

29.1

ARTICLE 2

29.2

AGRICULTURE STATUTORY CHANGES

29.3 Section 1. Minnesota Statutes 2020, section 17.041, subdivision 1, is amended to read:

29.4 Subdivision 1. **Establishment; appropriation.** An agricultural emergency account is
29.5 established in the agricultural fund. Money in the account, including interest, is appropriated
29.6 to the commissioner for emergency preparedness and response activities for agricultural
29.7 emergencies affecting producers of livestock, poultry, crops, or other agricultural products.
29.8 Eligible uses include agency costs directly attributed to preparing for and responding to
29.9 agricultural emergencies and purchasing necessary equipment and reimbursing costs incurred
29.10 by local units of government that are not eligible for reimbursement from other sources.

29.11 Sec. 2. **[17.1016] COOPERATIVE GRANTS.**

29.12 Subdivision 1. **Definitions.** For purposes of this section:

29.13 (1) "agricultural commodity" and "agricultural product processing facility" have the
29.14 meanings given in section 17.101, subdivision 5; and

29.15 (2) "agricultural service" means an action made under the direction of a farmer that
29.16 provides value to another entity. Agricultural service includes grazing to manage vegetation.

29.17 Subd. 2. **Grant program.** (a) The commissioner may establish and implement a grant
29.18 program to help farmers finance new cooperatives that organize for purposes of operating
29.19 an agricultural product processing facility or marketing an agricultural product or agricultural
29.20 service.

29.21 (b) To be eligible for this program, a grantee must:

29.22 (1) be a cooperative organized under chapter 308A;

29.23 (2) certify that all control and equity in the cooperative is from farmers, family farm
29.24 partnerships, family farm limited liability companies, or family farm corporations as defined
29.25 in section 500.24, subdivision 2, who are actively engaged in agricultural commodity
29.26 production;

29.27 (3) be operated primarily to process agricultural commodities or market agricultural
29.28 products or services produced in Minnesota; and

29.29 (4) receive agricultural commodities produced primarily by shareholders or members
29.30 of the cooperative.

30.1 (c) The commissioner may receive applications and make grants up to \$50,000 to eligible
30.2 grantees for feasibility, marketing analysis, assistance with organizational development,
30.3 financing and managing new cooperatives, product development, development of business
30.4 and marketing plans, and predesign of facilities including site analysis, development of bid

28.7

ARTICLE 3

28.8

AGRICULTURE AND RURAL DEVELOPMENT POLICY

28.9 Section 1. **[17.1016] COOPERATIVE GRANTS.**

28.10 Subdivision 1. **Definitions.** For the purposes of this section:

28.11 (1) "agricultural commodity" and "agricultural product processing facility" have the
28.12 meanings given in section 17.101, subdivision 5; and

28.13 (2) "agricultural service" means an action made under the direction of a farmer that
28.14 provides value to another entity. Agricultural service includes grazing to manage vegetation.

28.15 Subd. 2. **Grant program.** (a) The commissioner may establish and implement a grant
28.16 program to help farmers finance new cooperatives that organize for purposes of operating
28.17 an agricultural product processing facility or marketing an agricultural product or agricultural
28.18 service.

28.19 (b) To be eligible for this program, a grantee must:

28.20 (1) be a cooperative organized under chapter 308A;

28.21 (2) certify that all control and equity in the cooperative is from farmers, family farm
28.22 partnerships, family farm limited liability companies, or family farm corporations as defined
28.23 in section 500.24, subdivision 2, who are actively engaged in agricultural commodity
28.24 production;

28.25 (3) be operated primarily to process agricultural commodities or market agricultural
28.26 products or services produced in Minnesota; and

28.27 (4) receive agricultural commodities produced primarily by shareholders or members
28.28 of the cooperative.

28.29 (c) The commissioner may receive applications and make grants up to \$50,000 to eligible
28.30 grantees for feasibility, marketing analysis, assistance with organizational development,
28.31 financing and managing new cooperatives, product development, development of business
28.32 and marketing plans, and predesign of facilities, including site analysis, the development

30.5 specifications, preliminary blueprints and schematics, and completion of purchase agreements
30.6 and other necessary legal documents.

30.7 Sec. 3. Minnesota Statutes 2020, section 17.117, subdivision 9, is amended to read:

30.8 Subd. 9. **Allocation rescission.** (a) Continued availability of allocations granted to a
30.9 local government unit is contingent upon the commissioner's approval of the local
30.10 government unit's annual report. The commissioner shall review this annual report to ensure
30.11 that the past and future uses of the funds are consistent with the comprehensive water
30.12 management plan, other local planning documents, the requirements of the funding source,
30.13 and compliance to program requirements. If the commissioner concludes the past or intended
30.14 uses of the money are not consistent with these requirements, the commissioner shall rescind
30.15 all or part of the allocation awarded to a local government unit.

