.18 June 30, 2021.

8.19 (c) \$18,000 the first year and \$18,000 the
8.20 second year are for grants to the Minnesota
8.21 Livestock Breeders Association. These are
8.22 onetime appropriations.

8.23 (d) \$47,000 the first year and \$47,000 the
8.24 second year are for the Northern Crops
8.25 Institute. These appropriations may be spent
8.26 to purchase equipment. These are onetime
8.27 appropriations.

8.28 (e) \$267,000 the first year and ~~\$267,000~~
8.29 \$292,000 the second year are for farm
8.30 advocate services. The base for this
8.31 appropriation is \$267,000 in fiscal year 2022
8.32 and \$267,000 in fiscal year 2023.

8.33 (f) \$17,000 the first year and \$17,000 the
8.34 second year are for grants to the Minnesota

9.1 Horticultural Society. These are onetime
9.2 appropriations.

9.3 (g) \$250,000 the first year and \$250,000 the
9.4 second year are for transfer to the Board of
9.5 Trustees of the Minnesota State Colleges and
9.6 Universities for statewide mental health
9.7 counseling support to farm families and
9.8 business operators through the Minnesota State
9.9 Agricultural Centers of Excellence. South
9.10 Central College and Central Lakes College
9.11 shall serve as the fiscal agents. The base
9.12 amount for this appropriation in fiscal year
9.13 2022 and later is \$238,000.

9.14 (h) \$2,950,000 the first year and \$1,700,000
9.15 the second year are for grants to Second
9.16 Harvest Heartland on behalf of Minnesota's
9.17 six Feeding America food banks for the
9.18 following:

9.19 (1) to purchase milk for distribution to
9.20 Minnesota's food shelves and other charitable
9.21 organizations that are eligible to receive food
9.22 from the food banks. Milk purchased under
9.23 the grants must be acquired from Minnesota
9.24 milk processors and based on low-cost bids.
9.25 The milk must be allocated to each Feeding
9.26 America food bank serving Minnesota
9.27 according to the formula used in the
9.28 distribution of United States Department of
9.29 Agriculture commodities under The
9.30 Emergency Food Assistance Program. Second
9.31 Harvest Heartland may enter into contracts or
9.32 agreements with food banks for shared funding
9.33 or reimbursement of the direct purchase of
9.34 milk. Each food bank that receives funding

10.1 under this clause may use up to two percent
10.2 for administrative expenses;

10.3 (2) to compensate agricultural producers and
10.4 processors for costs incurred to harvest and
10.5 package for transfer surplus fruits, vegetables,
10.6 and other agricultural commodities that would
10.7 otherwise go unharvested, be discarded, or
10.8 sold in a secondary market. Surplus
10.9 commodities must be distributed statewide to
10.10 food shelves and other charitable organizations
10.11 that are eligible to receive food from the food
10.12 banks. Surplus food acquired under this clause
10.13 must be from Minnesota producers and
10.14 processors. Second Harvest Heartland may
10.15 use up to 15 percent of each grant awarded
10.16 under this clause for administrative and
10.17 transportation expenses; and

10.18 (3) to purchase and distribute protein products,
10.19 which must be surplus products when
10.20 practicable, including but not limited to pork,
10.21 poultry, beef, dry legumes, cheese, and eggs
10.22 to Minnesota's food shelves and other
10.23 charitable organizations that are eligible to
10.24 receive food from the food banks. Second
10.25 Harvest Heartland may use up to two percent
10.26 of each grant awarded under this clause for
10.27 administrative expenses. To the extent
10.28 practicable, protein products purchased under
10.29 the grants must be acquired from Minnesota
10.30 processors and producers and based on
10.31 low-cost bids.

10.32 Of the amount appropriated under this
10.33 paragraph, at least \$600,000 each year must
10.34 be allocated under clause (1); and \$1,250,000
10.35 of the onetime money appropriated in the first

11.1 year must be allocated under clause (1) or (3).
11.2 Notwithstanding Minnesota Statutes, section
11.3 16A.28, any unencumbered balance the first
11.4 year does not cancel and is available in the
11.5 second year. Second Harvest Heartland must
11.6 submit quarterly reports to the commissioner
11.7 and the chairs and ranking minority members
11.8 of the legislative committees with jurisdiction
11.9 over agriculture finance in the form prescribed
11.10 by the commissioner. The reports must include
11.11 but are not limited to information on the
11.12 expenditure of funds, the amount of milk or
11.13 other commodities purchased, and the
11.14 organizations to which this food was
11.15 distributed. The base for this appropriation is
11.16 \$1,650,000 in fiscal year 2022 and \$1,650,000
11.17 in fiscal year 2023.

11.18 (i) \$150,000 the first year and \$150,000 the
11.19 second year are for grants to the Center for
11.20 Rural Policy and Development. These are
11.21 onetime appropriations.

