

1.1 moves to amend H.F. No. 3158 as follows:

1.2 Delete everything after the enacting clause and insert:

1.3 "ARTICLE 1

1.4 AGRICULTURE, ENVIRONMENT AND NATURAL RESOURCES
1.5 APPROPRIATIONS

1.6 Section 1. SUMMARY OF APPROPRIATIONS.

1.7 The amounts shown in this section summarize direct appropriations, by fund, made
1.8 in this article.

1.9			<u>2015</u>
1.10	<u>General</u>	\$	<u>15,606,000</u>
1.11	<u>Natural Resources</u>		<u>900,000</u>
1.12	<u>Game and Fish</u>		<u>100,000</u>
1.13	<u>Environment and Natural</u>		
1.14	<u>Resources Trust Fund</u>		<u>490,000</u>
1.15	<u>Total</u>	\$	<u>17,096,000</u>

1.16 Sec. 2. APPROPRIATIONS.

1.17 The sums shown in the columns marked "Appropriations" are added to the
1.18 appropriations in Laws 2013, chapter 114, or appropriated to the agencies and for the
1.19 purposes specified in this article. The appropriations are from the general fund, or another
1.20 named fund, and are available for the fiscal year indicated for each purpose. The figure
1.21 "2015" used in this article means that the addition to the appropriations listed under them
1.22 are available for the fiscal year ending June 30, 2015.

1.23 **APPROPRIATIONS**
1.24 **Available for the Year**
1.25 **Ending June 30**
1.26 **2015**

2.1 **Sec. 3. AGRICULTURE.**

2.2 **Subdivision 1. Total Appropriation** **\$ 1,910,000**

2.3 The amounts that may be spent for each
2.4 purpose are specified in the following
2.5 subdivisions.

2.6 **Subd. 2. Department of Agriculture** **1,600,000**

2.7 \$1,500,000 in 2015 is for a grant to Second
2.8 Harvest Heartland on behalf of the six
2.9 Feeding America food banks that serve
2.10 Minnesota to compensate agricultural
2.11 producers and processors for costs incurred
2.12 to harvest and package for transfer surplus
2.13 fruits, vegetables, or other agricultural
2.14 commodities that would otherwise go
2.15 unharvested or be discarded. Surplus
2.16 commodities must be distributed statewide
2.17 to food shelves and other charitable
2.18 organizations that are eligible to receive
2.19 food from the food banks. Surplus food
2.20 acquired under this appropriation must be
2.21 from Minnesota producers and processors.
2.22 Second Harvest Heartland must report when
2.23 required by, and in the form prescribed by,
2.24 the commissioner. Second Harvest Heartland
2.25 may use up to 11 percent of the grant for
2.26 administrative expenses. This appropriation
2.27 is added to the base.

2.28 \$100,000 in 2015 is to compensate experts
2.29 evaluating the death of pollinators as
2.30 authorized in Minnesota Statutes, section
2.31 18B.04. This is a onetime appropriation.

2.32 **Subd. 3. Board of Animal Health** **310,000**

2.33 \$310,000 in 2015 is to administer the dog and
2.34 cat breeder licensing and inspection program.

3.1 The base in fiscal year 2016 is \$426,000 and
3.2 the base in fiscal year 2015 is \$435,000.

3.3 **Sec. 4. POLLUTION CONTROL AGENCY**

3.4 **Subdivision 1. Total Appropriation** **\$ 7,001,000**

3.5 The amounts that may be spent for each
3.6 purpose are specified in the following
3.7 subdivisions.

3.8 **Subd. 2. Water** **1,000**

3.9 \$1,000 in 2015 is to compile information
3.10 on the presence of plastic microbeads in the
3.11 state's waters and their potential impacts
3.12 on aquatic ecosystems and human health,
3.13 in consultation with the University of
3.14 Minnesota. No later than December 15,
3.15 2014, the commissioner must present the
3.16 information to the legislative committees
3.17 with jurisdiction over environment and
3.18 natural resources policy and finance and
3.19 make recommendations. This is a onetime
3.20 appropriation.

3.21 **Subd. 3. Environmental**
3.22 **Assistance and Cross-Media** **7,000,000**

3.23 \$7,000,000 in 2015 is for the purposes of
3.24 section 115A.557, subdivision 2.

3.25 **Sec. 5. NATURAL RESOURCES**

3.26 **Subdivision 1. Total Appropriation** **\$ 2,145,000**

3.27	<u>Appropriations by Fund</u>	
3.28	<u>General</u>	<u>1,595,000</u>
3.29	<u>Game and Fish Fund</u>	<u>100,000</u>
3.30	<u>Natural Resources</u>	
3.31	<u>Fund</u>	<u>450,000</u>

4.1 The amounts that may be spent for each
 4.2 purpose are specified in the following
 4.3 subdivisions.

4.4 Subd. 2. **Parks and Trails**
 4.5 **Management**

2,045,000

4.6 \$1,595,000 in 2015 is for the improvement,
 4.7 maintenance and conditions of facilities and
 4.8 infrastructure in state parks for safety and
 4.9 general use. This is a onetime appropriation.

4.10 \$450,000 in 2015 is from the natural
 4.11 resources fund for state trail, park, and
 4.12 recreation area operations. This appropriation
 4.13 is from the revenue deposited in the natural
 4.14 resources fund under Minnesota Statutes,
 4.15 section 297A.94, paragraph (e), clause (2).

4.16 This is a onetime appropriation.

4.17 Subd. 3. **Fish and Wildlife**
 4.18 **Management**

100,000

4.19 \$100,000 in 2015 is from the game and fish
 4.20 fund for trap shooting sports facility grants
 4.21 under Minnesota Statutes, section 87A.10.
 4.22 This is a onetime appropriation.

4.23 Sec. 6. **METROPOLITAN COUNCIL**

\$ 450,000

4.24 \$450,000 in 2015 is from the natural
 4.25 resources fund for metropolitan area regional
 4.26 parks and trails maintenance and operations.

4.27 This appropriation is from the revenue
 4.28 deposited in the natural resources fund
 4.29 under Minnesota Statutes, section 297A.94,
 4.30 paragraph (e), clause (3). This is a onetime
 4.31 appropriation.

4.32 Sec. 7. **UNIVERSITY OF MINNESOTA**

\$ 5,590,000

5.1	<u>Appropriations by Fund</u>	
5.2	<u>General</u>	<u>5,100,000</u>
5.3	<u>Environment and</u>	
5.4	<u>Natural Resources</u>	
5.5	<u>Trust Fund</u>	<u>490,000</u>

5.6 \$5,100,000 in 2015 is from the general fund
 5.7 for the Invasive Terrestrial Plants and Pests
 5.8 Center requested under this act, including a
 5.9 director, graduate students, and necessary
 5.10 supplies. This is a onetime appropriation and
 5.11 is available until June 30, 2025.