30.16 (b) The commissioner may rescind funds allocated to the local government unit that are
30.17 not designated to committed projects or disbursed within one year from the date of the
30.18 allocation agreement.

30.19 ~~(c) An additional year to use the undisbursed portion of an allocation may be granted~~
30.20 ~~by the commissioner under extenuating circumstances.~~ The commissioner may rescind
30.21 uncommitted allocations.

30.22 Sec. 4. Minnesota Statutes 2020, section 17.117, subdivision 9a, is amended to read:

30.23 Subd. 9a. **Authority and responsibilities of local government units.** (a) A local
30.24 government unit that enters into an allocation agreement with the commissioner:

30.25 (1) is responsible for the local administration and implementation of the program in
30.26 accordance with this section;

30.27 (2) may submit applications for allocations to the commissioner;

30.28 (3) shall identify, develop, determine eligibility, define and approve projects, designate
30.29 maximum loan amounts for projects, and certify completion of projects implemented under
30.30 this program. In areas where no local government unit has applied for funds under this
30.31 program, the commissioner may appoint a local government unit to review and certify
31.1 projects or the commissioner may assume the authority and responsibility of the local
31.2 government unit;

31.3 (4) shall certify as eligible only projects that are within its geographic jurisdiction or
31.4 within the geographic area identified in its local comprehensive water management plans
31.5 or other local planning documents;

31.6 (5) may require withholding by the local lender of all or a portion of the loan to the
31.7 borrower until satisfactory completion of all required components of a certified project;

29.2 of bid specifications, preliminary blueprints and schematics, and ~~the~~ completion of purchase
29.3 agreements and other necessary legal documents.

29.4 (d) Grants must be matched dollar-for-dollar with other money or in-kind contributions.

29.5 (e) State funds must not be used for grants.

30.22 Sec. 3. Minnesota Statutes 2020, section 17.117, subdivision 9, is amended to read:

30.23 Subd. 9. **Allocation rescission.** (a) Continued availability of allocations granted to a
30.24 local government unit is contingent upon the commissioner's approval of the local
30.25 government unit's annual report. The commissioner shall review this annual report to ensure
30.26 that the past and future uses of the funds are consistent with the comprehensive water
30.27 management plan, other local planning documents, the requirements of the funding source,
30.28 and compliance to program requirements. If the commissioner concludes the past or intended
30.29 uses of the money are not consistent with these requirements, the commissioner shall rescind
30.30 all or part of the allocation awarded to a local government unit.

31.1 (b) The commissioner may rescind funds allocated to the local government unit that are
31.2 not designated to committed projects or disbursed within one year from the date of the
31.3 allocation agreement.

31.4 ~~(c) An additional year to use the undisbursed portion of an allocation may be granted~~
31.5 ~~by the commissioner under extenuating circumstances.~~ The commissioner may rescind
31.6 uncommitted allocations.

31.7 Sec. 4. Minnesota Statutes 2020, section 17.117, subdivision 9a, is amended to read:

31.8 Subd. 9a. **Authority and responsibilities of local government units.** (a) A local
31.9 government unit that enters into an allocation agreement with the commissioner:

31.10 (1) is responsible for the local administration and implementation of the program in
31.11 accordance with this section;

31.12 (2) may submit applications for allocations to the commissioner;

31.13 (3) shall identify, develop, determine eligibility, define and approve projects, designate
31.14 maximum loan amounts for projects, and certify completion of projects implemented under
31.15 this program. In areas where no local government unit has applied for funds under this
31.16 program, the commissioner may appoint a local government unit to review and certify
31.17 projects or the commissioner may assume the authority and responsibility of the local
31.18 government unit;

31.19 (4) shall certify as eligible only projects that are within its geographic jurisdiction or
31.20 within the geographic area identified in its local comprehensive water management plans
31.21 or other local planning documents;

31.22 (5) may require withholding by the local lender of all or a portion of the loan to the
31.23 borrower until satisfactory completion of all required components of a certified project;

31.8 ~~(6) must identify which account is used to finance an approved project if the local~~
 31.9 ~~government unit has allocations from multiple accounts in the agricultural and environmental~~
 31.10 ~~revolving accounts;~~

31.11 ~~(7)~~ (6) shall report to the commissioner annually the past and intended uses of allocations
 31.12 awarded; and

31.13 ~~(8)~~ (7) may request additional funds in excess of their allocation when funds are available
 31.14 in the agricultural and environmental revolving accounts, as long as all other allocation
 31.15 awards to the local government unit have been used or committed.

