

55.27 **ARTICLE 3**
55.28 **AGRICULTURE**

2.15 **ARTICLE 1**
2.16 **AGRICULTURE APPROPRIATIONS**

55.29 Section 1. **APPROPRIATIONS.**

55.30 The sums shown in the columns marked "Appropriations" are added to the
55.31 appropriations in Laws 2015, First Special Session chapter 4, or appropriated to the
55.32 agencies and for the purposes specified in this article. The appropriations are from the
55.33 general fund, or another named fund, and are available for the fiscal year indicated for
56.1 each purpose. The figures "2016" and "2017" used in this article mean that the addition
56.2 to the appropriations listed under them are available for the fiscal year ending June 30,
56.3 2016, or June 30, 2017, respectively. "The first year" is fiscal year 2016. "The second
56.4 year" is fiscal year 2017. Appropriations for fiscal year 2016 are effective the day
56.5 following final enactment.

56.6 **APPROPRIATIONS**

56.7 **Available for the Year**

56.8 **Ending June 30**

56.9 **2016** **2017**

56.10 Sec. 2. **DEPARTMENT OF AGRICULTURE** **\$** **-0-** **\$** **3,500,000**

56.11 \$350,000 the second year is for deposit
56.12 in the noxious weed and invasive plant
56.13 species assistance account established under
56.14 Minnesota Statutes, section 18.89, to be
56.15 used to implement the noxious weed grant
56.16 program under Minnesota Statutes, section
56.17 18.90. This is a onetime appropriation.

2.17 Section 1. **APPROPRIATIONS.**

2.18 The sums shown in the columns marked "Appropriations" are added to the
2.19 appropriations in Laws 2015, First Special Session chapter 4, or appropriated to the
2.20 agencies and for the purposes specified in this act. The appropriations are from the
2.21 general fund, or another named fund, and are available for the fiscal year indicated for
2.22 each purpose. The figures "2016" and "2017" used in this act mean that the appropriations
2.23 listed under them are available for the fiscal year ending June 30, 2016, or June 30, 2017,
2.24 respectively. "The first year" is fiscal year 2016. "The second year" is fiscal year 2017.
2.25 Appropriations for fiscal year 2016 are effective the day following final enactment.

2.26 **APPROPRIATIONS**

2.27 **Available for the Year**

2.28 **Ending June 30**

2.29 **2016** **2017**

2.30 Sec. 2. **DEPARTMENT OF AGRICULTURE**

2.31 Subdivision 1. **Total Appropriation** **\$** **-0-** **\$** **7,883,000**

2.32 The amounts that may be spent for each
2.33 purpose are specified in the following
2.34 subdivisions.

56.18 \$1,000,000 the second year is for the tractor
 56.19 rollover protection pilot program under
 56.20 Minnesota Statutes, section 17.119. This is a
 56.21 onetime appropriation.

56.22 \$300,000 the second year is for the pollinator
 56.23 investment grant program under Minnesota
 56.24 Statutes, section 17.1195. This is a onetime
 56.25 appropriation.

56.26 \$200,000 the second year is for a grant to the
 56.27 city of Duluth to design and construct the
 56.28 Deep Winter Greenhouse. This is a onetime
 56.29 appropriation.

56.30 \$500,000 the second year is to administer
 56.31 the industrial hemp pilot program under
 56.32 Minnesota Statutes, section 18K.09. This is
 56.33 a onetime appropriation.

57.1 \$150,000 the second year is for grants of up
 57.2 to \$750 to farmers who demonstrate financial
 57.3 hardship due to the three-year transition
 57.4 period required under federal law for organic
 57.5 certification. This is a onetime appropriation
 57.6 and is in addition to funds appropriated to the
 57.7 commissioner of agriculture and available for
 57.8 organic certification cost-share grants under
 57.9 Laws 2015, First Special Session chapter
 57.10 4, article 1, section 2, subdivision 3. The
 57.11 commissioner may award both a transition
 57.12 grant and a certification cost-share grant to a
 57.13 farmer in the same fiscal year.

3.19 Subd. 3. **Farm Safety**

-0-

250,000

3.20 \$250,000 the second year is for the tractor
 3.21 rollover protection pilot program. This is a
 3.22 onetime appropriation.

57.14 \$1,000,000 the second year is for grants
 57.15 to the Board of Regents of the University
 57.16 of Minnesota to fund the Forever Green
 57.17 Agriculture Initiative and to protect the
 57.18 state's natural resources while increasing
 57.19 the efficiency, profitability, and productivity
 57.20 of Minnesota farmers by incorporating
 57.21 perennial and winter annual crops into
 57.22 existing agricultural practices. This is a
 57.23 onetime appropriation and is available until
 57.24 June 30, 2019. The appropriation in Laws
 57.25 2015, First Special Session chapter 2, article
 57.26 2, section 3, paragraph (i), is available until
 57.27 June 30, 2018.

2.35 Subd. 2. **Animal Health**

-0-

2,083,000

2.36 \$1,800,000 the second year is for a grant
 2.37 to the Board of Regents of the University
 2.38 of Minnesota to develop, in consultation
 3.1 with the commissioner of agriculture and
 3.2 the Board of Animal Health, a software
 3.3 tool or application through the Veterinary
 3.4 Diagnostic Laboratory that empowers
 3.5 veterinarians and producers to understand
 3.6 the movement of unique pathogen strains in
 3.7 livestock and poultry production systems,
 3.8 monitor antibiotic resistance, and implement
 3.9 effective biosecurity measures that promote
 3.10 animal health and limit production losses.
 3.11 This is a onetime appropriation available
 3.12 until June 30, 2019.

3.13 \$283,000 the second year is for a grant to
 3.14 the Board of Regents of the University of
 3.15 Minnesota to maintain and increase animal
 3.16 disease testing capacity through the purchase
 3.17 of Veterinary Diagnostic Laboratory
 3.18 equipment. This is a onetime appropriation.

3.23	Subd. 4. Agriculture Laboratory and		
3.24	Emergency Response	-0-	<u>5,550,000</u>

3.25 \$2,218,000 the second year is for equipment
 3.26 and instruments for the Department of
 3.27 Agriculture laboratory. This is a onetime
 3.28 appropriation available until June 30, 2022.

3.29 \$3,332,000 the second year is for transfer
 3.30 to the agricultural emergency account in the
 3.31 agricultural fund. This is a onetime transfer.

3.32 **Sec. 3. [17.055] AGRICULTURAL EMERGENCY ACCOUNT;**
 3.33 **APPROPRIATION.**

4.1 Subdivision 1. **Establishment; appropriation.** An agricultural emergency account
 4.2 is established in the agricultural fund. Money in the account, including interest, is
 4.3 appropriated to the commissioner for emergency response and preparedness activities
 4.4 for agricultural emergencies affecting producers of livestock, poultry, crops, or other
 4.5 agricultural products. Eligible uses include, but are not limited to, purchasing necessary
 4.6 equipment and reimbursing costs incurred by local units of government that are not
 4.7 eligible for reimbursement from other sources.

4.8 Subd. 2. **Transfer authorized.** The commissioner may transfer money in the
 4.9 account to the Board of Animal Health, other state agencies, or the University of
 4.10 Minnesota for purposes of subdivision 1.

4.11 Subd. 3. **Annual report.** No later than February 1 each year, the commissioner
 4.12 must report activities and expenditures under this section to the legislative committees
 4.13 and divisions with jurisdiction over agriculture finance.

57.28 Sec. 3. Minnesota Statutes 2014, section 17.117, subdivision 4, is amended to read:

57.29 Subd. 4. **Definitions.** (a) For the purposes of this section, the terms defined in this
 57.30 subdivision have the meanings given them.

57.31 (b) "Agricultural and environmental revolving accounts" means accounts in the
 57.32 agricultural fund, controlled by the commissioner, which hold funds available to the
 57.33 program.

57.34 (c) "Agriculture supply business" means a person, partnership, joint venture,
 57.35 corporation, limited liability company, association, firm, public service company,
 58.1 or cooperative that provides materials, equipment, or services to farmers or
 58.2 agriculture-related enterprises.

4.14 Sec. 4. Minnesota Statutes 2014, section 17.117, subdivision 4, is amended to read:

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 4.19 program.

4.20 (c) "Agriculture supply business" means a person, partnership, joint venture,
 4.21 corporation, limited liability company, association, firm, public service company,
 4.22 or cooperative that provides materials, equipment, or services to farmers or
 4.23 agriculture-related enterprises.

58.3 (d) "Allocation" means the funds awarded to an applicant for implementation of best
58.4 management practices through a competitive or noncompetitive application process.

58.5 (e) "Applicant" means a local unit of government eligible to participate in this
58.6 program that requests an allocation of funds as provided in subdivision 6b.

58.7 (f) "Best management practices" has the meaning given in sections 103F.711,
58.8 subdivision 3, and 103H.151, subdivision 2, ~~or~~. Best management practices also means
58.9 other practices, techniques, and measures that have been demonstrated to the satisfaction
58.10 of the commissioner: (1) to prevent or reduce adverse environmental impacts by using
58.11 the most effective and practicable means of achieving environmental goals; or (2) to
58.12 achieve drinking water quality standards under chapter 103H or under Code of Federal
58.13 Regulations, title 40, parts 141 and 143, as amended.

58.14 (g) "Borrower" means a farmer, an agriculture supply business, or a rural landowner
58.15 applying for a low-interest loan.

58.16 (h) "Commissioner" means the commissioner of agriculture, including when the
58.17 commissioner is acting in the capacity of chair of the Rural Finance Authority, or the
58.18 designee of the commissioner.

58.19 (i) "Committed project" means an eligible project scheduled to be implemented at
58.20 a future date:

58.21 (1) that has been approved and certified by the local government unit; and
58.22 (2) for which a local lender has obligated itself to offer a loan.

58.23 (j) "Comprehensive water management plan" means a state approved and locally
58.24 adopted plan authorized under section 103B.231, 103B.255, 103B.311, 103C.331,
58.25 103D.401, or 103D.405.

58.26 (k) "Cost incurred" means expenses for implementation of a project accrued because
58.27 the borrower has agreed to purchase equipment or is obligated to pay for services or
58.28 materials already provided as a result of implementing an approved eligible project.

58.29 (l) "Farmer" means a person, partnership, joint venture, corporation, limited liability
58.30 company, association, firm, public service company, or cooperative that regularly
58.31 participates in physical labor or operations management of farming and files a Schedule F
58.32 as part of filing United States Internal Revenue Service Form 1040 or indicates farming as
58.33 the primary business activity under Schedule C, K, or S, or any other applicable report to
58.34 the United States Internal Revenue Service.

58.35 (m) "Lender agreement" means an agreement entered into between the commissioner
58.36 and a local lender which contains terms and conditions of participation in the program.

4.24 (d) "Allocation" means the funds awarded to an applicant for implementation of best
4.25 management practices through a competitive or noncompetitive application process.

4.26 (e) "Applicant" means a local unit of government eligible to participate in this
4.27 program that requests an allocation of funds as provided in subdivision 6b.

4.28 (f) "Best management practices" has the meaning given in sections 103F.711,
4.29 subdivision 3, and 103H.151, subdivision 2, ~~or~~. Best management practices also means
4.30 other practices, techniques, and measures that have been demonstrated to the satisfaction
4.31 of the commissioner: (1) to prevent or reduce adverse environmental impacts by using
4.32 the most effective and practicable means of achieving environmental goals; or (2) to
4.33 achieve drinking water quality standards under chapter 103H or under Code of Federal
4.34 Regulations, title 40, parts 141 and 143, as amended.

5.1 (g) "Borrower" means a farmer, an agriculture supply business, or a rural landowner
5.2 applying for a low-interest loan.

5.3 (h) "Commissioner" means the commissioner of agriculture, including when the
5.4 commissioner is acting in the capacity of chair of the Rural Finance Authority, or the
5.5 designee of the commissioner.

5.6 (i) "Committed project" means an eligible project scheduled to be implemented at
5.7 a future date:

5.8 (1) that has been approved and certified by the local government unit; and
5.9 (2) for which a local lender has obligated itself to offer a loan.

5.10 (j) "Comprehensive water management plan" means a state approved and locally
5.11 adopted plan authorized under section 103B.231, 103B.255, 103B.311, 103C.331,
5.12 103D.401, or 103D.405.

5.13 (k) "Cost incurred" means expenses for implementation of a project accrued because
5.14 the borrower has agreed to purchase equipment or is obligated to pay for services or
5.15 materials already provided as a result of implementing an approved eligible project.

5.16 (l) "Farmer" means a person, partnership, joint venture, corporation, limited liability
5.17 company, association, firm, public service company, or cooperative that regularly
5.18 participates in physical labor or operations management of farming and files a Schedule F
5.19 as part of filing United States Internal Revenue Service Form 1040 or indicates farming as
5.20 the primary business activity under Schedule C, K, or S, or any other applicable report to
5.21 the United States Internal Revenue Service.

5.22 (m) "Lender agreement" means an agreement entered into between the commissioner
5.23 and a local lender which contains terms and conditions of participation in the program.

59.1 (n) "Local government unit" means a county, soil and water conservation district,
 59.2 or an organization formed for the joint exercise of powers under section 471.59 with
 59.3 the authority to participate in the program.

59.4 (o) "Local lender" means a local government unit as defined in paragraph (n), a state
 59.5 or federally chartered bank, a savings association, a state or federal credit union, Agribank
 59.6 and its affiliated organizations, or a nonprofit economic development organization or other
 59.7 financial lending institution approved by the commissioner.

59.8 (p) "Local revolving loan account" means the account held by a local government unit
 59.9 and a local lender into which principal repayments from borrowers are deposited and new
 59.10 loans are issued in accordance with the requirements of the program and lender agreements.