5.12 \$490,000 in 2015 is from the environment
 5.13 and natural resources trust fund for the
 5.14 Invasive Terrestrial Plants and Pests Center
 5.15 requested under this act, including a director,
 5.16 graduate students, and necessary supplies.
 5.17 This is a onetime appropriation and is
 5.18 available until June 30, 2025.

5.19 \$970,000 from the environment and natural
 5.20 resources trust fund appropriated in Laws
 5.21 2011, First Special Session, chapter 2, article
 5.22 3, section 2, subdivision 9, paragraph (d),
 5.23 Reinvest in Minnesota Wetlands Reserve
 5.24 Acquisition and Restoration Program
 5.25 Partnership, is transferred to the Board of
 5.26 Regents of the University of Minnesota for
 5.27 the Invasive Terrestrial Plants and Pests
 5.28 Center requested under this act, including a
 5.29 director, graduate students, and necessary
 5.30 supplies and is available until June 30, 2025.

5.31 **ARTICLE 2**

5.32 **AGRICULTURE, ENVIRONMENT AND NATURAL RESOURCES POLICY**

5.33 Section 1. Minnesota Statutes 2012, section 13.643, subdivision 6, is amended to read:

6.1 Subd. 6. **Animal premises data.** (a) The following data collected and maintained
6.2 by the Board of Animal Health related to registration and identification of premises and
6.3 animals under chapter 35, are classified as private or nonpublic:

- 6.4 (1) the names and addresses;
- 6.5 (2) the location of the premises where animals are kept; and
- 6.6 (3) the identification number of the premises or the animal.

6.7 (b) Except as provided in section 347.58, subdivision 5, data collected and
6.8 maintained by the Board of Animal Health under sections 347.57 to 347.64 are classified
6.9 as private or nonpublic.

6.10 ~~(b)~~ (c) The Board of Animal Health may disclose data collected under ~~paragraph~~
6.11 paragraphs (a) or (b) to any person, agency, or to the public if the board determines that
6.12 the access will aid in the law enforcement process or the protection of public or animal
6.13 health or safety.

6.14 Sec. 2. Minnesota Statutes 2012, section 18B.01, is amended by adding a subdivision
6.15 to read:

6.16 Subd. 1c. **Apiary.** "Apiary" means a place where a collection of one or more hives
6.17 or colonies of bees or the nuclei of bees are kept.

6.18 Sec. 3. Minnesota Statutes 2012, section 18B.01, is amended by adding a subdivision
6.19 to read:

6.20 Subd. 2a. **Bee.** "Bee" means any stage of the common honeybee, *Apis mellifera* (L).

6.21 Sec. 4. Minnesota Statutes 2012, section 18B.01, is amended by adding a subdivision
6.22 to read:

6.23 Subd. 2b. **Bee owner.** "Bee owner" means a person who owns an apiary.

6.24 Sec. 5. Minnesota Statutes 2012, section 18B.01, is amended by adding a subdivision
6.25 to read:

6.26 Subd. 4c. **Colony.** "Colony" means the aggregate of worker bees, drones, the queen,
6.27 and developing young bees living together as a family unit in a hive or other dwelling.

6.28 Sec. 6. Minnesota Statutes 2012, section 18B.01, is amended by adding a subdivision
6.29 to read:

7.1 Subd. 11a. **Hive.** "Hive" means a frame hive, box hive, box, barrel, log gum, skep,
7.2 or any other receptacle or container, natural or artificial, or any part of one, which is
7.3 used as domicile for bees.

7.4 Sec. 7. Minnesota Statutes 2012, section 18B.01, is amended by adding a subdivision
7.5 to read:

7.6 Subd. 20a. **Pollinator.** "Pollinator" means an insect that pollinates flowers.

7.7 Sec. 8. Minnesota Statutes 2012, section 18B.03, is amended by adding a subdivision
7.8 to read:

7.9 Subd. 4. **Pollinators.** The commissioner may take enforcement action under
7.10 chapter 18D for a violation of this chapter, or any rule adopted under this chapter, that
7.11 results in harm to pollinators, including but not limited to applying a pesticide in a manner
7.12 inconsistent with the pesticide product's label or labeling and resulting in pollinator death
7.13 or willfully applying pesticide in a manner inconsistent with the pesticide product's label
7.14 or labeling. The commissioner must deposit any penalty collected under this subdivision
7.15 in the pesticide regulatory account in section 18B.05.

7.16 Sec. 9. Minnesota Statutes 2012, section 18B.04, is amended to read:

7.17 **18B.04 PESTICIDE IMPACT ON ENVIRONMENT.**

7.18 (a) The commissioner shall:

7.19 (1) determine the impact of pesticides on the environment, including the impacts on
7.20 surface water and groundwater in this state;

7.21 (2) develop best management practices involving pesticide distribution, storage,
7.22 handling, use, and disposal; and

7.23 (3) cooperate with and assist other state agencies and local governments to protect
7.24 public health, pollinators, and the environment from harmful exposure to pesticides.

7.25 (b) The commissioner may assemble a group of experts under section 16C.10,
7.26 subdivision 2, to consult in the investigation of pollinator deaths or illnesses. The group of
7.27 experts may include representatives from local, state, and federal agencies; academia; the
7.28 state pollinator bank or other professionals as deemed necessary by the commissioner.

7.29 Sec. 10. **[18B.055] COMPENSATION FOR BEES KILLED BY PESTICIDE;**
7.30 **APPROPRIATION.**

8.1 Subdivision 1. **Compensation required.** (a) The commissioner of agriculture
8.2 must compensate a person for an acute pesticide poisoning resulting in the death of bees
8.3 owned by the person, provided:

8.4 (1) the person who applied the pesticide cannot be determined;

8.5 (2) the person who applied the pesticide did so in a manner consistent with the
8.6 pesticide product's label or labeling; or

8.7 (3) the person who applied the pesticide did so in a manner inconsistent with the
8.8 pesticide product's label or labeling.

8.9 (b) Except as provided in this section, the bee owner is entitled to the fair market
8.10 value of the dead bees as determined by the commissioner upon recommendation by
8.11 academic experts and bee keepers. In any fiscal year, a bee owner must not be compensated
8.12 for a claim that is less than \$100 or compensated more than \$20,000 for all eligible claims.

8.13 Subd. 2. **Applicator responsible.** In the event a person applies a pesticide in a
8.14 manner inconsistent with the pesticide product's label or labeling requirements as approved
8.15 by the commissioner and is determined to have caused the acute pesticide poisoning of
8.16 bees, resulting in death, kept for commercial purposes, then the person so identified must
8.17 bear the responsibility of restitution for the value of the bees to the owner. In such cases
8.18 the commissioner must not provide compensation as provided in this section.