31.16 (b) If a local government unit withdraws from participation in this program, the local
 31.17 government unit, or the commissioner in accordance with the priorities established under
 31.18 subdivision 6a, may designate another local government unit that is eligible under subdivision
 31.19 6 as the new local government unit responsible for local administration of this program.
 31.20 This designated local government unit may accept responsibility and administration of
 31.21 allocations awarded to the former responsible local government unit.

31.22 Sec. 5. Minnesota Statutes 2020, section 17.117, subdivision 10, is amended to read:

31.23 Subd. 10. **Authority and responsibilities of local lenders.** (a) Local lenders may enter
 31.24 into lender agreements with the commissioner.

31.25 (b) Local lenders may enter into loan agreements with borrowers to finance eligible
 31.26 projects under this section.

31.27 ~~(c) The local lender shall notify the local government unit of the loan amount issued to~~
 31.28 ~~the borrower after the closing of each loan.~~

31.29 ~~(c)~~ (c) Local lenders with local revolving loan accounts created before July 1, 2001,
 31.30 may continue to retain and use those accounts in accordance with their lending agreements
 31.31 for the full term of those agreements.

32.1 ~~(d)~~ (d) Local lenders, including local government units designating themselves as the
 32.2 local lender, may enter into participation agreements with other lenders.

32.3 ~~(e)~~ (e) Local lenders may enter into contracts with other lenders for the limited purposes
 32.4 of loan review, processing and servicing, or to enter into loan agreements with borrowers
 32.5 to finance projects under this section. Other lenders entering into contracts with local lenders
 32.6 under this section must meet the definition of local lender in subdivision 4, must comply
 32.7 with all provisions of the lender agreement and this section, and must guarantee repayment
 32.8 of the loan funds to the local lender.

32.9 ~~(f)~~ (f) When required by the local government unit, a local lender must withhold all or
 32.10 a portion of the loan disbursement for a project until notified by the local government unit
 32.11 that the project has been satisfactorily completed.

31.24 ~~(6) must identify which account is used to finance an approved project if the local~~
 31.25 ~~government unit has allocations from multiple accounts in the agricultural and environmental~~
 31.26 ~~revolving accounts;~~

31.27 ~~(7)~~ (6) shall report to the commissioner annually the past and intended uses of allocations
 31.28 awarded; and

31.29 ~~(8)~~ (7) may request additional funds in excess of their allocation when funds are available
 31.30 in the agricultural and environmental revolving accounts, as long as all other allocation
 31.31 awards to the local government unit have been used or committed.

32.1 (b) If a local government unit withdraws from participation in this program, the local
 32.2 government unit, or the commissioner in accordance with the priorities established under
 32.3 subdivision 6a, may designate another local government unit that is eligible under subdivision
 32.4 6 as the new local government unit responsible for local administration of this program.
 32.5 This designated local government unit may accept responsibility and administration of
 32.6 allocations awarded to the former responsible local government unit.

32.7 Sec. 5. Minnesota Statutes 2020, section 17.117, subdivision 10, is amended to read:

32.8 Subd. 10. **Authority and responsibilities of local lenders.** (a) Local lenders may enter
 32.9 into lender agreements with the commissioner.

32.10 (b) Local lenders may enter into loan agreements with borrowers to finance eligible
 32.11 projects under this section.

32.12 ~~(c) The local lender shall notify the local government unit of the loan amount issued to~~
 32.13 ~~the borrower after the closing of each loan.~~

32.14 ~~(c)~~ (c) Local lenders with local revolving loan accounts created before July 1, 2001,
 32.15 may continue to retain and use those accounts in accordance with their lending agreements
 32.16 for the full term of those agreements.

32.17 ~~(d)~~ (d) Local lenders, including local government units designating themselves as the
 32.18 local lender, may enter into participation agreements with other lenders.

32.19 ~~(e)~~ (e) Local lenders may enter into contracts with other lenders for the limited purposes
 32.20 of loan review, processing and servicing, or to enter into loan agreements with borrowers
 32.21 to finance projects under this section. Other lenders entering into contracts with local lenders
 32.22 under this section must meet the definition of local lender in subdivision 4, must comply
 32.23 with all provisions of the lender agreement and this section, and must guarantee repayment
 32.24 of the loan funds to the local lender.

32.25 ~~(f)~~ (f) When required by the local government unit, a local lender must withhold all or
 32.26 a portion of the loan disbursement for a project until notified by the local government unit
 32.27 that the project has been satisfactorily completed.

32.12 ~~(g)~~ (g) The local lender is responsible for repaying all funds provided by the commissioner
32.13 to the local lender.