59.11 (q) "Nonpoint source" has the meaning given in section 103F.711, subdivision 6.

59.12 (r) "Program" means the agriculture best management practices loan program
 59.13 in this section.

59.14 (s) "Project" means one or more components or activities located within Minnesota
 59.15 that are required by the local government unit to be implemented for satisfactory
 59.16 completion of an eligible best management practice.

59.17 (t) "Rural landowner" means the owner of record of Minnesota real estate located
 59.18 in an area determined by the local government unit to be rural after consideration of
 59.19 local land use patterns, zoning regulations, jurisdictional boundaries, local community
 59.20 definitions, historical uses, and other pertinent local factors.

59.21 (u) "Water-quality cooperative" has the meaning given in section 115.58, paragraph
 59.22 (d), except as expressly limited in this section.

59.23 Sec. 4. Minnesota Statutes 2014, section 17.117, subdivision 11a, is amended to read:

59.24 Subd. 11a. **Eligible projects.** (a) All projects that remediate or mitigate adverse
 59.25 environmental impacts are eligible if:

59.26 (1) the project is eligible under the an allocation agreement and funding sources
 59.27 designated by the local government unit to finance the project; and

59.28 (2) (b) A manure management projects remediate project is eligible if the project
 59.29 remediates or mitigate mitigates impacts from facilities with less than 1,000 animal units
 59.30 as defined in Minnesota Rules, chapter 7020, and otherwise meets the requirements of
 59.31 this section.

59.32 (c) A drinking water project is eligible if the project:

59.33 (1) remediates the adverse environmental impacts or presence of contaminants in
 59.34 private well water;

59.35 (2) implements best management practices to achieve drinking water standards; and

5.24 (n) "Local government unit" means a county, soil and water conservation district,
 5.25 or an organization formed for the joint exercise of powers under section 471.59 with
 5.26 the authority to participate in the program.

5.27 (o) "Local lender" means a local government unit as defined in paragraph (n), a state
 5.28 or federally chartered bank, a savings association, a state or federal credit union, Agribank
 5.29 and its affiliated organizations, or a nonprofit economic development organization or other
 5.30 financial lending institution approved by the commissioner.

5.31 (p) "Local revolving loan account" means the account held by a local government unit
 5.32 and a local lender into which principal repayments from borrowers are deposited and new
 5.33 loans are issued in accordance with the requirements of the program and lender agreements.

5.34 (q) "Nonpoint source" has the meaning given in section 103F.711, subdivision 6.

5.35 (r) "Program" means the agriculture best management practices loan program
 5.36 in this section.

6.1 (s) "Project" means one or more components or activities located within Minnesota
 6.2 that are required by the local government unit to be implemented for satisfactory
 6.3 completion of an eligible best management practice.

6.4 (t) "Rural landowner" means the owner of record of Minnesota real estate located
 6.5 in an area determined by the local government unit to be rural after consideration of
 6.6 local land use patterns, zoning regulations, jurisdictional boundaries, local community
 6.7 definitions, historical uses, and other pertinent local factors.

6.8 (u) "Water-quality cooperative" has the meaning given in section 115.58, paragraph
 6.9 (d), except as expressly limited in this section.

6.10 Sec. 5. Minnesota Statutes 2014, section 17.117, subdivision 11a, is amended to read:

6.11 Subd. 11a. **Eligible projects.** (a) All projects that remediate or mitigate adverse
 6.12 environmental impacts are eligible if:

6.13 (1) the project is eligible under the an allocation agreement and funding sources
 6.14 designated by the local government unit to finance the project; and

6.15 (2) (b) A manure management projects remediate project is eligible if the project
 6.16 remediates or mitigate mitigates impacts from facilities with less than 1,000 animal units
 6.17 as defined in Minnesota Rules, chapter 7020, and otherwise meets the requirements of
 6.18 this section.

6.19 (c) A drinking water project is eligible if the project:

6.20 (1) remediates the adverse environmental impacts or presence of contaminants in
 6.21 private well water;

6.22 (2) implements best management practices to achieve drinking water standards; and

60.1 (3) otherwise meets the requirements of this section.

60.2 Sec. 5. **[17.119] TRACTOR ROLLOVER PROTECTION PILOT GRANT PROGRAM.**

60.3 **PROGRAM.**
 60.4 Subdivision 1. **Grants; eligibility.** (a) The commissioner must award cost-share
 60.5 grants to Minnesota farmers who retrofit eligible tractors and Minnesota schools that
 60.6 retrofit eligible tractors with eligible rollover protective structures. Grants are limited to
 60.7 70 percent of the farmer's or school's documented cost to purchase, ship, and install an
 60.8 eligible rollover protective structure. The commissioner must increase the grant award
 60.9 amount over the 70 percent grant limitation requirement if necessary to limit a farmer's or
 60.10 school's cost per tractor to no more than \$500.

60.11 (b) A rollover protective structure is eligible if it meets or exceeds SAE International
 60.12 standard J2194.

60.13 (c) A tractor is eligible if the tractor was built before 1987.

60.14 Subd. 2. **Promotion; administration.** The commissioner may spend up to 20
 60.15 percent of total program dollars each fiscal year to promote and administer the program to
 60.16 Minnesota farmers and schools.

60.17 Subd. 3. **Nonstate sources; appropriation.** The commissioner must accept
 60.18 contributions from nonstate sources to supplement state appropriations for this program.
 60.19 Contributions received under this subdivision are appropriated to the commissioner for
 60.20 purposes of this section.

60.21 Subd. 4. **Expiration.** This section expires on June 30, 2019.

60.22 Sec. 6. **[17.1195] POLLINATOR INVESTMENT GRANT PROGRAM.**

60.23 Subdivision 1. **Establishment.** The commissioner may award a pollinator
 60.24 investment grant to a person who implements best management practices to protect wild
 60.25 and managed insect pollinators in this state equal to ten percent of the first \$100,000 of
 60.26 qualifying expenditures, provided the person makes qualifying expenditures of at least
 60.27 \$25,000. The commissioner may award multiple pollinator investment grants to a person
 60.28 over the life of the program as long as the cumulative amount does not exceed \$30,000.

60.29 Subd. 2. **Definition.** For the purposes of this section, "qualified expenditures"
 60.30 means the amount spent for:

60.31 (1) in conventional farming systems, planting neonicotinoid-free seeds,
 60.32 implementing integrated pest management practices, and not using a pesticide class
 60.33 labeled by the United States Environmental Protection Agency as toxic to bees; or

61.1 (2) creating new pollinator habitat, and not using a pesticide class labeled by the
 61.2 United States Environmental Protection Agency as toxic to bees; by:

6.23 (3) otherwise meets the requirements of this section.

6.24 Sec. 6. **[17.119] TRACTOR ROLLOVER PROTECTION PILOT GRANT PROGRAM.**

6.25 **PROGRAM.**
 6.26 Subdivision 1. **Grants; eligibility.** (a) The commissioner must award cost-share
 6.27 grants to Minnesota farmers who retrofit eligible tractors with eligible rollover protective
 6.28 structures. Grants are limited to 70 percent of the farmer's documented cost to purchase,
 6.29 ship, and install an eligible rollover protective structure. The commissioner must increase
 6.30 the grant award amount over the 70 percent grant limitation requirement if necessary to
 6.31 limit a farmer's cost per tractor to no more than \$500.

6.32 (b) A rollover protective structure is eligible if it meets or exceeds SAE International
 6.33 standard J2194.

6.34 (c) A tractor is eligible if the tractor was built before 1987.

7.1 Subd. 2. **Promotion; administration.** The commissioner may spend up to 20
 7.2 percent of total program dollars each fiscal year to promote the program to Minnesota
 7.3 farmers. The commissioner must minimize administrative costs by cooperating with the
 7.4 New York Center for Agricultural Medicine and Health to administer the grant program.

7.5 Subd. 3. **Nonstate funds; appropriation.** The commissioner must solicit
 7.6 contributions from nonstate sources to supplement state appropriations for this program.
 7.7 Funds received under this subdivision are appropriated to the commissioner for purposes
 7.8 of this section.

7.9 Subd. 4. **Expiration.** This section expires June 30, 2019.

- 61.3 (i) seeding native flowering plants as prairie strips within productive cropland to
61.4 provide forage for pollinators;
- 61.5 (ii) renovating a pasture system by overseeding a pasture with high-diversity native
61.6 forb or native or non-native legume mixtures;
- 61.7 (iii) interseeding legumes, brassicas, buckwheat, or other pollinator forage plants
61.8 with corn or soybean, or planting these as cover crops before or after corn or soybean;
- 61.9 (iv) planting or seeding riparian and wetland areas and vegetative buffer strips with
61.10 native perennial cover that provides forage for pollinators;
- 61.11 (v) planting a native hedgerow; or
- 61.12 (vi) increasing plant diversity in nonproductive areas by adding native flowering
61.13 forbs, trees, or shrubs, or by introducing pollinator-friendly plant species into existing
61.14 strands of grasses.
- 61.15 Subd. 3. **Eligibility.** (a) To be eligible for a pollinator investment grant, a person
61.16 must:
- 61.17 (1) be a resident of Minnesota or an entity specifically defined in section 500.24,
61.18 subdivision 2, that is eligible to own farmland and operate a farm in this state under
61.19 section 500.24;
- 61.20 (2) be the principal operator of the farm; and
- 61.21 (3) apply to the commissioner on forms prescribed by the commissioner, including a
61.22 statement of the qualifying expenditures made during the qualifying period along with any
61.23 proof or other documentation the commissioner may require.
- 61.24 (b) The \$10,000 maximum grant applies at the entity level for partnerships, S
61.25 corporations, C corporations, trusts, and estates as well as at the individual level. In the
61.26 case of married individuals, the grant is limited to \$10,000 for a married couple.

7.10 Sec. 7. Minnesota Statutes 2014, section 18B.26, subdivision 3, is amended to read:

- 7.11 Subd. 3. **Registration application and gross sales fee.** (a) For an agricultural
7.12 pesticide, a registrant shall pay an annual registration application fee for each agricultural
7.13 pesticide of \$350. The fee is due by December 31 preceding the year for which the
7.14 application for registration is made. The fee is nonrefundable.

7.15 (b) For a nonagricultural pesticide, a registrant shall pay a minimum annual
7.16 registration application fee for each nonagricultural pesticide of \$350. The fee is due by
7.17 December 31 preceding the year for which the application for registration is made. The fee
7.18 is nonrefundable. ~~The~~ If the registrant's annual gross sales of the nonagricultural pesticide
7.19 ~~exceeded \$70,000 in the previous calendar year, the registrant of a nonagricultural pesticide~~
7.20 shall pay, in addition to the \$350 minimum fee, a fee of equal to 0.5 percent of that portion
7.21 of the annual gross sales of the over \$70,000. For purposes of this subdivision, gross sales
7.22 includes both nonagricultural pesticide sold in the state and the annual gross sales of the
7.23 nonagricultural pesticide sold into the state for use in this state. No additional fee is
7.24 required if the fee due amount based on percent of annual gross sales of a nonagricultural
7.25 pesticide is less than \$10. The registrant shall secure sufficient sales information of
7.26 nonagricultural pesticides distributed into this state from distributors and dealers,
7.27 regardless of distributor location, to make a determination. Sales of nonagricultural
7.28 pesticides in this state and sales of nonagricultural pesticides for use in this state by
7.29 out-of-state distributors are not exempt and must be included in the registrant's annual
7.30 report, as required under paragraph (g), and fees shall be paid by the registrant based upon
7.31 those reported sales. Sales of nonagricultural pesticides in the state for use outside of
7.32 the state are exempt from the gross sales fee in this paragraph if the registrant properly
7.33 documents the sale location and distributors. A registrant paying more than the minimum
7.34 fee shall pay the balance due by March 1 based on the gross sales of the nonagricultural
8.1 pesticide by the registrant for the preceding calendar year. A pesticide determined by the
8.2 commissioner to be a sanitizer or disinfectant is exempt from the gross sales fee.

8.3 (c) For agricultural pesticides, a licensed agricultural pesticide dealer or licensed
8.4 pesticide dealer shall pay a gross sales fee of 0.55 percent of annual gross sales of the
8.5 agricultural pesticide in the state and the annual gross sales of the agricultural pesticide
8.6 sold into the state for use in this state.

8.7 (d) In those cases where a registrant first sells an agricultural pesticide in or into the
8.8 state to a pesticide end user, the registrant must first obtain an agricultural pesticide dealer
8.9 license and is responsible for payment of the annual gross sales fee under paragraph (c),
8.10 record keeping under paragraph (i), and all other requirements of section 18B.316.

8.11 (e) If the total annual revenue from fees collected in fiscal year 2011, 2012, or 2013,
8.12 by the commissioner on the registration and sale of pesticides is less than \$6,600,000, the
8.13 commissioner, after a public hearing, may increase proportionally the pesticide sales and
8.14 product registration fees under this chapter by the amount necessary to ensure this level
8.15 of revenue is achieved. The authority under this section expires on June 30, 2014. The
8.16 commissioner shall report any fee increases under this paragraph 60 days before the fee
8.17 change is effective to the senate and house of representatives agriculture budget divisions.

8.18 (f) An additional fee of 50 percent of the registration application fee must be paid by
8.19 the applicant for each pesticide to be registered if the application is a renewal application
8.20 that is submitted after December 31.

8.21 (g) A registrant must annually report to the commissioner the amount, type and
8.22 annual gross sales of each registered nonagricultural pesticide sold, offered for sale, or
8.23 otherwise distributed in the state. The report shall be filed by March 1 for the previous
8.24 year's registration. The commissioner shall specify the form of the report or approve
8.25 the method for submittal of the report and may require additional information deemed
8.26 necessary to determine the amount and type of nonagricultural pesticide annually
8.27 distributed in the state. The information required shall include the brand name, United
8.28 States Environmental Protection Agency registration number, and amount of each
8.29 nonagricultural pesticide sold, offered for sale, or otherwise distributed in the state, but
8.30 the information collected, if made public, shall be reported in a manner which does not
8.31 identify a specific brand name in the report.