8.19 Subd. 3. **Claim form.** The bee owner must file a claim on forms provided by the
8.20 commissioner and available on the Department of Agriculture's Web site.

8.21 Subd. 4. **Determination.** The commissioner must determine whether the death of
8.22 the bees was caused by an acute pesticide poisoning, whether the pesticide applicator can
8.23 be determined, and whether the pesticide applicator applied the pesticide product in a
8.24 manner consistent with the pesticide product's label or labeling.

8.25 Subd. 5. **Payments; denial of compensation.** (a) If the commissioner determines
8.26 the bee death was caused by an acute pesticide poisoning and either the pesticide
8.27 applicator cannot be determined or the pesticide applicator applied the pesticide product in
8.28 a manner consistent with the pesticide product's label or labeling, the commissioner may
8.29 award compensation from the pesticide regulatory account. If the pesticide applicator can
8.30 be determined and the applicator applied the pesticide product in a manner inconsistent
8.31 with the product's label or labeling, the commissioner may collect a penalty from the
8.32 pesticide applicator sufficient to compensate the bee owner for the fair market value of the
8.33 dead bees and must award the money to the bee owner.

8.34 (b) If the commissioner denies compensation claimed by a bee owner under this
8.35 section, the commissioner must issue a written decision based upon the available evidence.
8.36 The decision must include specification of the facts upon which the decision is based and

9.1 the conclusions on the material issues of the claim. The commissioner must mail a copy
9.2 of the decision to the bee owner.

9.3 (c) A decision to deny compensation claimed under this section is not subject to the
9.4 contested case review procedures of chapter 14, but may be reviewed upon a trial de
9.5 novo in a court in the county where the loss occurred. The decision of the court may be
9.6 appealed as in other civil cases. Review in court may be obtained by filing a petition for
9.7 review with the administrator of the court within 60 days following receipt of a decision
9.8 under this section. Upon the filing of a petition, the administrator must mail a copy to the
9.9 commissioner and set a time for hearing within 90 days of the filing.

9.10 Subd. 6. **Deduction from payment.** In order to be eligible for compensation under
9.11 this section, a bee owner must document that at the time of the loss the bee owner had
9.12 insurance sufficient to cover up to 50 percent of the total value of the owner's colony.
9.13 The commissioner must reduce payments made under this section by any compensation
9.14 received by the bee owner as proceeds from an insurance policy or from another source.

9.15 Subd. 7. **Appropriation.** The amount necessary to pay claims under this section,
9.16 not to exceed \$150,000 per fiscal year, is appropriated from the pesticide regulatory
9.17 account in section 18B.05.

9.18 Sec. 11. **[19.70] DEFINITIONS.**

9.19 Subdivision 1. **Scope.** For the purposes of this chapter the terms defined in this
9.20 section have the meanings given.

9.21 Subd. 2. **Abandoned apiary.** "Abandoned apiary" means any apiary not regularly
9.22 attended in accordance with good beekeeping practices and which constitutes a disease or
9.23 parasite hazard to the beekeeping industry.

9.24 Subd. 3. **Africanized honeybees.** "Africanized honeybees" means Africanized
9.25 honeybees using United States Department of Agriculture standards.

9.26 Subd. 4. **Bee diseases.** "Bee diseases" means infectious, contagious, or harmful
9.27 diseases including but not limited to: American or European foulbrood, sacbrood,
9.28 chalkbrood, Nosema, bee paralysis, or abnormal condition of egg, larval, pupal, or adult
9.29 stages of bees.

9.30 Subd. 5. **Bee equipment.** "Bee equipment" means hives, supers, frames, veils,
9.31 gloves, and any apparatus, tool, machine, vehicle, or other device used in the handling,
9.32 moving, or manipulating of bees, honey, wax, or hives, including containers of honey or
9.33 wax which may be used in an apiary or in transporting bees and their products and apiary
9.34 supplies.

9.35 Subd. 6. **Beekeeper.** "Beekeeper" means a person who keeps bees.

10.1 Subd. 7. **Beekeeping.** "Beekeeping" means the moving, raising, and producing of
10.2 bees, beeswax, honey, related products, and pollination.

10.3 Subd. 8. **Commissioner.** "Commissioner" means the commissioner of agriculture
10.4 or the commissioner's authorized agents.

10.5 Subd. 9. **Department.** "Department" means the Department of Agriculture.

10.6 Subd. 10. **Exotic parasite.** "Exotic parasite" means any parasite harmful to bees
10.7 including but not limited to: Varroa jacobsoni, Tropilaelaps clareae, or Acarapis woodi.

10.8 Subd. 11. **Queen apiary.** "Queen apiary" means any apiary or premises in which
10.9 queen bees are reared or kept for sale or gift.

10.10 Sec. 12. Minnesota Statutes 2012, section 85A.02, subdivision 2, is amended to read:

10.11 Subd. 2. **Zoological Garden.** The board shall acquire, construct, equip, operate
10.12 and maintain the Minnesota Zoological Garden at a site in Dakota County legally
10.13 described in Laws 1975, chapter 382, section 12. The Zoological Garden shall consist
10.14 of adequate facilities and structures for the collection, habitation, preservation, care,
10.15 exhibition, examination or study of wild and domestic animals, including, but not limited
10.16 to mammals, birds, fish, amphibians, reptiles, crustaceans and mollusks. The board
10.17 may provide such lands, buildings and equipment as it deems necessary for parking,
10.18 transportation, entertainment, education or instruction of the public in connection with
10.19 such Zoological Garden. The Zoological Garden is the official pollinator bank for the state
10.20 of Minnesota. For purposes of this subdivision, "pollinator bank" means a program to
10.21 avert the extinction of pollinator species by cultivating insurance breeding populations.

10.22 Sec. 13. **[87A.10] TRAP SHOOTING SPORTS FACILITY GRANTS.**

10.23 The commissioner of natural resources shall administer a program to provide
10.24 cost-share grants to local recreational trap shooting clubs for up to 50 percent of the costs
10.25 of developing or rehabilitating trap shooting sports facilities for public use. A facility
10.26 rehabilitated or developed with a grant under this section must be open to the general
10.27 public at reasonable times and for a reasonable fee on a walk-in basis. The commissioner
10.28 shall give preference to projects that will provide the most opportunities for youth.