11.22 (j) \$250,000 the first year and \$250,000 the
11.23 second year are for grants to the Minnesota
11.24 Agricultural Education and Leadership
11.25 Council for programs of the council under
11.26 Minnesota Statutes, chapter 41D.

11.27 (k) The commissioner shall continue to
11.28 increase connections with ethnic minority and
11.29 immigrant farmers to farming opportunities
11.30 and farming programs throughout the state.

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

11.32 **Sec. 4. FARM SAFETY GRANT AND OUTREACH; APPROPRIATION.**

11.33 \$100,000 in fiscal year 2021 is appropriated from the general fund to the commissioner
11.34 of agriculture for farm safety grants and outreach programs under Minnesota Statutes,

12.1 section 17.1195. Of this amount, \$50,000 is for farm safety grants and \$50,000 is for
12.2 outreach. This is a onetime appropriation.

12.3 **Sec. 5. VETERINARY DIAGNOSTIC EQUIPMENT; APPROPRIATION.**

12.4 \$675,000 in fiscal year 2021 is appropriated from the general fund to the commissioner
12.5 of agriculture for a grant to the Board of Regents of the University of Minnesota to purchase
12.6 testing equipment for the Veterinary Diagnostic Laboratory, including but not limited to
12.7 equipment and supplies needed to respond to incidents of African swine fever. This is a
12.8 onetime appropriation.

12.9 **ARTICLE 2**

12.10 **STATUTORY PROVISIONS**

12.11 **Section 1. [17.1195] FARM SAFETY GRANT AND OUTREACH PROGRAMS.**

12.12 Subdivision 1. **Tractor rollover grants.** (a) The commissioner may award grants to
12.13 Minnesota farmers and Minnesota schools that retrofit eligible tractors with eligible rollover
12.14 protective structures.

12.15 (b) Grants for farmers are limited to 70 percent of the farmer's documented cost to
12.16 purchase, ship, and install an eligible rollover protective structure. The commissioner must
12.17 increase a farmer's grant award amount over the 70 percent grant limitation requirement if
12.18 necessary to limit a farmer's cost per tractor to no more than \$500.

12.19 (c) Schools are eligible for grants that cover the full amount of a school's documented
12.20 cost to purchase, ship, and install an eligible rollover protective structure.

12.21 (d) A rollover protective structure is eligible if it is certified to appropriate national or
12.22 international rollover protection structure standards with a seat belt.

12.23 (e) "Eligible tractor" means a tractor that was built before 1987.

12.24 Subd. 2. **Grain storage facility safety grants; farm safety outreach.** (a) The
12.25 commissioner may award grants to Minnesota farmers who purchase eligible grain storage
12.26 facility safety equipment. Grants are limited to 75 percent of the farmer's documented cost
12.27 to purchase, ship, and install grain storage facility safety equipment, or \$500 per bin or silo,
12.28 whichever is less.

12.29 (b) Eligible grain storage facility safety equipment includes:

12.30 (1) fall protection systems;

12.31 (2) engineering controls to prevent contact with an auger or other moving parts;

- 13.1 (3) dust collection systems to minimize explosion hazards;
- 13.2 (4) personal protective equipment to increase survivability in the event of a grain bin
- 13.3 related emergency;
- 13.4 (5) grain silo air quality monitoring equipment; and
- 13.5 (6) other grain storage facility safety equipment approved by the commissioner.
- 13.6 (c) The commissioner may create a farm safety outreach campaign, including but not
- 13.7 limited to development and distribution of safety educational materials related to grain bins,
- 13.8 silos, and other agricultural confined spaces.

- 13.9 Subd. 3. **Promotion; administration.** The commissioner may spend up to six percent
- 13.10 of total program dollars each fiscal year to promote and administer the programs to Minnesota
- 13.11 farmers and schools.

13.12 Sec. 2. Minnesota Statutes 2018, section 31.175, is amended to read:

13.13 **31.175 WATER, PLUMBING, AND SEWAGE.**

13.14 A person who is required by statutes administered by the Department of Agriculture, or

13.15 by rules adopted pursuant to those statutes, to provide a suitable water supply, or plumbing

13.16 or sewage disposal system shall not engage in the business of manufacturing, processing,

13.17 selling, handling, or storing food at wholesale or retail unless the person's water supply is

13.18 satisfactory pursuant to rules adopted by the Department of Health, the person's plumbing

13.19 is satisfactory pursuant to rules adopted by the Department of Labor and Industry, and the

13.20 person's sewage disposal system satisfies the rules of the Pollution Control Agency. This

13.21 section does not limit the commissioner's ability to issue a food handler's license when an

13.22 investigation completed pursuant section 28A.07 has determined the requirements of this

13.23 section are not relevant and the applicant is considered fit to engage in business as described

13.24 in the license application."

13.25 Amend the title accordingly