8.32 (h) A licensed agricultural pesticide dealer or licensed pesticide dealer must annually
8.33 report to the commissioner the amount, type, and annual gross sales of each registered
8.34 agricultural pesticide sold, offered for sale, or otherwise distributed in the state or into the
8.35 state for use in the state. The report must be filed by January 31 for the previous year's
8.36 sales. The commissioner shall specify the form, contents, and approved electronic method
9.1 for submittal of the report and may require additional information deemed necessary to
9.2 determine the amount and type of agricultural pesticide annually distributed within the
9.3 state or into the state. The information required must include the brand name, United States
9.4 Environmental Protection Agency registration number, and amount of each agricultural
9.5 pesticide sold, offered for sale, or otherwise distributed in the state or into the state.

9.6 (i) A person who registers a pesticide with the commissioner under paragraph (b),
9.7 or a registrant under paragraph (d), shall keep accurate records for five years detailing
9.8 all distribution or sales transactions into the state or in the state and subject to a fee and
9.9 surcharge under this section.

9.10 (j) The records are subject to inspection, copying, and audit by the commissioner
9.11 and must clearly demonstrate proof of payment of all applicable fees and surcharges
9.12 for each registered pesticide product sold for use in this state. A person who is located
9.13 outside of this state must maintain and make available records required by this subdivision
9.14 in this state or pay all costs incurred by the commissioner in the inspecting, copying, or
9.15 auditing of the records.

9.16 (k) The commissioner may adopt by rule regulations that require persons subject
9.17 to audit under this section to provide information determined by the commissioner to be
9.18 necessary to enable the commissioner to perform the audit.

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

61.27 Sec. 7. Minnesota Statutes 2014, section 41A.12, subdivision 2, is amended to read:

61.28 Subd. 2. **Activities authorized.** For the purposes of this program, the commissioner
61.29 may issue grants, loans, or other forms of financial assistance. Eligible activities include,
61.30 but are not limited to, grants to livestock producers under the livestock investment grant
61.31 program under section 17.118, bioenergy awards ~~made by the NextGen Energy Board~~
61.32 ~~under section 41A.105~~, cost-share grants for the installation of biofuel blender pumps, and
61.33 financial assistance to support other rural economic infrastructure activities.

62.1 Sec. 8. Minnesota Statutes 2015 Supplement, section 41A.14, subdivision 1, is
62.2 amended to read:

62.3 Subdivision 1. **Duties; grants.** The agriculture research, education, extension, and
62.4 technology transfer grant program is created. The purpose of the grant program is to
62.5 provide investments that will most efficiently achieve long-term agricultural productivity
62.6 increases through improved infrastructure, vision, and accountability. The scope and
62.7 intent of the grants, to the extent possible, shall provide for a long-term base funding
62.8 that allows the research grantee to continue the functions of the research, education, ~~and~~
62.9 ~~extension, and technology transfer~~ efforts to a practical conclusion. Priority for grants
62.10 shall be given to human infrastructure. The commissioner shall provide grants for:

62.11 (1) ~~agricultural research, extension, and technology transfer needs and recipients~~
62.12 ~~including agricultural research and extension~~ at the University of Minnesota, research and
62.13 outreach centers, the College of Food, Agricultural and Natural Resource Sciences, the
62.14 Minnesota Agricultural Experiment Station, University of Minnesota Extension Service,
62.15 the University of Minnesota Veterinary School, the Veterinary Diagnostic Laboratory,
62.16 the Stakman-Borlaug Center, and the Minnesota Agriculture Fertilizer Research and
62.17 Education Council;

62.18 (2) agriculture rapid response for plant and animal diseases and pests; and

62.19 (3) agricultural education including but not limited to the Minnesota Agriculture
62.20 Education Leadership Council, farm business management, mentoring programs, graduate
62.21 debt forgiveness, and high school programs.

9.22 Sec. 8. Minnesota Statutes 2014, section 41A.12, subdivision 2, is amended to read:

9.23 Subd. 2. **Activities authorized.** For the purposes of this program, the commissioner
9.24 may issue grants, loans, or other forms of financial assistance. Eligible activities include,
9.25 but are not limited to, grants to livestock producers under the livestock investment grant
9.26 program under section 17.118, bioenergy awards ~~made by the NextGen Energy Board~~
9.27 ~~under section 41A.105~~, cost-share grants for the installation of biofuel blender pumps, and
9.28 financial assistance to support other rural economic infrastructure activities.

9.29 Sec. 9. Minnesota Statutes 2015 Supplement, section 41A.14, is amended to read:

9.30 **41A.14 AGRICULTURE RESEARCH, EDUCATION, EXTENSION, AND**
9.31 **TECHNOLOGY TRANSFER GRANT PROGRAM.**

9.32 Subdivision 1. **Duties; grants.** The agriculture research, education, extension, and
9.33 technology transfer grant program is created. The purpose of the grant program is to
9.34 provide investments that will most efficiently achieve long-term agricultural productivity
10.1 increases through improved infrastructure, vision, and accountability. The scope and
10.2 intent of the grants, to the extent possible, shall provide for a long-term base funding
10.3 that allows the ~~research~~ grantee to continue the functions of the research, education, ~~and~~
10.4 ~~extension, and technology transfer~~ efforts to a practical conclusion. Priority for grants
10.5 shall be given to human infrastructure. The commissioner shall provide grants for:

10.6 (1) ~~agricultural research, extension, and technology transfer needs and recipients~~
10.7 ~~including agricultural research and extension~~ at the University of Minnesota, ~~research and~~
10.8 ~~outreach centers, the College of Food, Agricultural and Natural Resource Sciences, the~~
10.9 ~~Minnesota Agricultural Experiment Station, University of Minnesota Extension Service,~~
10.10 ~~the University of Minnesota Veterinary School, the Veterinary Diagnostic Laboratory,~~
10.11 ~~the Stakman-Borlaug Center, and the Minnesota Agriculture Fertilizer Research and~~
10.12 ~~Education Council~~; for use by any of the following:

10.13 (i) the College of Food, Agricultural and Natural Resource Sciences;

10.14 (ii) the Minnesota Agricultural Experiment Station;

10.15 (iii) the University of Minnesota Extension Service;

10.16 (iv) the University of Minnesota Veterinary School;

10.17 (v) the Veterinary Diagnostic Laboratory; or

10.18 (vi) the Stakman-Borlaug Center;

10.19 (2) agriculture rapid response for plant and animal diseases and pests; and

10.20 (3) agricultural education including but not limited to the Minnesota Agriculture
10.21 Education Leadership Council, farm business management, mentoring programs, graduate
10.22 debt forgiveness, and high school programs.

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

62.23 Sec. 9. Minnesota Statutes 2015 Supplement, section 41A.14, subdivision 2, is
62.24 amended to read:

62.25 Subd. 2. **Advisory panel.** (a) In awarding grants under this section, the
62.26 commissioner and a representative of the College of Food, Agricultural, and Natural
62.27 Resource Sciences at the University of Minnesota must consult with an advisory panel
62.28 consisting of the following stakeholders:

62.29 (1) a representative of the College of Food, Agricultural and Natural Resource
62.30 Sciences at the University of Minnesota;

62.31 (2) a representative of the Minnesota State Colleges and Universities system;

62.32 (3) (2) a representative of the Minnesota Farm Bureau;

62.33 (4) (3) a representative of the Minnesota Farmers Union;

62.34 (5) (4) a person representing agriculture industry statewide;

63.1 (6) (5) a representative of each of the state commodity councils organized under
63.2 section 17.54 and the Minnesota Pork Board;

63.3 (7) (6) a person representing an association of primary manufacturers of forest
63.4 products;

63.5 (8) (7) a person representing organic or sustainable agriculture; and

63.6 (9) (8) a person representing statewide environment and natural resource
63.7 conservation organizations.

63.8 (b) Members under paragraph (a), clauses (1) to (3) and (5), shall be chosen by their
63.9 respective organizations.

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

10.23 Subd. 2. **Advisory panel.** (a) In awarding grants under this section, the
10.24 commissioner and a representative of the College of Food, Agricultural and Natural
10.25 Resource Sciences at the University of Minnesota must consult with an advisory panel
10.26 consisting of the following stakeholders:

10.27 (1) a representative of the College of Food, Agricultural and Natural Resource
10.28 Sciences at the University of Minnesota;

10.29 (2) (1) a representative of the Minnesota State Colleges and Universities system;

10.30 (3) (2) a representative of the Minnesota Farm Bureau;

10.31 (4) (3) a representative of the Minnesota Farmers Union;

10.32 (5) (4) a person representing agriculture industry statewide;

10.33 (6) (5) a representative of each of the state commodity councils organized under
10.34 section 17.54 and the Minnesota Pork Board;

10.35 (7) (6) a person representing an association of primary manufacturers of forest
10.36 products;

11.1 (8) (7) a person representing organic or sustainable agriculture; and

11.2 (9) (8) a person representing statewide environment and natural resource
11.3 conservation organizations.

11.4 (b) Members under paragraph (a), clauses (1) to (3) and (5), shall be chosen by their
11.5 respective organizations.

11.6 Subd. 3. **Account.** An agriculture research, education, extension, and technology
11.7 transfer account is created in the agricultural fund in the state treasury. The account
11.8 consists of money received in the form of gifts, grants, reimbursement, or appropriations
11.9 from any source for any of the purposes provided in subdivision 1, and any interest or
11.10 earnings of the account. Money in the account is appropriated to the commissioner of
11.11 agriculture for the purposes under subdivision 1.

63.11 Sec. 10. Minnesota Statutes 2015 Supplement, section 41A.15, is amended by adding a
63.12 subdivision to read:

63.13 Subd. 2a. **Biobased content.** "Biobased content" means a chemical, polymer,
63.14 monomer, or plastic that is not sold primarily for use as food, feed, or fuel and that has a
63.15 biobased percentage of at least 51 percent as determined by testing representative samples
63.16 using American Society for Testing and Materials specification D6866.

63.17 Sec. 11. Minnesota Statutes 2015 Supplement, section 41A.15, is amended by adding a
63.18 subdivision to read:

63.19 Subd. 2b. **Biobased formulated product.** "Biobased formulated product" means
63.20 a product that is not sold primarily for use as food, feed, or fuel and that has a biobased
63.21 content percentage of at least ten percent as determined by testing representative samples
63.22 using American Society for Testing and Materials specification D6866, or that contains
63.23 a biobased chemical constituent that displaces a known hazardous or toxic constituent
63.24 previously used in the product formulation.

63.25 Sec. 12. Minnesota Statutes 2015 Supplement, section 41A.15, is amended by adding a
63.26 subdivision to read:

63.27 Subd. 2c. **Biobutanol.** "Biobutanol" means fermentation isobutyl alcohol that is
63.28 derived from agricultural products, including potatoes, cereal grains, cheese whey, and
63.29 sugar beets; forest products; or other renewable resources, including residue and waste
63.30 generated from the production, processing, and marketing of agricultural products, forest
63.31 products, and other renewable resources.

64.1 Sec. 13. Minnesota Statutes 2015 Supplement, section 41A.15, is amended by adding a
64.2 subdivision to read:

64.3 Subd. 2d. **Biobutanol facility.** "Biobutanol facility" means a facility at which
64.4 biobutanol is produced.

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

11.13 Sec. 10. Minnesota Statutes 2015 Supplement, section 41A.15, subdivision 2, is
11.14 amended to read:

11.15 Subd. 2. **Advanced biofuel.** "Advanced biofuel" ~~has the meaning given~~ means
11.16 advanced biofuel as defined in section 239.051, subdivision 1a, and biobutanol.

11.17 Sec. 11. Minnesota Statutes 2015 Supplement, section 41A.15, is amended by adding a
11.18 subdivision to read:

11.19 Subd. 2a. **Biobased content.** "Biobased content" means a chemical, polymer,
11.20 monomer, or plastic that is not sold primarily for use as food, feed, or fuel and that has a
11.21 biobased percentage of at least 51 percent as determined by testing representative samples
11.22 using American Society for Testing and Materials specification D6866.

11.23 Sec. 12. Minnesota Statutes 2015 Supplement, section 41A.15, is amended by adding a
11.24 subdivision to read:

11.25 Subd. 2b. **Biobased formulated product.** "Biobased formulated product" means
11.26 a product that is not sold primarily for use as food, feed, or fuel and that has a biobased
11.27 content percentage of at least ten percent as determined by testing representative samples
11.28 using American Society for Testing and Materials specification D6866, or that contains
11.29 a biobased chemical constituent that displaces a known hazardous or toxic constituent
11.30 previously used in the product formulation.

11.31 Sec. 13. Minnesota Statutes 2015 Supplement, section 41A.15, is amended by adding a
11.32 subdivision to read:

12.1 Subd. 2c. **Biobutanol.** "Biobutanol" means fermentation isobutyl alcohol that is
12.2 derived from agricultural products, including potatoes, cereal grains, cheese whey, and
12.3 sugar beets; forest products; or other renewable resources, including residue and waste
12.4 generated from the production, processing, and marketing of agricultural products, forest
12.5 products, and other renewable resources.

12.6 Sec. 14. Minnesota Statutes 2015 Supplement, section 41A.15, is amended by adding a
12.7 subdivision to read:

12.8 Subd. 2d. **Biobutanol facility.** "Biobutanol facility" means a facility at which
12.9 biobutanol is produced.

64.5 Sec. 14. Minnesota Statutes 2015 Supplement, section 41A.15, is amended by adding a 64.6 subdivision to read:

64.7 Subd. 9a. **Quarterly.** "Quarterly" means any of the following three-month intervals
 64.8 in a calendar year: January through March, April through June, July through September,
 64.9 or October through December.