10.29 Sec. 14. Minnesota Statutes 2012, section 115A.151, is amended to read:

10.30 **115A.151 RECYCLABLE MATERIAL CONTAINER REQUIREMENTS;**
10.31 **PUBLIC ENTITIES, SPORTS FACILITIES, AND COMMERCIAL BUILDINGS.**

10.32 (a) A public entity, the owner of a sports facility, and the owner of a commercial
10.33 building shall:

11.1 (1) ensure that facilities under its control, from which mixed municipal solid waste
 11.2 is collected, have containers for at least three recyclable materials, such as, but not limited
 11.3 to, paper, glass, plastic, and metal; and

11.4 (2) transfer all recyclable materials collected to a recycler.

11.5 (b) For the purposes of this section:

11.6 (1) "public entity" means the state, an office, agency, or institution of the state,
 11.7 the Metropolitan Council, a metropolitan agency, the Metropolitan Mosquito Control
 11.8 Commission, the legislature, the courts, a county, a statutory or home rule charter city, a
 11.9 town, a school district, a special taxing district, or any entity that receives an appropriation
 11.10 from the state for a capital improvement project after August 1, 2002;

11.11 (2) "metropolitan agency" and "Metropolitan Council," have the meanings given
 11.12 them in section 473.121; and

11.13 (3) "Metropolitan Mosquito Control Commission" means the commission created
 11.14 in section 473.702;

11.15 (4) "commercial building" means a building that contains a business classified in
 11.16 sectors 42 to 81 under the North American Industrial Classification System and that
 11.17 contracts for two cubic yards or more per week of solid waste collection; and

11.18 (5) "sports facility" means a professional or collegiate sports facility at which
 11.19 competitions take place before a public audience.

11.20 **EFFECTIVE DATE.** This section is effective January 1, 2015.

11.21 Sec. 15. Minnesota Statutes 2012, section 115A.55, subdivision 4, is amended to read:

11.22 Subd. 4. **Statewide source reduction goal.** (a) It is a goal of the state ~~that there~~
 11.23 ~~be a minimum ten percent per capita reduction in the amount of mixed and counties to~~
 11.24 ~~reduce the generation of municipal solid waste generated in the state by December 31,~~
 11.25 ~~2000, based on a reasonable estimate of the amount of mixed municipal solid waste that~~
 11.26 ~~was generated in calendar year 1993.~~

11.27 (b) As part of the ~~1997~~ report required under section 115A.411, the commissioner
 11.28 shall submit to the senate and house of representatives committees having jurisdiction
 11.29 over environment and natural resources and environment and natural resources finance
 11.30 a proposed strategy for meeting the goal in paragraph (a). The strategy must include a
 11.31 discussion of the different reduction potentials to be found in various sectors and may
 11.32 include recommended interim goals. The commissioner shall report progress on meeting
 11.33 the goal in paragraph (a), as well as recommendations and revisions to the proposed
 11.34 strategy, as part of the ~~1999~~ report required under section 115A.411.

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

12.2 Sec. 16. Minnesota Statutes 2012, section 115A.551, subdivision 1, is amended to read:

12.3 Subdivision 1. **Definition.** (a) For the purposes of this section, "recycling" means,
 12.4 in addition to the meaning given in section 115A.03, subdivision 25b, yard waste and
 12.5 source-separated compostable materials composting; and recycling that occurs through
 12.6 mechanical or hand separation of materials that are then delivered ~~for reuse in their~~
 12.7 ~~original form or~~ for use in manufacturing processes that do not cause the destruction of
 12.8 recyclable materials in a manner that precludes further use.

12.9 (b) For the purposes of this section, "total solid waste generation" means the total
 12.10 by weight of:

12.11 (1) materials separated for recycling;

12.12 (2) materials separated for yard waste and source-separated compostable materials
 12.13 composting;

12.14 (3) mixed municipal solid waste plus ~~yard waste~~, motor and vehicle fluids and
 12.15 filters, tires, lead acid batteries, and major appliances; and

12.16 (4) residential and commercial waste materials that would be mixed municipal solid
 12.17 waste but for the fact that they are not collected as such.

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

12.19 Sec. 17. Minnesota Statutes 2012, section 115A.551, subdivision 2a, is amended to read:

12.20 Subd. 2a. **Supplementary County recycling goals.** (a) By December 31, 1996
 12.21 2030, each county will have as a goal to recycle the following amounts:

12.22 (1) for a county outside of the metropolitan area, 35 percent by weight of total
 12.23 solid waste generation; and

12.24 (2) for a metropolitan county, ~~50~~ 75 percent by weight of total solid waste generation.

12.25 (b) Each county will develop and implement or require political subdivisions within
 12.26 the county to develop and implement programs, practices, or methods designed to meet its
 12.27 recycling goal. Nothing in this section or in any other law may be construed to prohibit a
 12.28 county from establishing a higher recycling goal.

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

12.30 Sec. 18. Minnesota Statutes 2012, section 115A.557, subdivision 2, is amended to read:

13.1 Subd. 2. **Purposes for which money may be spent.** (a) A county receiving money
 13.2 distributed by the commissioner under this section may use the money only for the
 13.3 development and implementation of programs to:

13.4 (1) reduce the amount of solid waste generated;

13.5 (2) recycle the maximum amount of solid waste technically feasible;

13.6 (3) create and support markets for recycled products;

13.7 (4) remove problem materials from the solid waste stream and develop proper
 13.8 disposal options for them;

13.9 (5) inform and educate all sectors of the public about proper solid waste management
 13.10 procedures;

13.11 (6) provide technical assistance to public and private entities to ensure proper solid
 13.12 waste management;

13.13 (7) provide educational, technical, and financial assistance for litter prevention; ~~and~~

13.14 (8) process mixed municipal solid waste generated in the county at a resource
 13.15 recovery facility located in Minnesota; and

13.16 (9) compost source-separated compostable materials, including the provision of
 13.17 receptacles for residential composting.

13.18 (b) Beginning in fiscal year 2015 and continuing thereafter, of any money distributed
 13.19 by the commissioner under this section to a metropolitan county, as defined in section
 13.20 473.121, subdivision 4, that exceeds the amount the county was eligible to receive under
 13.21 this section in fiscal year 2014: (1) at least 50 percent must be expended on activities
 13.22 in paragraph (a), clause (9); and (2) the remainder must be expended on activities in
 13.23 paragraph (a), clauses (1) to (7) and (9) that advance the county toward achieving its
 13.24 recycling goal under section 115A.551.

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

13.26 Sec. 19. Minnesota Statutes 2012, section 115A.557, subdivision 3, is amended to read:

13.27 Subd. 3. **Eligibility to receive money.** (a) To be eligible to receive money distributed
 13.28 by the commissioner under this section, a county shall within one year of October 4, 1989:

13.29 (1) create a separate account in its general fund to credit the money; and

13.30 (2) set up accounting procedures to ensure that money in the separate account is
 13.31 spent only for the purposes in subdivision 2.