64.10 Sec. 15. Minnesota Statutes 2015 Supplement, section 41A.15, subdivision 10, is 64.11 amended to read:

64.12 Subd. 10. **Renewable chemical.** "Renewable chemical" means a chemical with 64.13 biobased content as defined in section 41A.105, subdivision 1a.

64.14 Sec. 16. Minnesota Statutes 2015 Supplement, section 41A.16, subdivision 1, is 64.15 amended to read:

64.16 Subdivision 1. **Eligibility.** (a) A facility eligible for payment under this section must 64.17 source at least 80 percent raw materials from Minnesota. If a facility is sited 50 miles or 64.18 less from the state border, raw materials may be sourced from within a 100-mile radius. 64.19 Raw materials must be from agricultural or forestry sources or from solid waste. The 64.20 facility must be located in Minnesota, must begin production at a specific location by June 64.21 30, 2025, and must not begin operating above ~~95,000~~ 23,750 MMBtu of ~~annual~~ quarterly 64.22 biofuel production before July 1, 2015. Eligible facilities include existing companies and 64.23 facilities that are adding advanced biofuel production capacity, or retrofitting existing 64.24 capacity, as well as new companies and facilities. Production of conventional corn ethanol 64.25 and conventional biodiesel is not eligible. Eligible advanced biofuel facilities must 64.26 produce at least ~~95,000~~ 23,750 MMBtu ~~a year~~ a year of biofuel quarterly.

64.27 (b) No payments shall be made for advanced biofuel production that occurs after 64.28 June 30, 2035, for those eligible biofuel producers under paragraph (a).

64.29 (c) An eligible producer of advanced biofuel shall not transfer the producer's 64.30 eligibility for payments under this section to an advanced biofuel facility at a different 64.31 location.

64.32 (d) A producer that ceases production for any reason is ineligible to receive 64.33 payments under this section until the producer resumes production.

65.1 (e) Renewable chemical production for which payment has been received under 65.2 section 41A.17, and biomass thermal production for which payment has been received 65.3 under section 41A.18, are not eligible for payment under this section.

65.4 (f) Biobutanol is eligible under this section.

65.5 Sec. 17. Minnesota Statutes 2015 Supplement, section 41A.17, subdivision 1, is 65.6 amended to read:

12.10 Sec. 15. Minnesota Statutes 2015 Supplement, section 41A.15, is amended by adding a 12.11 subdivision to read:

12.12 Subd. 9a. **Quarterly.** "Quarterly" means any of the following three-month intervals
 12.13 in a calendar year: January through March, April through June, July through September,
 12.14 or October through December.

12.15 Sec. 16. Minnesota Statutes 2015 Supplement, section 41A.15, subdivision 10, is 12.16 amended to read:

12.17 Subd. 10. **Renewable chemical.** "Renewable chemical" means a chemical with 12.18 biobased content as defined in section 41A.105, subdivision 1a.

12.19 Sec. 17. Minnesota Statutes 2015 Supplement, section 41A.16, subdivision 1, is 12.20 amended to read:

12.21 Subdivision 1. **Eligibility.** (a) A facility eligible for payment under this section must 12.22 source at least 80 percent raw materials from Minnesota. If a facility is sited 50 miles or 12.23 less from the state border, raw materials may be sourced from within a 100-mile radius. 12.24 Raw materials must be from agricultural or forestry sources or from solid waste. The 12.25 facility must be located in Minnesota, must begin production at a specific location by June 12.26 30, 2025, and must not begin operating above ~~95,000~~ 23,750 MMBtu of ~~annual~~ quarterly 12.27 biofuel production before July 1, 2015. Eligible facilities include existing companies and 12.28 facilities that are adding advanced biofuel production capacity, or retrofitting existing 12.29 capacity, as well as new companies and facilities. Production of conventional corn ethanol 12.30 and conventional biodiesel is not eligible. Eligible advanced biofuel facilities must 12.31 produce at least ~~95,000~~ 23,750 MMBtu ~~a year~~ a year of biofuel quarterly.

13.1 (b) No payments shall be made for advanced biofuel production that occurs after 13.2 June 30, 2035, for those eligible biofuel producers under paragraph (a).

13.3 (c) An eligible producer of advanced biofuel shall not transfer the producer's 13.4 eligibility for payments under this section to an advanced biofuel facility at a different 13.5 location.

13.6 (d) A producer that ceases production for any reason is ineligible to receive 13.7 payments under this section until the producer resumes production.

13.8 (e) Renewable chemical production for which payment has been received under 13.9 section 41A.17, and biomass thermal production for which payment has been received 13.10 under section 41A.18, are not eligible for payment under this section.

13.11 Sec. 18. Minnesota Statutes 2015 Supplement, section 41A.17, subdivision 1, is 13.12 amended to read:

65.7 Subdivision 1. **Eligibility.** (a) A facility eligible for payment under this program
 65.8 must source at least 80 percent biobased content, ~~as defined in section 41A.105,~~
 65.9 ~~subdivision 1a, clause (1),~~ from Minnesota. If a facility is sited 50 miles or less from the
 65.10 state border, biobased content must be sourced from within a 100-mile radius. Biobased
 65.11 content must be from agricultural or forestry sources or from solid waste. The facility must
 65.12 be located in Minnesota, must begin production at a specific location by June 30, 2025, and
 65.13 must not begin production of ~~3,000,000~~ 750,000 pounds of chemicals ~~annually~~ quarterly
 65.14 before January 1, 2015. Eligible facilities include existing companies and facilities that are
 65.15 adding production capacity, or retrofitting existing capacity, as well as new companies and
 65.16 facilities. Eligible renewable chemical facilities must produce at least ~~3,000,000~~ 750,000
 65.17 pounds ~~per year~~ of renewable chemicals quarterly. Renewable chemicals produced
 65.18 through processes that are fully commercial before January 1, 2000, are not eligible.

65.19 (b) No payments shall be made for renewable chemical production that occurs after
 65.20 June 30, 2035, for those eligible renewable chemical producers under paragraph (a).

65.21 (c) An eligible producer of renewable chemicals shall not transfer the producer's
 65.22 eligibility for payments under this section to a renewable chemical facility at a different
 65.23 location.

65.24 (d) A producer that ceases production for any reason is ineligible to receive
 65.25 payments under this section until the producer resumes production.

65.26 (e) Advanced biofuel production for which payment has been received under section
 65.27 41A.16, and biomass thermal production for which payment has been received under
 65.28 section 41A.18, are not eligible for payment under this section.

65.29 Sec. 18. Minnesota Statutes 2015 Supplement, section 41A.17, subdivision 2, is
 65.30 amended to read:

65.31 Subd. 2. **Payment amounts; bonus; limits.** (a) The commissioner shall make
 65.32 payments to eligible producers of renewable chemicals located in the state. The amount of
 65.33 the payment for each producer's annual production is \$0.03 per pound of sugar-derived
 65.34 renewable chemical, \$0.03 per pound of cellulosic sugar, and \$0.06 per pound of
 66.1 cellulosic-derived renewable chemical produced at a specific location for ten years after
 66.2 the start of production.

66.3 (b) An eligible facility producing renewable chemicals using agricultural cellulosic
 66.4 biomass is eligible for a 20 percent bonus payment for each ~~MMbtu~~ pound produced from
 66.5 agricultural biomass that is derived from perennial crop or cover crop biomass.

66.6 (c) Total payments under this section to an eligible renewable chemical producer in
 66.7 a fiscal year may not exceed the amount necessary for 99,999,999 pounds of renewable
 66.8 chemical production. Total payments under this section to all eligible renewable chemical
 66.9 producers in a fiscal year may not exceed the amount necessary for 599,999,999 pounds of
 66.10 renewable chemical production. The commissioner shall award payments on a first-come,
 66.11 first-served basis within the limits of available funding.

13.13 Subdivision 1. **Eligibility.** (a) A facility eligible for payment under this program
 13.14 must source at least 80 percent biobased content, ~~as defined in section 41A.105,~~
 13.15 ~~subdivision 1a, clause (1),~~ from Minnesota. If a facility is sited 50 miles or less from the
 13.16 state border, biobased content must be sourced from within a 100-mile radius. Biobased
 13.17 content must be from agricultural or forestry sources or from solid waste. The facility must
 13.18 be located in Minnesota, must begin production at a specific location by June 30, 2025, and
 13.19 must not begin production of ~~3,000,000~~ 750,000 pounds of chemicals ~~annually~~ quarterly
 13.20 before January 1, 2015. Eligible facilities include existing companies and facilities that are
 13.21 adding production capacity, or retrofitting existing capacity, as well as new companies and
 13.22 facilities. Eligible renewable chemical facilities must produce at least ~~3,000,000~~ 750,000
 13.23 pounds ~~per year~~ of renewable chemicals quarterly. Renewable chemicals produced
 13.24 through processes that are fully commercial before January 1, 2000, are not eligible.

13.25 (b) No payments shall be made for renewable chemical production that occurs after
 13.26 June 30, 2035, for those eligible renewable chemical producers under paragraph (a).

13.27 (c) An eligible producer of renewable chemicals shall not transfer the producer's
 13.28 eligibility for payments under this section to a renewable chemical facility at a different
 13.29 location.

13.30 (d) A producer that ceases production for any reason is ineligible to receive
 13.31 payments under this section until the producer resumes production.

13.32 (e) Advanced biofuel production for which payment has been received under section
 13.33 41A.16, and biomass thermal production for which payment has been received under
 13.34 section 41A.18, are not eligible for payment under this section.

14.1 Sec. 19. Minnesota Statutes 2015 Supplement, section 41A.17, subdivision 2, is
 14.2 amended to read:

14.3 Subd. 2. **Payment amounts; bonus; limits.** (a) The commissioner shall make
 14.4 payments to eligible producers of renewable chemicals located in the state. The amount of
 14.5 the payment for each producer's annual production is \$0.03 per pound of sugar-derived
 14.6 renewable chemical, \$0.03 per pound of cellulosic sugar, and \$0.06 per pound of
 14.7 cellulosic-derived renewable chemical produced at a specific location for ten years after
 14.8 the start of production.

14.9 (b) An eligible facility producing renewable chemicals using agricultural cellulosic
 14.10 biomass is eligible for a 20 percent bonus payment for each ~~MMbtu~~ pound produced from
 14.11 agricultural biomass that is derived from perennial crop or cover crop biomass.

14.12 (c) Total payments under this section to an eligible renewable chemical producer in
 14.13 a fiscal year may not exceed the amount necessary for 99,999,999 pounds of renewable
 14.14 chemical production. Total payments under this section to all eligible renewable chemical
 14.15 producers in a fiscal year may not exceed the amount necessary for 599,999,999 pounds of
 14.16 renewable chemical production. The commissioner shall award payments on a first-come,
 14.17 first-served basis within the limits of available funding.

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

66.14 Sec. 19. Minnesota Statutes 2015 Supplement, section 41A.18, subdivision 1, is
66.15 amended to read:

66.16 Subdivision 1. **Eligibility.** (a) A facility eligible for payment under this section must
66.17 source at least 80 percent raw materials from Minnesota. If a facility is sited 50 miles or
66.18 less from the state border, raw materials should be sourced from within a 100-mile radius.
66.19 Raw materials must be from agricultural or forestry sources. The facility must be located
66.20 in Minnesota, must have begun production at a specific location by June 30, 2025, and
66.21 must not begin before July 1, 2015. Eligible facilities include existing companies and
66.22 facilities that are adding production capacity, or retrofitting existing capacity, as well as
66.23 new companies and facilities. Eligible biomass thermal production facilities must produce
66.24 at least ~~1,000~~ 250 MMbtu ~~per year~~ of biomass thermal quarterly.

66.25 (b) No payments shall be made for biomass thermal production that occurs after June
66.26 30, 2035, for those eligible biomass thermal producers under paragraph (a).

66.27 (c) An eligible producer of biomass thermal production shall not transfer the
66.28 producer's eligibility for payments under this section to a biomass thermal production
66.29 facility at a different location.

66.30 (d) A producer that ceases production for any reason is ineligible to receive
66.31 payments under this section until the producer resumes production.

66.32 (e) Biofuel production for which payment has been received under section 41A.16,
66.33 and renewable chemical production for which payment has been received under section
66.34 41A.17, are not eligible for payment under this section.

67.1 Sec. 20. **[41A.20] SIDING PRODUCTION INCENTIVE.**

67.2 Subdivision 1. **Definitions.** (a) For the purposes of this section, the terms defined in
67.3 this subdivision have the meanings given them.

67.4 (b) "Commissioner" means the commissioner of agriculture.

67.5 (c) "Forest resources" means raw wood logs and material primarily made up of
67.6 cellulose, hemicellulose, or lignin, or a combination of those ingredients.

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

14.20 Sec. 20. Minnesota Statutes 2015 Supplement, section 41A.18, subdivision 1, is
14.21 amended to read:

14.22 Subdivision 1. **Eligibility.** (a) A facility eligible for payment under this section must
14.23 source at least 80 percent raw materials from Minnesota. If a facility is sited 50 miles or
14.24 less from the state border, raw materials should be sourced from within a 100-mile radius.
14.25 Raw materials must be from agricultural or forestry sources. The facility must be located
14.26 in Minnesota, must have begun production at a specific location by June 30, 2025, and
14.27 must not begin before July 1, 2015. Eligible facilities include existing companies and
14.28 facilities that are adding production capacity, or retrofitting existing capacity, as well as
14.29 new companies and facilities. Eligible biomass thermal production facilities must produce
14.30 at least ~~1,000~~ 250 MMbtu ~~per year~~ of biomass thermal quarterly.