13.32 (b) In each following year, each county shall also:

13.33 (1) have in place an approved solid waste management plan or master plan including
 13.34 a recycling implementation strategy under section 115A.551, subdivision 7, and a

14.1 household hazardous waste management plan under section 115A.96, subdivision 6,
14.2 by the dates specified in those provisions;

14.3 (2) submit a report by April 1 of each year to the commissioner, which may be
14.4 submitted electronically and must be posted on the agency's Web site, detailing for the
14.5 previous calendar year:

14.6 (i) how the money was spent including, but not limited to, specific recycling and
14.7 composting activities undertaken to increase the county's proportion of solid waste
14.8 recycled in order to achieve its recycling goal established in section 115A.551, specific
14.9 information on the number of employees performing SCORE planning, oversight, and
14.10 administration; the percentage of those employees' total work time allocated to SCORE
14.11 planning, oversight, and administration; the specific duties and responsibilities of those
14.12 employees; and the amount of staff salary for these SCORE duties and responsibilities of
14.13 the employees; and

14.14 (ii) the resulting gains achieved in solid waste management practices; and

14.15 (3) provide evidence to the commissioner that local revenue equal to 25 percent of
14.16 the money sought for distribution under this section will be spent for the purposes in
14.17 subdivision 2.

14.18 (c) The commissioner shall withhold all or part of the funds to be distributed
14.19 to a county under this section if the county fails to comply with this subdivision and
14.20 subdivision 2.

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

14.22 Sec. 20. **[347.57] DEFINITIONS.**

14.23 Subdivision 1. **Terms.** The definitions in this section apply to sections 347.57
14.24 to 347.64.

14.25 Subd. 2. **Animal.** "Animal" means a dog or a cat.

14.26 Subd. 3. **Board.** "Board" means the Board of Animal Health.

14.27 Subd. 4. **Cat.** "Cat" means a mammal that is wholly or in part of the species Felis
14.28 domesticus. An adult cat is a cat 28 weeks of age or older. A kitten is a cat under 28
14.29 weeks of age.

14.30 Subd. 5. **Commercial breeder.** "Commercial breeder" means a person who
14.31 possesses or has an ownership interest in animals and is engaged in the business of
14.32 breeding animals for sale or for exchange in return for consideration, and who possesses
14.33 ten or more adult intact animals and whose animals produce more than five total litters of
14.34 puppies or kittens per year.

15.1 Subd. 6. **Confinement area.** "Confinement area" means a structure used or
15.2 designed for use to restrict an animal to a limited amount of space, such as a room, pen,
15.3 cage, kennel, compartment, crate, or hutch.

15.4 Subd. 7. **Dog.** "Dog" means a mammal that is wholly or in part of the species *Canis*
15.5 *familiaris*. An adult dog is a dog 28 weeks of age or older. A puppy is a dog under 28
15.6 weeks of age.

15.7 Subd. 8. **Facility.** "Facility" means the place used by a commercial breeder for
15.8 breeding animals, and includes all buildings, property, confinement areas, and vehicles.

15.9 Subd. 9. **Local animal control authority.** "Local animal control authority" means
15.10 an agency of the state, county, municipality, or other political subdivision of the state that
15.11 is responsible for animal control operations in its jurisdiction.

15.12 Subd. 10. **Person.** "Person" means a natural person, firm, partnership, corporation,
15.13 or association, however organized.

15.14 Subd. 11. **Possess.** "Possess" means to have custody of or have control over.

15.15 Subd. 12. **Veterinarian.** "Veterinarian" means a veterinarian in good standing and
15.16 licensed in the state of Minnesota.

15.17 Sec. 21. **[347.58] LICENSING AND INSPECTIONS.**

15.18 Subdivision 1. **Licensing.** (a) The board may grant an operating license to a
15.19 commercial breeder and must enforce sections 347.58 to 347.64.

15.20 (b) Beginning July 1, 2015, a commercial breeder must obtain an annual license
15.21 for each facility it owns or operates. More than one building on the same premises is
15.22 considered one facility. The initial prelicense inspection fee and the annual license fee is
15.23 \$10 per adult intact animal, but each fee must not exceed \$250.

15.24 (c) The board must perform an announced initial prelicense inspection within 60
15.25 days from the date of receiving a license application. A commercial breeder is not in
15.26 violation of this section if the commercial breeder has filed a completed license application
15.27 with the board and the board has not performed the initial prelicense inspection. The
15.28 board must inspect a commercial breeder's facility before an initial license is issued. The
15.29 initial prelicense inspection fee must be included with the license application. Upon
15.30 completion of the inspection, the inspector must provide the commercial breeder an
15.31 inspection certificate signed by the inspector in a format approved by the board.

15.32 (d) The license application must indicate if a commercial breeder operates under
15.33 more than one name from a single location or has an ownership interest in any other
15.34 facility. License holders must keep separate records for each business name.

15.35 (e) The application must include a statement that includes the following information:

16.1 (1) whether any license held by an applicant under this section or under any other
16.2 federal, state, county, or local law, ordinance, or other regulation relating to breeding cats
16.3 or dogs was ever suspended, revoked, or denied; and

16.4 (2) whether the applicant was ever convicted of animal cruelty.

16.5 (f) An application from a partnership, corporation, or limited liability company must
16.6 include the name and address of all partners, directors, officers, or members and must
16.7 include a notation of any partners, directors, officers, members, or others authorized to
16.8 represent the partnership, corporation, or limited liability company.

16.9 (g) A nonresident applicant must consent to adjudication of any violation under the
16.10 laws of the state of Minnesota and in Minnesota courts.

16.11 (h) A license issued under this section is not transferable.

16.12 (i) A license holder must apply for license renewal annually by submitting a renewal
16.13 application on a form approved by the board. The license renewal application must be
16.14 postmarked or submitted electronically in a method approved by the board by July 1
16.15 of each year. The board may assess a late renewal penalty of up to 50 percent of the
16.16 license fee. If a license is not renewed by August 1, the board may require the commercial
16.17 breeder to reapply for an initial license.

16.18 (j) A commercial breeder must submit to the board an annual report by July 1 on a
16.19 form prepared by the board. The form must include the current number of cats and dogs at
16.20 the facility on the date of the report, the number of animals during the preceding year that
16.21 were sold, traded, bartered, leased, brokered, given away, euthanized, or deceased from
16.22 other causes, and any other information required by the board.

16.23 (k) If a commercial breeder is required to be licensed by the United States
16.24 Department of Agriculture, United States Department of Agriculture inspection reports
16.25 and records relating to animal care plans and veterinary care must be made available
16.26 during an inspection, upon request.

16.27 (l) A commercial breeder must prominently display the commercial breeder's license
16.28 at each facility.

16.29 (m) A commercial breeder's state license number or a symbol approved by the board
16.30 must be included in all of the commercial breeder's advertisements or promotions that
16.31 pertain to animals being sold or traded including, but not limited to, all newspapers,
16.32 Internet, radio, or flyers.

16.33 (n) A commercial breeder must notify the board by certified mail or electronically
16.34 in a method approved by the board within ten days of any change in address, name,
16.35 management, or substantial control and ownership of the business or operation.

16.36 (o) The board must refuse to issue an initial license when a commercial breeder:

17.1 (1) is in violation of section 343.21; 343.24; 343.27; 343.28; 343.31; 343.37; 346.37;
17.2 346.38; 346.39; 346.44; or 346.155;

17.3 (2) has failed to meet any of the requirements of this section and section 347.59;

17.4 (3) is in violation of a local ordinance regarding breeders;

17.5 (4) has been convicted, other than a petty misdemeanor conviction, of cruelty to
17.6 animals under Minnesota law or a substantially similar animal cruelty law of another
17.7 jurisdiction;

17.8 (5) has had a substantially similar license denied, revoked, or suspended by another
17.9 federal or state authority within the last five years; or

17.10 (6) has falsified any material information requested by the board.

17.11 (p) A person who has been an officer, agent, direct family member, or employee of a
17.12 commercial breeder whose license was revoked or suspended and who was responsible for
17.13 or participated in the violation that was a basis for the revocation or suspension may not
17.14 be licensed while the revocation or suspension is in effect.

17.15 Subd. 2. **Inspections.** (a) The board must inspect each licensed facility at least
17.16 annually. The inspection must be with the commercial breeder or an agent of the
17.17 commercial breeder present. The inspector must submit an inspection report to the board
17.18 within ten days of each inspection on a form prepared by the board. The inspection report
17.19 form must list separately each law, rule, regulation, and ordinance the facility is not in
17.20 compliance with and what correction is required for compliance. The inspection report
17.21 form must document the animal inventory on the date of the inspection.

17.22 (b) If, after the prelicense inspection, the commercial breeder has two consecutive
17.23 years of inspections with no violations, the board must inspect the commercial breeder at
17.24 least every two years. If the commercial breeder has any violations during an inspection or
17.25 if the board has cause, the board must inspect the commercial breeder at least annually.

17.26 (c) If a license to operate is suspended, revoked, or denied, the board must be granted
17.27 access to the facility during normal business hours to verify that it is not operating.

17.28 Subd. 3. **Record requirements.** (a) The commercial breeder must keep records on
17.29 each animal at the facility that includes:

17.30 (1) the name, address, and United States Department of Agriculture license number,
17.31 if applicable, from whom an animal was received; the date the commercial breeder
17.32 received the animal; the date of the animal's birth; the breed, sex, color, and identifying
17.33 marks of the animal; any identifying tag, tattoo, microchip, or collar number; worming
17.34 treatments, vaccinations, and name of the person who administered the vaccination;
17.35 medication received by the animal while in the possession of the commercial breeder; and
17.36 any disease conditions diagnosed by a veterinarian; and

18.1 (2) the name and address of the person or entity to whom an animal was transferred.

18.2 (b) The commercial breeder must maintain a copy of the records required to be
18.3 kept under this subdivision for two years.

18.4 Subd. 4. **Veterinary protocol.** (a) A commercial breeder must establish and
18.5 maintain a written protocol for disease control and prevention, euthanasia, and veterinary
18.6 care of animals at each facility. The initial protocol must be developed under the direction
18.7 and supervision of the board. A commercial breeder must maintain a written protocol that
18.8 is updated at least every 12 months and that is signed and dated by the board or by a
18.9 veterinarian along with the commercial breeder. The written protocol must be available to
18.10 the board upon request or at the time of inspection.

18.11 (b) An animal sold or otherwise distributed by a commercial breeder must be
18.12 accompanied by a veterinary health certificate completed by a veterinarian. The certificate
18.13 must be completed within 30 days prior to the sale or distribution and must indicate that
18.14 the animal is current with vaccinations and has no signs of infectious or contagious
18.15 diseases. The certificate accompanying an adult dog that was not spayed or neutered must
18.16 indicate that the dog has no signs of infectious or contagious diseases and was tested for
18.17 canine brucellosis with a test approved by the board and found to be negative.

18.18 Subd. 5. **Posting of information.** The board must maintain and post in a timely
18.19 manner on its Web site a list of commercial breeders licensed and in good standing
18.20 under this section.

18.21 Sec. 22. **[347.59] STANDARDS OF CARE.**

18.22 (a) A commercial breeder must comply with chapters 343 and 346.

18.23 (b) A commercial breeder must ensure that animals that are part of the commercial
18.24 breeder's breeding business operations are cared for as follows:

18.25 (1) cats must not be housed in outdoor confinement areas;

18.26 (2) animals exercised in groups must be compatible and show no signs of contagious
18.27 or infectious disease;

18.28 (3) females in estrus must not be housed in the same confinement area with
18.29 unneutered males, except for breeding purposes;

18.30 (4) animals must be provided daily enrichment and must be provided positive physical
18.31 contact with human beings and compatible animals at least twice daily unless a veterinarian
18.32 determines such activities would adversely affect the health or well-being of the animal;

18.33 (5) animals must not be sold, traded, or given away before the age of eight weeks
18.34 unless a veterinarian determines it would be in the best interests of the health or well-being
18.35 of the animal;

19.1 (6) the commercial breeder must provide identification and tracking for each animal,
19.2 which is not transferable to another animal; and

19.3 (7) the commercial breeder must provide adequate staff to maintain the facility and
19.4 observe each animal daily to monitor each animal's health and well-being, and to properly
19.5 care for the animals.

19.6 (c) A commercial breeder must not knowingly hire staff or independent contractors
19.7 who have been convicted of cruelty to animals under the law of any jurisdiction.

19.8 (d) A commercial breeder must comply with any additional standards the board
19.9 considers necessary to protect the public health and welfare of animals covered under
19.10 sections 347.57 to 347.61. The standards must be established by rule.

19.11 (e) A United States Department of Agriculture (USDA) licensed breeder or dealer
19.12 who is in compliance with the minimum USDA regulations governing the license holder
19.13 as they relate to animal confinement areas as of the effective date of this section does not
19.14 have to comply with the minimum confinement area measurements under section 346.39,
19.15 subdivision 4, for existing confinement areas in each facility the breeder or dealer owns. If
19.16 a USDA-licensed breeder or dealer builds a new confinement area after the effective date
19.17 of this section, those minimum standards must meet or exceed the minimum specifications
19.18 as they relate to confinement area size under section 346.39, subdivision 4.

19.19 **Sec. 23. [347.60] INVESTIGATIONS.**

19.20 (a) The board must initiate an investigation upon receiving a formal complaint
19.21 alleging violations of section 347.58 or 347.59.