14.31 (b) No payments shall be made for biomass thermal production that occurs after June
14.32 30, 2035, for those eligible biomass thermal producers under paragraph (a).

14.33 (c) An eligible producer of biomass thermal production shall not transfer the
14.34 producer's eligibility for payments under this section to a biomass thermal production
14.35 facility at a different location.

15.1 (d) A producer that ceases production for any reason is ineligible to receive
15.2 payments under this section until the producer resumes production.

15.3 (e) Biofuel production for which payment has been received under section 41A.16,
15.4 and renewable chemical production for which payment has been received under section
15.5 41A.17, are not eligible for payment under this section.

67.7 Subd. 2. **Eligibility.** (a) A facility eligible for payment under this section must
67.8 source at least 80 percent raw materials from Minnesota. If a facility is sited 50 miles
67.9 or less from the state border, raw materials may be sourced from within a 100-mile
67.10 radius. Raw materials must be from forest resources. The facility must be located in
67.11 Minnesota, must begin production at a specific location by June 30, 2025, and must not
67.12 begin operating before July 1, 2017. Eligible facilities include existing companies and
67.13 facilities that are adding siding production capacity, or retrofitting existing capacity, as
67.14 well as new companies and facilities. Eligible siding production facilities must produce at
67.15 least 200,000,000 siding square feet on a 3/8 inch nominal basis of siding each year.

67.16 (b) No payments shall be made for siding production that occurs after June 30, 2035,
67.17 for those eligible producers under paragraph (a).

67.18 (c) An eligible producer of siding shall not transfer the producer's eligibility for
67.19 payments under this section to a facility at a different location.

67.20 (d) A producer that ceases production for any reason is ineligible to receive
67.21 payments under this section until the producer resumes production.

67.22 Subd. 3. **Payment amounts; limits.** (a) The commissioner shall make payments
67.23 to eligible producers of siding. The amount of the payment for each eligible producer's
67.24 annual production is \$7.50 per 1,000 siding square feet on a 3/8 inch nominal basis of
67.25 siding produced at a specific location for ten years after the start of production.

67.26 (b) Total payments under this section to an eligible siding producer in a fiscal year
67.27 may not exceed the amount necessary for 400,000,000 siding square feet on a 3/8 inch
67.28 nominal basis of siding produced. Total payments under this section to all eligible siding
67.29 producers in a fiscal year may not exceed the amount necessary for 400,000,000 siding
67.30 square feet on a 3/8 inch nominal basis of siding produced. The commissioner shall award
67.31 payments on a first-come, first-served basis within the limits of available funding.

67.32 (c) For purposes of this section, an entity that holds a controlling interest in more
67.33 than one siding facility is considered a single eligible producer.

67.34 Subd. 4. **Forest resources requirements.** Forest resources that come from land
67.35 parcels greater than 160 acres must be certified by the Forest Stewardship Council,
67.36 Sustainable Forestry Initiative, or American Tree Farm System. Uncertified land from
68.1 parcels of 160 acres or less and federal land must be harvested by a logger who has
68.2 completed training from the Minnesota logger education program or the equivalent, and
68.3 have a forest stewardship plan.

68.4 Subd. 5. **Claims.** (a) By the last day of October, January, April, and July, each
 68.5 eligible siding producer shall file a claim for payment for siding production during the
 68.6 preceding three calendar months. An eligible siding producer that files a claim under this
 68.7 subdivision shall include a statement of the eligible producer's total board feet of siding
 68.8 produced during the quarter covered by the claim. For each claim and statement of total
 68.9 board feet of siding filed under this subdivision, the board feet of siding produced must
 68.10 be examined by a certified public accounting firm with a valid permit to practice under
 68.11 chapter 326A, in accordance with Statements on Standards for Attestation Engagements
 68.12 established by the American Institute of Certified Public Accountants.

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

68.15 Subd. 6. **Appropriation.** A sum sufficient to make the payments required by this
 68.16 section, not to exceed \$3,000,000 in a fiscal year, is annually appropriated from the
 68.17 general fund to the commissioner.

68.18 Sec. 21. Minnesota Statutes 2015 Supplement, section 116D.04, subdivision 2a,
 68.19 is amended to read:

68.20 Subd. 2a. **When prepared.** Where there is potential for significant environmental
 68.21 effects resulting from any major governmental action, the action shall be preceded by a
 68.22 detailed environmental impact statement prepared by the responsible governmental unit.
 68.23 The environmental impact statement shall be an analytical rather than an encyclopedic
 68.24 document which describes the proposed action in detail, analyzes its significant
 68.25 environmental impacts, discusses appropriate alternatives to the proposed action and
 68.26 their impacts, and explores methods by which adverse environmental impacts of an
 68.27 action could be mitigated. The environmental impact statement shall also analyze those
 68.28 economic, employment, and sociological effects that cannot be avoided should the action
 68.29 be implemented. To ensure its use in the decision-making process, the environmental
 68.30 impact statement shall be prepared as early as practical in the formulation of an action.

68.31 (a) The board shall by rule establish categories of actions for which environmental
 68.32 impact statements and for which environmental assessment worksheets shall be prepared
 68.33 as well as categories of actions for which no environmental review is required under this
 68.34 section. A mandatory environmental assessment worksheet shall not be required for the
 68.35 expansion of an ethanol plant, as defined in section 41A.09, subdivision 2a, paragraph
 69.1 (b), or the conversion of an ethanol plant to a biobutanol facility or the expansion of a
 69.2 biobutanol facility as defined in section ~~41A.105~~ 41A.15, subdivision ~~4a~~ 2d, based on
 69.3 the capacity of the expanded or converted facility to produce alcohol fuel, but must be
 69.4 required if the ethanol plant or biobutanol facility meets or exceeds thresholds of other
 69.5 categories of actions for which environmental assessment worksheets must be prepared.
 69.6 The responsible governmental unit for an ethanol plant or biobutanol facility project for
 69.7 which an environmental assessment worksheet is prepared shall be the state agency with
 69.8 the greatest responsibility for supervising or approving the project as a whole.

15.6 Sec. 21. Minnesota Statutes 2015 Supplement, section 116D.04, subdivision 2a,
 15.7 is amended to read:

15.8 Subd. 2a. **When prepared.** Where there is potential for significant environmental
 15.9 effects resulting from any major governmental action, the action shall be preceded by a
 15.10 detailed environmental impact statement prepared by the responsible governmental unit.
 15.11 The environmental impact statement shall be an analytical rather than an encyclopedic
 15.12 document which describes the proposed action in detail, analyzes its significant
 15.13 environmental impacts, discusses appropriate alternatives to the proposed action and
 15.14 their impacts, and explores methods by which adverse environmental impacts of an
 15.15 action could be mitigated. The environmental impact statement shall also analyze those
 15.16 economic, employment, and sociological effects that cannot be avoided should the action
 15.17 be implemented. To ensure its use in the decision-making process, the environmental
 15.18 impact statement shall be prepared as early as practical in the formulation of an action.

15.19 (a) The board shall by rule establish categories of actions for which environmental
 15.20 impact statements and for which environmental assessment worksheets shall be prepared
 15.21 as well as categories of actions for which no environmental review is required under this
 15.22 section. A mandatory environmental assessment worksheet shall not be required for the
 15.23 expansion of an ethanol plant, as defined in section 41A.09, subdivision 2a, paragraph
 15.24 (b), or the conversion of an ethanol plant to a biobutanol facility or the expansion of a
 15.25 biobutanol facility as defined in section ~~41A.105~~ 41A.15, subdivision ~~4a~~ 2d, based on
 15.26 the capacity of the expanded or converted facility to produce alcohol fuel, but must be
 15.27 required if the ethanol plant or biobutanol facility meets or exceeds thresholds of other
 15.28 categories of actions for which environmental assessment worksheets must be prepared.
 15.29 The responsible governmental unit for an ethanol plant or biobutanol facility project for
 15.30 which an environmental assessment worksheet is prepared shall be the state agency with
 15.31 the greatest responsibility for supervising or approving the project as a whole.

69.9 A mandatory environmental impact statement shall not be required for a facility
 69.10 or plant located outside the seven-county metropolitan area that produces less than
 69.11 125,000,000 gallons of ethanol, biobutanol, or cellulosic biofuel annually, or produces less
 69.12 than 400,000 tons of chemicals annually, if the facility or plant is: an ethanol plant, as
 69.13 defined in section 41A.09, subdivision 2a, paragraph (b); a biobutanol facility, as defined
 69.14 in section ~~41A.105~~ 41A.15, subdivision ~~1a, clause (1) 2d~~; or a cellulosic biofuel facility.
 69.15 A facility or plant that only uses a cellulosic feedstock to produce chemical products for
 69.16 use by another facility as a feedstock shall not be considered a fuel conversion facility as
 69.17 used in rules adopted under this chapter.

69.18 (b) The responsible governmental unit shall promptly publish notice of the
 69.19 completion of an environmental assessment worksheet by publishing the notice in at least
 69.20 one newspaper of general circulation in the geographic area where the project is proposed,
 69.21 by posting the notice on a Web site that has been designated as the official publication site
 69.22 for publication of proceedings, public notices, and summaries of a political subdivision in
 69.23 which the project is proposed, or in any other manner determined by the board and shall
 69.24 provide copies of the environmental assessment worksheet to the board and its member
 69.25 agencies. Comments on the need for an environmental impact statement may be submitted
 69.26 to the responsible governmental unit during a 30-day period following publication of the
 69.27 notice that an environmental assessment worksheet has been completed. The responsible
 69.28 governmental unit's decision on the need for an environmental impact statement shall be
 69.29 based on the environmental assessment worksheet and the comments received during the
 69.30 comment period, and shall be made within 15 days after the close of the comment period.
 69.31 The board's chair may extend the 15-day period by not more than 15 additional days upon
 69.32 the request of the responsible governmental unit.

69.33 (c) An environmental assessment worksheet shall also be prepared for a proposed
 69.34 action whenever material evidence accompanying a petition by not less than 100
 69.35 individuals who reside or own property in the state, submitted before the proposed
 69.36 project has received final approval by the appropriate governmental units, demonstrates
 70.1 that, because of the nature or location of a proposed action, there may be potential for
 70.2 significant environmental effects. Petitions requesting the preparation of an environmental
 70.3 assessment worksheet shall be submitted to the board. The chair of the board shall
 70.4 determine the appropriate responsible governmental unit and forward the petition to it.
 70.5 A decision on the need for an environmental assessment worksheet shall be made by
 70.6 the responsible governmental unit within 15 days after the petition is received by the
 70.7 responsible governmental unit. The board's chair may extend the 15-day period by not
 70.8 more than 15 additional days upon request of the responsible governmental unit.

70.9 (d) Except in an environmentally sensitive location where Minnesota Rules, part
 70.10 4410.4300, subpart 29, item B, applies, the proposed action is exempt from environmental
 70.11 review under this chapter and rules of the board, if:

70.12 (1) the proposed action is:

15.32 A mandatory environmental impact statement shall not be required for a facility
 15.33 or plant located outside the seven-county metropolitan area that produces less than
 15.34 125,000,000 gallons of ethanol, biobutanol, or cellulosic biofuel annually, or produces less
 15.35 than 400,000 tons of chemicals annually, if the facility or plant is: an ethanol plant, as
 16.1 defined in section 41A.09, subdivision 2a, paragraph (b); a biobutanol facility, as defined
 16.2 in section ~~41A.105~~ 41A.15, subdivision ~~1a, clause (1) 2d~~; or a cellulosic biofuel facility.
 16.3 A facility or plant that only uses a cellulosic feedstock to produce chemical products for
 16.4 use by another facility as a feedstock shall not be considered a fuel conversion facility as
 16.5 used in rules adopted under this chapter.

16.6 (b) The responsible governmental unit shall promptly publish notice of the
 16.7 completion of an environmental assessment worksheet by publishing the notice in at least
 16.8 one newspaper of general circulation in the geographic area where the project is proposed,
 16.9 by posting the notice on a Web site that has been designated as the official publication site
 16.10 for publication of proceedings, public notices, and summaries of a political subdivision in
 16.11 which the project is proposed, or in any other manner determined by the board and shall
 16.12 provide copies of the environmental assessment worksheet to the board and its member
 16.13 agencies. Comments on the need for an environmental impact statement may be submitted
 16.14 to the responsible governmental unit during a 30-day period following publication of the
 16.15 notice that an environmental assessment worksheet has been completed. The responsible
 16.16 governmental unit's decision on the need for an environmental impact statement shall be
 16.17 based on the environmental assessment worksheet and the comments received during the
 16.18 comment period, and shall be made within 15 days after the close of the comment period.
 16.19 The board's chair may extend the 15-day period by not more than 15 additional days upon
 16.20 the request of the responsible governmental unit.

16.21 (c) An environmental assessment worksheet shall also be prepared for a proposed
 16.22 action whenever material evidence accompanying a petition by not less than 100
 16.23 individuals who reside or own property in the state, submitted before the proposed
 16.24 project has received final approval by the appropriate governmental units, demonstrates
 16.25 that, because of the nature or location of a proposed action, there may be potential for
 16.26 significant environmental effects. Petitions requesting the preparation of an environmental
 16.27 assessment worksheet shall be submitted to the board. The chair of the board shall
 16.28 determine the appropriate responsible governmental unit and forward the petition to it.
 16.29 A decision on the need for an environmental assessment worksheet shall be made by
 16.30 the responsible governmental unit within 15 days after the petition is received by the
 16.31 responsible governmental unit. The board's chair may extend the 15-day period by not
 16.32 more than 15 additional days upon request of the responsible governmental unit.

16.33 (d) Except in an environmentally sensitive location where Minnesota Rules, part
 16.34 4410.4300, subpart 29, item B, applies, the proposed action is exempt from environmental
 16.35 review under this chapter and rules of the board, if:

16.36 (1) the proposed action is:

70.13 (i) an animal feedlot facility with a capacity of less than 1,000 animal units; or
 70.14 (ii) an expansion of an existing animal feedlot facility with a total cumulative
 70.15 capacity of less than 1,000 animal units;

70.16 (2) the application for the animal feedlot facility includes a written commitment by
 70.17 the proposer to design, construct, and operate the facility in full compliance with Pollution
 70.18 Control Agency feedlot rules; and

70.19 (3) the county board holds a public meeting for citizen input at least ten business
 70.20 days prior to the Pollution Control Agency or county issuing a feedlot permit for the
 70.21 animal feedlot facility unless another public meeting for citizen input has been held with
 70.22 regard to the feedlot facility to be permitted. The exemption in this paragraph is in
 70.23 addition to other exemptions provided under other law and rules of the board.

70.24 (e) The board may, prior to final approval of a proposed project, require preparation
 70.25 of an environmental assessment worksheet by a responsible governmental unit selected
 70.26 by the board for any action where environmental review under this section has not been
 70.27 specifically provided for by rule or otherwise initiated.

70.28 (f) An early and open process shall be utilized to limit the scope of the environmental
 70.29 impact statement to a discussion of those impacts, which, because of the nature or location
 70.30 of the project, have the potential for significant environmental effects. The same process
 70.31 shall be utilized to determine the form, content and level of detail of the statement as well
 70.32 as the alternatives which are appropriate for consideration in the statement. In addition,
 70.33 the permits which will be required for the proposed action shall be identified during the
 70.34 scoping process. Further, the process shall identify those permits for which information
 70.35 will be developed concurrently with the environmental impact statement. The board
 70.36 shall provide in its rules for the expeditious completion of the scoping process. The
 71.1 determinations reached in the process shall be incorporated into the order requiring the
 71.2 preparation of an environmental impact statement.

71.3 (g) The responsible governmental unit shall, to the extent practicable, avoid
 71.4 duplication and ensure coordination between state and federal environmental review
 71.5 and between environmental review and environmental permitting. Whenever practical,
 71.6 information needed by a governmental unit for making final decisions on permits
 71.7 or other actions required for a proposed project shall be developed in conjunction
 71.8 with the preparation of an environmental impact statement. When an environmental
 71.9 impact statement is prepared for a project requiring multiple permits for which two or
 71.10 more agencies' decision processes include either mandatory or discretionary hearings
 71.11 before a hearing officer prior to the agencies' decision on the permit, the agencies
 71.12 may, notwithstanding any law or rule to the contrary, conduct the hearings in a single
 71.13 consolidated hearing process if requested by the proposer. All agencies having jurisdiction
 71.14 over a permit that is included in the consolidated hearing shall participate. The responsible
 71.15 governmental unit shall establish appropriate procedures for the consolidated hearing
 71.16 process, including procedures to ensure that the consolidated hearing process is consistent

17.1 (i) an animal feedlot facility with a capacity of less than 1,000 animal units; or
 17.2 (ii) an expansion of an existing animal feedlot facility with a total cumulative
 17.3 capacity of less than 1,000 animal units;

17.4 (2) the application for the animal feedlot facility includes a written commitment by
 17.5 the proposer to design, construct, and operate the facility in full compliance with Pollution
 17.6 Control Agency feedlot rules; and

17.7 (3) the county board holds a public meeting for citizen input at least ten business
 17.8 days prior to the Pollution Control Agency or county issuing a feedlot permit for the
 17.9 animal feedlot facility unless another public meeting for citizen input has been held with
 17.10 regard to the feedlot facility to be permitted. The exemption in this paragraph is in
 17.11 addition to other exemptions provided under other law and rules of the board.

17.12 (e) The board may, prior to final approval of a proposed project, require preparation
 17.13 of an environmental assessment worksheet by a responsible governmental unit selected
 17.14 by the board for any action where environmental review under this section has not been
 17.15 specifically provided for by rule or otherwise initiated.

17.16 (f) An early and open process shall be utilized to limit the scope of the environmental
 17.17 impact statement to a discussion of those impacts, which, because of the nature or location
 17.18 of the project, have the potential for significant environmental effects. The same process
 17.19 shall be utilized to determine the form, content and level of detail of the statement as well
 17.20 as the alternatives which are appropriate for consideration in the statement. In addition,
 17.21 the permits which will be required for the proposed action shall be identified during the
 17.22 scoping process. Further, the process shall identify those permits for which information
 17.23 will be developed concurrently with the environmental impact statement. The board
 17.24 shall provide in its rules for the expeditious completion of the scoping process. The
 17.25 determinations reached in the process shall be incorporated into the order requiring the
 17.26 preparation of an environmental impact statement.

17.27 (g) The responsible governmental unit shall, to the extent practicable, avoid
 17.28 duplication and ensure coordination between state and federal environmental review
 17.29 and between environmental review and environmental permitting. Whenever practical,
 17.30 information needed by a governmental unit for making final decisions on permits
 17.31 or other actions required for a proposed project shall be developed in conjunction
 17.32 with the preparation of an environmental impact statement. When an environmental
 17.33 impact statement is prepared for a project requiring multiple permits for which two or
 17.34 more agencies' decision processes include either mandatory or discretionary hearings
 17.35 before a hearing officer prior to the agencies' decision on the permit, the agencies
 17.36 may, notwithstanding any law or rule to the contrary, conduct the hearings in a single
 18.1 consolidated hearing process if requested by the proposer. All agencies having jurisdiction
 18.2 over a permit that is included in the consolidated hearing shall participate. The responsible
 18.3 governmental unit shall establish appropriate procedures for the consolidated hearing
 18.4 process, including procedures to ensure that the consolidated hearing process is consistent

71.17 with the applicable requirements for each permit regarding the rights and duties of parties to
71.18 the hearing, and shall utilize the earliest applicable hearing procedure to initiate the hearing.

71.19 (h) An environmental impact statement shall be prepared and its adequacy
71.20 determined within 280 days after notice of its preparation unless the time is extended by
71.21 consent of the parties or by the governor for good cause. The responsible governmental
71.22 unit shall determine the adequacy of an environmental impact statement, unless within 60
71.23 days after notice is published that an environmental impact statement will be prepared,
71.24 the board chooses to determine the adequacy of an environmental impact statement. If an
71.25 environmental impact statement is found to be inadequate, the responsible governmental
71.26 unit shall have 60 days to prepare an adequate environmental impact statement.

71.27 (i) The proposer of a specific action may include in the information submitted to the
71.28 responsible governmental unit a preliminary draft environmental impact statement under
71.29 this section on that action for review, modification, and determination of completeness and
71.30 adequacy by the responsible governmental unit. A preliminary draft environmental impact
71.31 statement prepared by the project proposer and submitted to the responsible governmental
71.32 unit shall identify or include as an appendix all studies and other sources of information
71.33 used to substantiate the analysis contained in the preliminary draft environmental impact
71.34 statement. The responsible governmental unit shall require additional studies, if needed,
71.35 and obtain from the project proposer all additional studies and information necessary for
72.1 the responsible governmental unit to perform its responsibility to review, modify, and
72.2 determine the completeness and adequacy of the environmental impact statement.

18.5 with the applicable requirements for each permit regarding the rights and duties of parties to
18.6 the hearing, and shall utilize the earliest applicable hearing procedure to initiate the hearing.

18.7 (h) An environmental impact statement shall be prepared and its adequacy
18.8 determined within 280 days after notice of its preparation unless the time is extended by
18.9 consent of the parties or by the governor for good cause. The responsible governmental
18.10 unit shall determine the adequacy of an environmental impact statement, unless within 60
18.11 days after notice is published that an environmental impact statement will be prepared,
18.12 the board chooses to determine the adequacy of an environmental impact statement. If an
18.13 environmental impact statement is found to be inadequate, the responsible governmental
18.14 unit shall have 60 days to prepare an adequate environmental impact statement.

18.15 (i) The proposer of a specific action may include in the information submitted to the
18.16 responsible governmental unit a preliminary draft environmental impact statement under
18.17 this section on that action for review, modification, and determination of completeness and
18.18 adequacy by the responsible governmental unit. A preliminary draft environmental impact
18.19 statement prepared by the project proposer and submitted to the responsible governmental
18.20 unit shall identify or include as an appendix all studies and other sources of information
18.21 used to substantiate the analysis contained in the preliminary draft environmental impact
18.22 statement. The responsible governmental unit shall require additional studies, if needed,
18.23 and obtain from the project proposer all additional studies and information necessary for
18.24 the responsible governmental unit to perform its responsibility to review, modify, and
18.25 determine the completeness and adequacy of the environmental impact statement.

18.26 Sec. 22. Laws 2015, First Special Session chapter 4, article 1, section 2, subdivision 2,
18.27 is amended to read:

18.28	Subd. 2. Protection Services	16,452,000	16,402,000
18.29	Appropriations by Fund		
18.30		2016	2017
18.31	General	15,874,000	15,824,000
18.32	Agricultural	190,000	190,000
18.33	Remediation	388,000	388,000

18.34 \$25,000 the first year and \$25,000 the second
18.35 year are to develop and maintain cottage
19.1 food license exemption outreach and training
19.2 materials.

19.3 \$75,000 the first year is for the commissioner,
19.4 in consultation with the Northeast Regional
19.5 Corrections Center and the United Food
19.6 and Commercial Workers, to study and
19.7 provide recommendations for upgrading the
19.8 existing processing facility on the campus of
19.9 the Northeast Regional Corrections Center
19.10 into a USDA-certified food processing
19.11 facility. The commissioner shall report these
19.12 recommendations to the chairs of the house
19.13 of representatives and senate committees
19.14 with jurisdiction over agriculture finance by
19.15 March 15, 2016.

19.16 \$75,000 the second year is for a ~~coordinator~~
19.17 ~~for~~ to coordinate the correctional facility
19.18 vocational training pilot program and to assist
19.19 entities that have explored the feasibility of
19.20 establishing a USDA-certified or state "equal
19.21 to" food processing facility within 30 miles of
19.22 the Northeast Regional Corrections Center.

19.23 \$388,000 the first year and \$388,000 the
19.24 second year are from the remediation fund
19.25 for administrative funding for the voluntary
19.26 cleanup program.

19.27 \$225,000 the first year and \$175,000
19.28 the second year are for compensation
19.29 for destroyed or crippled animals under
19.30 Minnesota Statutes, section 3.737. This
19.31 appropriation may be spent to compensate
19.32 for animals that were destroyed or crippled
19.33 during fiscal years 2014 and 2015. If the
19.34 amount in the first year is insufficient, the
20.1 amount in the second year is available in the
20.2 first year.

20.3 \$125,000 the first year and \$125,000 the
20.4 second year are for compensation for crop
20.5 damage under Minnesota Statutes, section
20.6 3.7371. If the amount in the first year is
20.7 insufficient, the amount in the second year is
20.8 available in the first year.

20.9 If the commissioner determines that claims
20.10 made under Minnesota Statutes, section
20.11 3.737 or 3.7371, are unusually high, amounts
20.12 appropriated for either program may be
20.13 transferred to the appropriation for the other
20.14 program.

20.15 \$70,000 the first year and \$70,000 the second
20.16 year are for additional cannery inspections.

20.17 \$100,000 the first year and \$100,000 the
20.18 second year are for increased oversight of
20.19 delegated local health boards.

20.20 \$100,000 the first year and \$100,000 the
20.21 second year are to decrease the turnaround
20.22 time for retail food handler plan reviews.

20.23 \$1,024,000 the first year and \$1,024,000 the
20.24 second year are to streamline the retail food
20.25 safety regulatory and licensing experience
20.26 for regulated businesses and to decrease the
20.27 inspection delinquency rate.

20.28 \$1,350,000 the first year and \$1,350,000 the
20.29 second year are for additional inspections of
20.30 food manufacturers and wholesalers.

20.31 \$150,000 the first year and \$150,000 the
20.32 second year are for additional funding for
20.33 dairy inspection services.

21.1 \$150,000 the first year and \$150,000 the
21.2 second year are for additional funding for
21.3 laboratory services operations.

21.4 \$250,000 the first year and \$250,000
21.5 the second year are for additional meat
21.6 inspection services, including inspections
21.7 provided under the correctional facility
21.8 vocational training pilot program.

21.9 Notwithstanding Minnesota Statutes, section
21.10 18B.05, \$90,000 the first year and \$90,000
21.11 the second year are from the pesticide
21.12 regulatory account in the agricultural fund
21.13 for an increase in the operating budget for
21.14 the Laboratory Services Division.

21.15 \$100,000 the first year and \$100,000 the
21.16 second year are from the pesticide regulatory
21.17 account in the agricultural fund to update
21.18 and modify applicator education and training
21.19 materials.