19.22 (b) When a local animal control authority, a peace officer, or a humane agent
19.23 appointed under section 343.01 is made aware of an alleged violation under this chapter
19.24 or chapter 343 or 346, committed by a commercial breeder, the local animal control
19.25 authority, peace officer, or humane agent appointed under section 343.01 must report the
19.26 alleged violation in a timely manner to the board.

19.27 **Sec. 24. [347.61] CIVIL ENFORCEMENT.**

19.28 Subdivision 1. **Correction orders.** (a) The board may issue a correction order
19.29 requiring a commercial breeder to correct a violation of state statutes, rules, and
19.30 regulations governing breeding facilities. The correction order must state the deficiencies
19.31 that constitute the violation; the specific statute, rule, or regulation violated; and when
19.32 the violation must be corrected.

19.33 (b) A commercial breeder may ask the board to reconsider any portion of the
19.34 correction order that the commercial breeder believes is in error. The request for

20.1 reconsideration must be made in writing by certified mail or electronically in a method
20.2 approved by the board within seven days after receipt of the correction order. The
20.3 request for reconsideration does not stay the correction order. The board must respond
20.4 to the request for reconsideration within 15 days after receiving a request. The board's
20.5 disposition of a request for reconsideration is final. The board may extend the time for
20.6 complying with a correction order after receiving a request for reconsideration if necessary.

20.7 (c) The board must reinspect the facility within 15 days after the time for correcting
20.8 the violation has passed to determine whether the violation has been corrected. If the
20.9 violation has been corrected, the board must notify the commercial breeder in writing that
20.10 the commercial breeder is in compliance with the correction order. The board may charge
20.11 a reinspection fee to determine if a previous violation has been corrected.

20.12 Subd. 2. **Administrative penalty orders.** After the inspection required under
20.13 subdivision 1, paragraph (c), the board may issue an order requiring violations to
20.14 be corrected and administratively assessing monetary penalties for violations. The
20.15 administrative penalty order must include a citation of the statute, rule, or regulation
20.16 violated; a description of the violation; and the amount of the penalty for each violation. A
20.17 single correction order may assess a maximum administrative penalty of \$5,000.

20.18 Subd. 3. **Injunctive relief.** In addition to any other remedy provided by law, the
20.19 board may bring an action for injunctive relief in the district court in Ramsey County or in
20.20 the county in which a violation of the statutes, rules, or regulations governing the breeding
20.21 of cats and dogs occurred to enjoin the violation.

20.22 Subd. 4. **Cease and desist.** The board must issue an order to cease a practice if its
20.23 continuation would result in an immediate risk to animal welfare or public health. An
20.24 order issued under this subdivision is effective for a maximum of 72 hours. The board or
20.25 its designated agent must seek an injunction or take other administrative action authorized
20.26 by law to restrain a practice beyond 72 hours. The issuance of a cease-and-desist order
20.27 does not preclude other enforcement action by the board.

20.28 Subd. 5. **Refusal to reissue license; license suspension or revocation.** (a) The
20.29 board may suspend, revoke, or refuse to renew a license as follows:

20.30 (1) for failure to comply with a correction order;

20.31 (2) for failure to pay an administrative penalty;

20.32 (3) for failure to meet the requirements of section 347.58 or 347.59; or

20.33 (4) for falsifying information requested by the board.

20.34 A license suspension, revocation, or nonrenewal may be appealed through the Office of
20.35 Administrative Hearings. A notice of intent to appeal must be filed in writing with the
20.36 board within 20 days after receipt of the notice of suspension, revocation, or nonrenewal.

21.1 (b) The board must revoke a license if a commercial breeder has been convicted
21.2 of cruelty to animals under Minnesota law or a substantially similar animal cruelty law
21.3 of another jurisdiction, or for the denial, revocation, or suspension of a similar license
21.4 by another federal or state authority. A license revocation under this subdivision may be
21.5 appealed through the Office of Administrative Hearings. A notice of intent to appeal must
21.6 be filed in writing with the board within 20 days after receipt of the notice of revocation.

21.7 (c) A commercial breeder whose license is revoked may not reapply for licensure for
21.8 two years after the date of revocation. The license is permanently revoked if the basis for
21.9 the revocation was a gross misdemeanor or felony conviction for animal cruelty.

21.10 (d) A commercial breeder whose license is suspended or revoked two times is
21.11 permanently barred from licensure.

21.12 Subd. 6. **Administrative hearing rights.** (a) Except as provided in paragraph
21.13 (b), if the board proposes to refuse to renew, suspend, or revoke a license, the board
21.14 must first notify the commercial breeder in writing of the proposed action and provide an
21.15 opportunity to request a hearing under the contested case provisions of chapter 14. If the
21.16 commercial breeder does not request a hearing within 20 days after receipt of the notice of
21.17 the proposed action, the board may proceed with the action without a hearing.

21.18 (b) The contested case provisions of chapter 14 do not apply when the board denies
21.19 a license based on an applicant's failure to meet the minimum qualifications for licensure.

21.20 (c) A commercial breeder may appeal the amount of an administrative penalty
21.21 order through the Office of Administrative Hearings pursuant to the procedures set forth
21.22 in chapter 14. A commercial breeder wishing to file an appeal must notify the board in
21.23 writing within 20 days after receipt of the administrative penalty order.

21.24 Subd. 7. **Other jurisdictions.** The board may accept as prima facie evidence of
21.25 grounds for an enforcement action under this section any enforcement or disciplinary
21.26 action from another jurisdiction, if the underlying violation would be grounds for a
21.27 violation under the provisions of this section.

21.28 Subd. 8. **Appeals.** A final order by the board may be appealed to the Minnesota
21.29 Court of Appeals.

21.30 **Sec. 25. [347.615] BIOSECURITY; ENTRY INTO FACILITIES.**

21.31 No law enforcement officer, agent of the board, or other official may enter a
21.32 commercial breeder facility unless the person follows either the biosecurity procedure
21.33 issued by the board or a reasonable biosecurity procedure maintained and prominently
21.34 posted by the commercial breeder at each entry to a facility, whichever is more stringent.
21.35 This section does not apply in emergency or exigent circumstances.

22.1 Sec. 26. **[347.62] PENALTIES.**

22.2 (a) A violation of section 347.58 or 347.59 that results in cruelty or torture to an
 22.3 animal, as those terms are defined in section 343.20, subdivision 3, is subject to the
 22.4 penalties in section 343.21, subdivisions 9 and 10, relating to pet or companion animals.

22.5 (b) It is a misdemeanor to falsify information in a license application, annual report,
 22.6 or record.

22.7 (c) It is a misdemeanor for an unlicensed commercial breeder to advertise animals
 22.8 for sale.