72.3 Sec. 22. Laws 2015, First Special Session chapter 4, article 1, section 2, subdivision 4,
72.4 is amended to read:

21.20 Sec. 23. Laws 2015, First Special Session chapter 4, article 1, section 2, subdivision 4,
21.21 is amended to read:

72.5 Subd. 4. **Agriculture, Bioenergy, and**
72.6 **Bioproduct Advancement** 14,993,000 19,010,000

21.22 Subd. 4. **Agriculture, Bioenergy, and**
21.23 **Bioproduct Advancement** 14,993,000 19,010,000

72.7 \$4,483,000 the first year and \$8,500,000 the
 72.8 second year are for transfer to the agriculture
 72.9 research, education, extension, and
 72.10 technology transfer account under Minnesota
 72.11 Statutes, section 41A.14, subdivision 3. The
 72.12 transfer in this paragraph includes money
 72.13 for plant breeders at the University of
 72.14 Minnesota for cultivated wild rice, potatoes,
 72.15 and grapes. Of the amount appropriated in
 72.16 this paragraph, at least \$450,000 the second
 72.17 year is for transfer to the Board of Regents
 72.18 of the University of Minnesota for the
 72.19 cultivated wild rice breeding project at the
 72.20 North Central Research and Outreach Center
 72.21 to include a tenure track/research associate
 72.22 plant breeder. Of the amount appropriated
 72.23 in this paragraph, at least \$350,000 the
 72.24 second year is for transfer to the Board of
 72.25 Regents of the University of Minnesota
 72.26 for potato breeding. Of these amounts, at
 72.27 least \$600,000 each year is for agriculture
 72.28 rapid response the Minnesota Agricultural
 72.29 Experiment Station's agriculture rapid
 72.30 response fund under Minnesota Statutes,
 72.31 section 41A.14, subdivision 1, clause (2). Of
 72.32 the amount appropriated in this paragraph,
 72.33 \$1,000,000 each year is for transfer to
 72.34 the Board of Regents of the University of
 72.35 Minnesota for research to determine (1) what
 73.1 is causing avian influenza, (2) why some
 73.2 fowl are more susceptible, and (3) prevention
 73.3 measures that can be taken. Of the amount
 73.4 appropriated in this paragraph, \$2,000,000
 73.5 each year is for grants to the Minnesota
 73.6 Agriculture Education Leadership Council
 73.7 to enhance agricultural education with
 73.8 priority given to Farm Business Management
 73.9 challenge grants. The commissioner shall
 73.10 transfer the remaining grant funds in this
 73.11 appropriation each year to the Board of
 73.12 Regents of the University of Minnesota for
 73.13 purposes of Minnesota Statutes, section
 73.14 41A.14, subdivision 1, clause (1), and subject

21.24 \$4,483,000 the first year and \$8,500,000 the
 21.25 second year are for transfer to the agriculture
 21.26 research, education, extension, and
 21.27 technology transfer account under Minnesota
 21.28 Statutes, section 41A.14, subdivision 3.
 21.29 The transfer in this paragraph includes
 21.30 money for plant breeders at the University
 21.31 of Minnesota for wild rice, potatoes, and
 21.32 grapes. Of these amounts, at least \$600,000
 21.33 each year is for ~~agriculture rapid response~~
 21.34 ~~the Minnesota Agricultural Experiment~~
 22.1 ~~Station's Agriculture Rapid Response Fund~~
 22.2 under Minnesota Statutes, section 41A.14,
 22.3 subdivision 1, clause (2). Of the amount
 22.4 appropriated in this paragraph, \$1,000,000
 22.5 each year is for transfer to the Board of
 22.6 Regents of the University of Minnesota for
 22.7 research to determine (1) what is causing
 22.8 avian influenza, (2) why some fowl are more
 22.9 susceptible, and (3) prevention measures that
 22.10 can be taken. Of the amount appropriated
 22.11 in this paragraph, \$2,000,000 each year
 22.12 is for grants to the Minnesota Agriculture
 22.13 Education Leadership Council to enhance
 22.14 agricultural education with priority given
 22.15 to Farm Business Management challenge
 22.16 grants. The commissioner shall transfer the
 22.17 remaining grant funds in this appropriation
 22.18 each year to the Board of Regents of the
 22.19 University of Minnesota for purposes of
 22.20 Minnesota Statutes, section 41A.14.

73.15 to Minnesota Statutes, section 41A.14,
73.16 subdivision 2.

73.17 To the extent practicable, funds expended
73.18 under Minnesota Statutes, section 41A.14,
73.19 subdivision 1, clauses (1) and (2), must
73.20 supplement and not supplant existing sources
73.21 and levels of funding. The commissioner may
73.22 use up to 4.5 percent of this appropriation
73.23 for costs incurred to administer the program.
73.24 Any unencumbered balance does not cancel
73.25 at the end of the first year and is available for
73.26 the second year. Notwithstanding Minnesota
73.27 Statutes, section 16A.28, the appropriations
73.28 encumbered under contract on or before June
73.29 30, 2017, for agricultural growth, research,
73.30 and innovation grants are available until June
73.31 30, 2019.

73.32 \$10,235,000 the first year and \$10,235,000
73.33 the second year are for the agricultural
73.34 growth, research, and innovation program
73.35 in Minnesota Statutes, section 41A.12. No
73.36 later than February 1, 2016, and February
74.1 1, 2017, the commissioner must report to
74.2 the legislative committees with jurisdiction
74.3 over agriculture policy and finance regarding
74.4 the commissioner's accomplishments
74.5 and anticipated accomplishments in
74.6 the following areas: facilitating the
74.7 start-up, modernization, or expansion of
74.8 livestock operations including beginning
74.9 and transitioning livestock operations;
74.10 developing new markets for Minnesota
74.11 farmers by providing more fruits, vegetables,
74.12 meat, grain, and dairy for Minnesota school
74.13 children; assisting value-added agricultural
74.14 businesses to begin or expand, access new
74.15 markets, or diversify products; developing
74.16 urban agriculture; facilitating the start-up,
74.17 modernization, or expansion of other
74.18 beginning and transitioning farms including
74.19 loans under Minnesota Statutes, section

22.21 To the extent practicable, funds expended
22.22 under Minnesota Statutes, section 41A.14,
22.23 subdivision 1, clauses (1) and (2), must
22.24 supplement and not supplant existing sources
22.25 and levels of funding. The commissioner may
22.26 use up to 4.5 percent of this appropriation
22.27 for costs incurred to administer the program.
22.28 Any unencumbered balance does not cancel
22.29 at the end of the first year and is available for
22.30 the second year.

22.31 \$10,235,000 the first year and \$10,235,000
22.32 the second year are for the agricultural
22.33 growth, research, and innovation program
22.34 in Minnesota Statutes, section 41A.12. No
22.35 later than February 1, 2016, and February
22.36 1, 2017, the commissioner must report to
23.1 the legislative committees with jurisdiction
23.2 over agriculture policy and finance regarding
23.3 the commissioner's accomplishments
23.4 and anticipated accomplishments in
23.5 the following areas: facilitating the
23.6 start-up, modernization, or expansion of
23.7 livestock operations including beginning
23.8 and transitioning livestock operations;
23.9 developing new markets for Minnesota
23.10 farmers by providing more fruits, vegetables,
23.11 meat, grain, and dairy for Minnesota school
23.12 children; assisting value-added agricultural
23.13 businesses to begin or expand, access new
23.14 markets, or diversify products; developing
23.15 urban agriculture; facilitating the start-up,
23.16 modernization, or expansion of other
23.17 beginning and transitioning farms including
23.18 loans under Minnesota Statutes, section

74.20 41B.056; sustainable agriculture on farm
 74.21 research and demonstration; development or
 74.22 expansion of food hubs and other alternative
 74.23 community-based food distribution systems;
 74.24 and research on bioenergy, biobased content,
 74.25 or biobased formulated products and other
 74.26 renewable energy development. The
 74.27 commissioner may use up to 4.5 percent
 74.28 of this appropriation for costs incurred to
 74.29 administer the program. Any unencumbered
 74.30 balance does not cancel at the end of the first
 74.31 year and is available for the second year.
 74.32 Notwithstanding Minnesota Statutes, section
 74.33 16A.28, the appropriations encumbered
 74.34 under contract on or before June 30, 2017, for
 74.35 agricultural growth, research, and innovation
 74.36 grants are available until June 30, 2019.

75.1 The commissioner may use funds
 75.2 appropriated for the agricultural growth,
 75.3 research, and innovation program as provided
 75.4 in this paragraph. The commissioner may
 75.5 award grants to owners of Minnesota
 75.6 facilities producing bioenergy, biobased
 75.7 content, or a biobased formulated product;
 75.8 to organizations that provide for on-station,
 75.9 on-farm field scale research and outreach to
 75.10 develop and test the agronomic and economic
 75.11 requirements of diverse strands of prairie
 75.12 plants and other perennials for bioenergy
 75.13 systems; or to certain nongovernmental
 75.14 entities. For the purposes of this paragraph,
 75.15 "bioenergy" includes transportation fuels
 75.16 derived from cellulosic material, as well as
 75.17 the generation of energy for commercial heat,
 75.18 industrial process heat, or electrical power
 75.19 from cellulosic materials via gasification or
 75.20 other processes. Grants are limited to 50
 75.21 percent of the cost of research, technical
 75.22 assistance, or equipment related to bioenergy,
 75.23 biobased content, or biobased formulated
 75.24 product production or \$500,000, whichever
 75.25 is less. Grants to nongovernmental entities

23.19 41B.056; sustainable agriculture on farm
 23.20 research and demonstration; development or
 23.21 expansion of food hubs and other alternative
 23.22 community-based food distribution systems;
 23.23 and research on bioenergy, biobased content,
 23.24 or biobased formulated products and other
 23.25 renewable energy development. The
 23.26 commissioner may use up to 4.5 percent
 23.27 of this appropriation for costs incurred to
 23.28 administer the program. Any unencumbered
 23.29 balance does not cancel at the end of the first
 23.30 year and is available for the second year.
 23.31 Notwithstanding Minnesota Statutes, section
 23.32 16A.28, the appropriations encumbered
 23.33 under contract on or before June 30, 2017, for
 23.34 agricultural growth, research, and innovation
 23.35 grants are available until June 30, ~~2019~~ 2021.

24.1 The commissioner may use funds
 24.2 appropriated for the agricultural growth,
 24.3 research, and innovation program as provided
 24.4 in this paragraph. The commissioner may
 24.5 award grants to owners of Minnesota
 24.6 facilities producing bioenergy, biobased
 24.7 content, or a biobased formulated product;
 24.8 to organizations that provide for on-station,
 24.9 on-farm field scale research and outreach to
 24.10 develop and test the agronomic and economic
 24.11 requirements of diverse strands of prairie
 24.12 plants and other perennials for bioenergy
 24.13 systems; or to certain nongovernmental
 24.14 entities. For the purposes of this paragraph,
 24.15 "bioenergy" includes transportation fuels
 24.16 derived from cellulosic material, as well as
 24.17 the generation of energy for commercial heat,
 24.18 industrial process heat, or electrical power
 24.19 from cellulosic materials via gasification or
 24.20 other processes. Grants are limited to 50
 24.21 percent of the cost of research, technical
 24.22 assistance, or equipment related to bioenergy,
 24.23 biobased content, or biobased formulated
 24.24 product production or \$500,000, whichever
 24.25 is less. Grants to nongovernmental entities

75.26 for the development of business plans and
 75.27 structures related to community ownership
 75.28 of eligible bioenergy facilities together may
 75.29 not exceed \$150,000. The commissioner
 75.30 shall make a good-faith effort to select
 75.31 projects that have merit and, when taken
 75.32 together, represent a variety of bioenergy
 75.33 technologies, biomass feedstocks, and
 75.34 geographic regions of the state. Projects
 75.35 must have a qualified engineer provide
 75.36 certification on the technology and fuel
 76.1 source. Grantees must provide reports at the
 76.2 request of the commissioner.

76.3 Of the amount appropriated for the
 76.4 agricultural growth, research, and innovation
 76.5 program in this subdivision, \$1,000,000 the
 76.6 first year and \$1,000,000 the second year
 76.7 are for distribution in equal amounts to each
 76.8 of the state's county fairs to preserve and
 76.9 promote Minnesota agriculture.

76.10 Of the amount appropriated for the
 76.11 agricultural growth, research, and innovation
 76.12 program in this subdivision, \$500,000 in
 76.13 fiscal year 2016 and \$1,500,000 in fiscal
 76.14 year 2017 are for incentive payments
 76.15 under Minnesota Statutes, sections 41A.16,
 76.16 41A.17, and 41A.18. If the appropriation
 76.17 exceeds the total amount for which all
 76.18 producers are eligible in a fiscal year, the
 76.19 balance of the appropriation is available
 76.20 to the commissioner for the agricultural
 76.21 growth, research, and innovation program.
 76.22 Notwithstanding Minnesota Statutes,
 76.23 section 16A.28, the first year appropriation
 76.24 is available until June 30, 2017, and the
 76.25 second year appropriation is available until
 76.26 June 30, 2018. The commissioner may use
 76.27 up to 4.5 percent of the appropriation for
 76.28 administration of the incentive payment
 76.29 programs.

24.26 for the development of business plans and
 24.27 structures related to community ownership
 24.28 of eligible bioenergy facilities together may
 24.29 not exceed \$150,000. The commissioner
 24.30 shall make a good-faith effort to select
 24.31 projects that have merit and, when taken
 24.32 together, represent a variety of bioenergy
 24.33 technologies, biomass feedstocks, and
 24.34 geographic regions of the state. Projects
 24.35 must have a qualified engineer provide
 24.36 certification on the technology and fuel
 25.1 source. Grantees must provide reports at the
 25.2 request of the commissioner.

25.3 Of the amount appropriated for the
 25.4 agricultural growth, research, and innovation
 25.5 program in this subdivision, \$1,000,000 the
 25.6 first year and \$1,000,000 the second year
 25.7 are for distribution in equal amounts to each
 25.8 of the state's county fairs to preserve and
 25.9 promote Minnesota agriculture.

25.10 Of the amount appropriated for the
 25.11 agricultural growth, research, and innovation
 25.12 program in this subdivision, \$500,000 in
 25.13 fiscal year 2016 and \$1,500,000 in fiscal
 25.14 year 2017 are for incentive payments
 25.15 under Minnesota Statutes, sections 41A.16,
 25.16 41A.17, and 41A.18. If the appropriation
 25.17 exceeds the total amount for which all
 25.18 producers are eligible in a fiscal year, the
 25.19 balance of the appropriation is available
 25.20 to the commissioner for the agricultural
 25.21 growth, research, and innovation program.
 25.22 Notwithstanding Minnesota Statutes,
 25.23 section 16A.28, the first year appropriation
 25.24 is available until June 30, 2017, and the
 25.25 second year appropriation is available until
 25.26 June 30, 2018. The commissioner may use
 25.27 up to 4.5 percent of the appropriation for
 25.28 administration of the incentive payment
 25.29 programs.

76.30 Of the amount appropriated for the
 76.31 agricultural growth, research, and innovation
 76.32 program in this subdivision, \$250,000
 76.33 the first year is for grants to communities
 76.34 to develop or expand food hubs and
 76.35 other alternative community-based food
 77.1 distribution systems. Of this amount,
 77.2 \$50,000 is for the commissioner to consult
 77.3 with existing food hubs, alternative
 77.4 community-based food distribution systems,
 77.5 and University of Minnesota Extension
 77.6 to identify best practices for use by other
 77.7 Minnesota communities. No later than
 77.8 December 15, 2015, the commissioner must
 77.9 report to the legislative committees with
 77.10 jurisdiction over agriculture and health
 77.11 regarding the status of emerging alternative
 77.12 community-based food distribution systems
 77.13 in the state along with recommendations
 77.14 to eliminate any barriers to success. Any
 77.15 unencumbered balance does not cancel at the
 77.16 end of the first year and is available for the
 77.17 second year. This is a onetime appropriation.

77.18 \$250,000 the first year and \$250,000 the
 77.19 second year are for grants that enable
 77.20 retail petroleum dispensers to dispense
 77.21 biofuels to the public in accordance with the
 77.22 biofuel replacement goals established under
 77.23 Minnesota Statutes, section 239.7911. A
 77.24 retail petroleum dispenser selling petroleum
 77.25 for use in spark ignition engines for vehicle
 77.26 model years after 2000 is eligible for grant
 77.27 money under this paragraph if the retail
 77.28 petroleum dispenser has no more than 15
 77.29 retail petroleum dispensing sites and each
 77.30 site is located in Minnesota. The grant
 77.31 money received under this paragraph must
 77.32 be used for the installation of appropriate
 77.33 technology that uses fuel dispensing
 77.34 equipment appropriate for at least one fuel
 77.35 dispensing site to dispense gasoline that is

25.30 Of the amount appropriated for the
 25.31 agricultural growth, research, and innovation
 25.32 program in this subdivision, \$250,000
 25.33 the first year is for grants to communities
 25.34 to develop or expand food hubs and
 25.35 other alternative community-based food
 26.1 distribution systems. Of this amount,
 26.2 \$50,000 is for the commissioner to consult
 26.3 with existing food hubs, alternative
 26.4 community-based food distribution systems,
 26.5 and University of Minnesota Extension
 26.6 to identify best practices for use by other
 26.7 Minnesota communities. No later than
 26.8 December 15, 2015, the commissioner must
 26.9 report to the legislative committees with
 26.10 jurisdiction over agriculture and health
 26.11 regarding the status of emerging alternative
 26.12 community-based food distribution systems
 26.13 in the state along with recommendations
 26.14 to eliminate any barriers to success. Any
 26.15 unencumbered balance does not cancel at the
 26.16 end of the first year and is available for the
 26.17 second year. This is a onetime appropriation.

26.18 \$250,000 the first year and \$250,000 the
 26.19 second year are for grants that enable
 26.20 retail petroleum dispensers to dispense
 26.21 biofuels to the public in accordance with the
 26.22 biofuel replacement goals established under
 26.23 Minnesota Statutes, section 239.7911. A
 26.24 retail petroleum dispenser selling petroleum
 26.25 for use in spark ignition engines for vehicle
 26.26 model years after 2000 is eligible for grant
 26.27 money under this paragraph if the retail
 26.28 petroleum dispenser has no more than 15
 26.29 retail petroleum dispensing sites and each
 26.30 site is located in Minnesota. The grant
 26.31 money received under this paragraph must
 26.32 be used for the installation of appropriate
 26.33 technology that uses fuel dispensing
 26.34 equipment appropriate for at least one fuel
 26.35 dispensing site to dispense gasoline that is

77.36 blended with 15 percent of agriculturally
 78.1 derived, denatured ethanol, by volume, and
 78.2 appropriate technical assistance related to
 78.3 the installation. A grant award must not
 78.4 exceed 85 percent of the cost of the technical
 78.5 assistance and appropriate technology,
 78.6 including remetering of and retrofits for
 78.7 retail petroleum dispensers and replacement
 78.8 of petroleum dispenser projects. The
 78.9 commissioner may use up to \$35,000 of this
 78.10 appropriation for administrative expenses.
 78.11 The commissioner shall cooperate with
 78.12 biofuel stakeholders in the implementation
 78.13 of the grant program. The commissioner
 78.14 must report to the legislative committees
 78.15 with jurisdiction over agriculture policy and
 78.16 finance by February 1 each year, detailing
 78.17 the number of grants awarded under this
 78.18 paragraph and the projected effect of the grant
 78.19 program on meeting the biofuel replacement
 78.20 goals under Minnesota Statutes, section
 78.21 239.7911. These are onetime appropriations.

78.22 \$25,000 the first year and \$25,000 the second
 78.23 year are for grants to the Southern Minnesota
 78.24 Initiative Foundation to promote local foods
 78.25 through an annual event that raises public
 78.26 awareness of local foods and connects local
 78.27 food producers and processors with potential
 78.28 buyers.

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

26.36 blended with 15 percent of agriculturally
 27.1 derived, denatured ethanol, by volume, and
 27.2 appropriate technical assistance related to
 27.3 the installation. A grant award must not
 27.4 exceed 85 percent of the cost of the technical
 27.5 assistance and appropriate technology,
 27.6 including remetering of and retrofits for
 27.7 retail petroleum dispensers and replacement
 27.8 of petroleum dispenser projects. The
 27.9 commissioner may use up to \$35,000 of this
 27.10 appropriation for administrative expenses.
 27.11 The commissioner shall cooperate with
 27.12 biofuel stakeholders in the implementation
 27.13 of the grant program. The commissioner
 27.14 must report to the legislative committees
 27.15 with jurisdiction over agriculture policy and
 27.16 finance by February 1 each year, detailing
 27.17 the number of grants awarded under this
 27.18 paragraph and the projected effect of the grant
 27.19 program on meeting the biofuel replacement
 27.20 goals under Minnesota Statutes, section
 27.21 239.7911. These are onetime appropriations.

27.22 \$25,000 the first year and \$25,000 the second
 27.23 year are for grants to the Southern Minnesota
 27.24 Initiative Foundation to promote local foods
 27.25 through an annual event that raises public
 27.26 awareness of local foods and connects local
 27.27 food producers and processors with potential
 27.28 buyers.

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

78.30 Sec. 23. Laws 2015, First Special Session chapter 4, article 1, section 5, is amended to
78.31 read:

78.32 Sec. 5. **AVIAN INFLUENZA RESPONSE ACTIVITIES; APPROPRIATIONS**

78.33 **AND TRANSFERS.**

79.1 (a) ~~\$3,619,000~~ \$619,000 is appropriated from the general fund in fiscal year 2016 to
79.2 the commissioner of agriculture for avian influenza emergency response activities. The
79.3 commissioner may use money appropriated under this paragraph to purchase necessary
79.4 euthanasia and composting equipment and to reimburse costs incurred by local units of
79.5 government directly related to avian influenza emergency response activities that are not
79.6 eligible for federal reimbursement. This appropriation is available the day following final
79.7 enactment until June 30, 2017.

79.8 (b) \$1,853,000 is appropriated from the general fund in fiscal year 2016 to the
79.9 Board of Animal Health for avian influenza emergency response activities. The Board
79.10 may use money appropriated under this paragraph to purchase necessary euthanasia and
79.11 composting equipment and to retain trained staff. This appropriation is available the day
79.12 following final enactment until June 30, 2017.

79.13 (c) \$103,000 is appropriated from the general fund in fiscal year 2016 to the
79.14 commissioner of health for avian influenza emergency response activities. This
79.15 appropriation is available the day following final enactment until June 30, 2017.

79.16 (d) \$350,000 is appropriated from the general fund in fiscal year 2016 to the
79.17 commissioner of natural resources for sampling wild animals to detect and monitor the
79.18 avian influenza virus. This appropriation may also be used to conduct serology sampling,
79.19 in consultation with the Board of Animal Health and the University of Minnesota Pomeroy
79.20 Chair in Avian Health, from birds within a control zone and outside of a control zone.
79.21 This appropriation is available the day following final enactment until June 30, 2017.

79.22 (e) \$544,000 is appropriated from the general fund in fiscal year 2016 to the
79.23 commissioner of public safety to operate the State Emergency Operation Center in
79.24 coordination with the statewide avian influenza response activities. Appropriations
79.25 under this paragraph may also be used to support a staff person at the state's agricultural
79.26 incident command post in Willmar. This appropriation is available the day following final
79.27 enactment until June 30, 2017.

27.30 Sec. 24. Laws 2015, First Special Session chapter 4, article 1, section 5, is amended to
27.31 read:

27.32 Sec. 5. **AVIAN INFLUENZA RESPONSE ACTIVITIES; EMERGENCY**

27.33 **PREPAREDNESS; APPROPRIATIONS AND TRANSFERS.**

28.1 (a) ~~\$3,619,000~~ \$519,000 is appropriated from the general fund in fiscal year 2016 to
28.2 the commissioner of agriculture for avian influenza emergency response activities. The
28.3 commissioner may use money appropriated under this paragraph to purchase necessary
28.4 euthanasia and composting equipment and to reimburse costs incurred by local units of
28.5 government directly related to avian influenza emergency response activities that are not
28.6 eligible for federal reimbursement. This appropriation is available the day following final
28.7 enactment until June 30, 2017.

28.8 (b) \$1,853,000 is appropriated from the general fund in fiscal year 2016 to the
28.9 Board of Animal Health for ~~avian influenza emergency response activities. The Board~~
28.10 ~~may use money appropriated under this paragraph to purchase necessary euthanasia and~~
28.11 ~~composting equipment.~~ any animal disease emergency response or planning activity,
28.12 including but not limited to:

28.13 (1) the retention of staff trained in disease response;

28.14 (2) costs associated with the relocation and expansion of the Minnesota Poultry

28.15 Testing Laboratory;

28.16 (3) the identification of risk factors for disease transmission; and

28.17 (4) the implementation of strategies to prevent or reduce the risk of disease

28.18 introduction and transmission.

28.19 This appropriation is available the day following final enactment until June 30, ~~2017~~ 2019.

28.20 (c) \$103,000 is appropriated from the general fund in fiscal year 2016 to the
28.21 commissioner of health for avian influenza emergency response activities. This
28.22 appropriation is available the day following final enactment until June 30, 2017.

28.23 (d) \$350,000 is appropriated from the general fund in fiscal year 2016 to the
28.24 commissioner of natural resources for sampling wild animals to detect and monitor the
28.25 avian influenza virus. This appropriation may also be used to conduct serology sampling,
28.26 in consultation with the Board of Animal Health and the University of Minnesota Pomeroy
28.27 Chair in Avian Health, from birds within a control zone and outside of a control zone.
28.28 This appropriation is available the day following final enactment until June 30, 2017.

28.29 (e) \$544,000 is appropriated from the general fund in fiscal year 2016 to the
28.30 commissioner of public safety to operate the State Emergency Operation Center in
28.31 coordination with the statewide avian influenza response activities. Appropriations
28.32 under this paragraph may also be used to support a staff person at the state's agricultural
28.33 incident command post in Willmar. This appropriation is available the day following final
28.34 enactment until June 30, 2017.

79.28 (f) The commissioner of management and budget may transfer unexpended balances
 79.29 from the appropriations in this section to any state agency for operating expenses related
 79.30 to avian influenza emergency response activities. The commissioner of management and
 79.31 budget must report each transfer to the chairs and ranking minority members of the senate
 79.32 Committee on Finance and the house of representatives Committee on Ways and Means.

79.33 (g) In addition to the transfers required under Laws 2015, chapter 65, article 1,
 79.34 section 17, no later than September 30, 2015, the commissioner of management and
 79.35 budget must transfer \$4,400,000 from the fiscal year 2015 closing balance in the general
 79.36 fund to the disaster assistance contingency account in Minnesota Statutes, section 12.221,
 80.1 subdivision 6. This amount is available for avian influenza emergency response activities
 80.2 as provided in Laws 2015, chapter 65, article 1, section 18.

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

28.35 (f) The commissioner of management and budget may transfer unexpended balances
 28.36 from the appropriations in this section to any state agency for operating expenses related
 29.1 to avian influenza emergency response activities. The commissioner of management and
 29.2 budget must report each transfer to the chairs and ranking minority members of the senate
 29.3 Committee on Finance and the house of representatives Committee on Ways and Means.

29.4 (g) In addition to the transfers required under Laws 2015, chapter 65, article 1,
 29.5 section 17, no later than September 30, 2015, the commissioner of management and
 29.6 budget must transfer \$4,400,000 from the fiscal year 2015 closing balance in the general
 29.7 fund to the disaster assistance contingency account in Minnesota Statutes, section 12.221,
 29.8 subdivision 6. This amount is available for ~~avian influenza emergency response~~ eligible
 29.9 activities as provided in Laws 2015, chapter 65, article 1, section 18, as amended.

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

29.11 Sec. 25. **TRANSFER REQUIRED.**

29.12 Of the amount appropriated from the general fund to the commissioner of agriculture
 29.13 for transfer to the rural finance authority revolving loan account in Laws 2015, First Special
 29.14 Session chapter 4, article 2, section 6, the commissioner of management and budget must
 29.15 transfer \$6,713,000 back to the general fund in fiscal year 2016. This is a onetime transfer.