22.9 (d) It is a misdemeanor for a commercial breeder to operate without a license.

22.10 Sec. 27. **[347.63] DOG AND CAT BREEDERS LICENSING ACCOUNT;**
 22.11 **APPROPRIATION.**

22.12 A dog and cat breeders licensing account is created in the special revenue fund.
 22.13 All fees and penalties collected by the board under sections 347.58 to 347.62 must be
 22.14 deposited in the state treasury and credited to the dog and cat breeders licensing account
 22.15 in the special revenue fund. Money in the account, including interest on the account, is
 22.16 annually appropriated to the board to administer those sections.

22.17 Sec. 28. **[347.64] APPLICABILITY.**

22.18 Sections 347.57 to 347.63 do not apply to:

- 22.19 (1) any species other than dogs and cats as they are defined in section 347.57; and
 22.20 (2) veterinary clinics or veterinary hospitals.

22.21 Sec. 29. Laws 2012, chapter 249, section 11, is amended to read:

22.22 Sec. 11. **COSTS OF SCHOOL TRUST LANDS DIRECTOR AND**
 22.23 **LEGISLATIVE PERMANENT SCHOOL FUND COMMISSION.**

22.24 (a) The costs of the school trust lands director, including the costs of hiring staff,
 22.25 and the Legislative Permanent School Fund Commission for fiscal years 2014 ~~and~~₂ 2015₂
 22.26 and 2016 shall be from the state forest development suspense account under Minnesota
 22.27 Statutes, section 16A.125, and from the minerals management account under Minnesota
 22.28 Statutes, section 93.2236, ~~as appropriated by the legislature.~~

22.29 (b) The school trust lands director and the Legislative Permanent School Fund
 22.30 Commission shall submit to the ~~2014~~ 2015 legislature a proposal to fund the operational
 22.31 costs of the Legislative Permanent School Fund Commission and school trust lands
 22.32 director and staff with a cost certification method using revenues generated by the
 22.33 permanent school fund lands.

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

23.2 Sec. 30. **RECOGNITION; COMMERCIAL BREEDER EXCELLENCE.**

23.3 The Board of Animal Health, in consultation with representatives of the licensed
23.4 commercial breeder industry, must develop a program to recognize persons who
23.5 demonstrate commercial breeder excellence and exceed the standards and practices
23.6 required of commercial breeders under this act.

23.7 Sec. 31. **REGISTRATION; INITIAL PRELICENSE INSPECTIONS.**

23.8 Subdivision 1. **Commercial breeder registration.** Beginning July 1, 2014, until
23.9 June 30, 2015, a commercial breeder must register each facility it owns or operates by
23.10 paying a registration fee not to exceed \$250 per facility to the Board of Animal Health.

23.11 Subd. 2. **Initial prelicense inspections.** Beginning July 1, 2014, the board may
23.12 begin the initial prelicense inspections under Minnesota Statutes, section 347.58.

23.13 Subd. 3. **Deposits of fees.** Fees collected under this section must be deposited in the
23.14 dog and cat breeders licensing account in the special revenue fund.

23.15 Sec. 32. **BEE VALUATION PROTOCOL REQUIRED.**

23.16 No later than January 1, 2015, the commissioner of agriculture must report to
23.17 the house of representatives and senate committees with jurisdiction over agriculture
23.18 finance the protocol that the commissioner developed, in consultation with experts, for
23.19 determining the fair market value of bees, hives, colonies, apiaries, and queen apiaries for
23.20 purposes of compensation under section 18B.055.

23.21 Sec. 33. **TERRESTRIAL PLANTS AND PESTS CENTER.**

23.22 Subdivision 1. **Establishment.** The Board of Regents of the University of Minnesota
23.23 is requested to establish an Invasive Terrestrial Plants and Pests Center to prevent and
23.24 minimize the threats posed by terrestrial invasive plants, other weeds, pathogens, and
23.25 pests in order to protect the state's prairies, forests, wetlands, and agricultural resources.
23.26 With the approval of the board, the College of Food, Agricultural and Natural Resource
23.27 Science, in coordination with the College of Biological Sciences, shall administer the
23.28 center utilizing the following departments:

23.29 (1) Entomology;

23.30 (2) Plant Pathology;

23.31 (3) Forest Resources;

- 24.1 (4) Horticultural Science;
 24.2 (5) Fisheries Wildlife and Conservation Biology;
 24.3 (6) Agronomy and Plant Genetics;
 24.4 (7) Plant Biology; and
 24.5 (8) Ecology, Evolution, and Behavior.

24.6 The college may also utilize the following research and outreach centers in
 24.7 achieving the purposes of this section: Cloquet Forestry Center; North Central Research
 24.8 and Outreach Center; Northwest Research and Outreach Center; Southern Research and
 24.9 Outreach Center; Southwest Research and Outreach Center; West Central Research and
 24.10 Outreach Center; Rosemount Research and Outreach Center; Horticultural Research
 24.11 Center; and Sand Plain Research Center.

24.12 Subd. 2. **Purpose.** The purpose of the Invasive Terrestrial Plants and Pests Center is
 24.13 to research and develop effective measures to prevent and minimize the threats posed by
 24.14 terrestrial invasive plants, pathogens, and pests, including agricultural weeds and pests, in
 24.15 order to protect the state's native prairies, forests, wetlands, and agricultural resources, by:

24.16 (1) creating a prioritized list of pest and plant species that threaten the state's prairies,
 24.17 forests, wetlands, and agricultural resources and making the list publicly accessible; and

24.18 (2) conducting research focused on the species included on the prioritized list
 24.19 developed under this subdivision that includes:

24.20 (i) development of new control methods, including biocontrols;

24.21 (ii) development of integrated pest management tools that minimize nontarget
 24.22 impacts;

24.23 (iii) research projects focused on establishment prevention, early detection, and
 24.24 rapid response;

24.25 (iv) an analysis of any consequences related to the management of prioritized species
 24.26 to the state's water, pollinators, and native prairies and other native species; and

24.27 (v) reports on the results that are made publicly accessible.

24.28 Subd. 3. **Report.** By January 15, each year as a condition of the appropriation
 24.29 provided under this act, the Board of Regents of the University of Minnesota shall submit
 24.30 a report to the chairs and ranking minority members of the house of representatives and
 24.31 senate committees and divisions with jurisdiction over the environment and natural
 24.32 resources and agriculture on: (1) the activities and outcomes of the center; and (2) any
 24.33 recommendations for additional funding for education, implementation, or other activities.

24.34 Sec. 34. **REPEALER.**

- 25.1 Minnesota Statutes 2012, section 115A.551, subdivision 2, is repealed."
- 25.2 Amend the title accordingly