32.14 ~~(h)~~ (h) The local lender is responsible for collecting repayments from borrowers. If a
32.15 borrower defaults on a loan issued by the local lender, it is the responsibility of the local
32.16 lender to obtain repayment from the borrower. Default on the part of borrowers shall have
32.17 no effect on the local lender's responsibility to repay its obligations to the commissioner
32.18 whether or not the local lender fully recovers defaulted amounts from borrowers.

32.19 ~~(i)~~ (i) The local lender shall provide sufficient collateral or protection to the commissioner
32.20 for the funds provided to the local lender. The commissioner must approve the collateral
32.21 or protection provided.

32.22 Sec. 6. Minnesota Statutes 2020, section 17.117, subdivision 11, is amended to read:

32.23 Subd. 11. **Loans issued to borrower.** (a) Local lenders may issue loans only for projects
32.24 that are approved and certified by the local government unit as meeting priority needs
32.25 identified in a comprehensive water management plan or other local planning documents,
32.26 are in compliance with accepted practices, standards, specifications, or criteria, and are
32.27 eligible for financing under Environmental Protection Agency or other applicable guidelines.

32.28 (b) The local lender may use any additional criteria considered necessary to determine
32.29 the eligibility of borrowers for loans.

32.30 (c) Local lenders shall set the terms and conditions of loans to borrowers, except that:

32.31 ~~(1) no loan to a borrower may exceed \$200,000; and~~

33.1 ~~(2) no borrower shall, at any time, have multiple loans from this program with a total~~
33.2 outstanding loan balance of more than \$200,000.

33.3 (d) The maximum term length for projects in this paragraph is ten years.

33.4 (e) Fees charged at the time of closing must:

33.5 (1) be in compliance with normal and customary practices of the local lender;

33.6 (2) be in accordance with published fee schedules issued by the local lender;

33.7 (3) not be based on participation program; and

33.8 (4) be consistent with fees charged other similar types of loans offered by the local
33.9 lender.

33.10 (f) The interest rate assessed to an outstanding loan balance by the local lender must not
33.11 exceed three percent per year.

33.12 Sec. 7. Minnesota Statutes 2020, section 17.117, subdivision 11a, is amended to read:

33.13 Subd. 11a. **Eligible projects.** (a) All projects that remediate or mitigate adverse
33.14 environmental impacts are eligible if the project is eligible under an allocation agreement.

32.28 ~~(g)~~ (g) The local lender is responsible for repaying all funds provided by the commissioner
32.29 to the local lender.

32.30 ~~(h)~~ (h) The local lender is responsible for collecting repayments from borrowers. If a
32.31 borrower defaults on a loan issued by the local lender, it is the responsibility of the local
32.32 lender to obtain repayment from the borrower. Default on the part of borrowers shall have
33.1 no effect on the local lender's responsibility to repay its obligations to the commissioner
33.2 whether or not the local lender fully recovers defaulted amounts from borrowers.

33.3 ~~(i)~~ (i) The local lender shall provide sufficient collateral or protection to the commissioner
33.4 for the funds provided to the local lender. The commissioner must approve the collateral
33.5 or protection provided.

33.6 Sec. 6. Minnesota Statutes 2020, section 17.117, subdivision 11, is amended to read:

33.7 Subd. 11. **Loans issued to borrower.** (a) Local lenders may issue loans only for projects
33.8 that are approved and certified by the local government unit as meeting priority needs
33.9 identified in a comprehensive water management plan or other local planning documents,
33.10 are in compliance with accepted practices, standards, specifications, or criteria, and are
33.11 eligible for financing under Environmental Protection Agency or other applicable guidelines.

33.12 (b) The local lender may use any additional criteria considered necessary to determine
33.13 the eligibility of borrowers for loans.

33.14 (c) Local lenders shall set the terms and conditions of loans to borrowers, except that:

33.15 ~~(1) no loan to a borrower may exceed \$200,000; and~~

33.16 ~~(2) no borrower shall, at any time, have multiple loans from this program with a total~~
33.17 outstanding loan balance of more than \$200,000.

33.18 (d) The maximum term length for projects in this paragraph is ten years.

33.19 (e) Fees charged at the time of closing must:

33.20 (1) be in compliance with normal and customary practices of the local lender;

33.21 (2) be in accordance with published fee schedules issued by the local lender;

33.22 (3) not be based on participation program; and

33.23 (4) be consistent with fees charged other similar types of loans offered by the local
33.24 lender.

33.25 (f) The interest rate assessed to an outstanding loan balance by the local lender must not
33.26 exceed three percent per year.

33.27 Sec. 7. Minnesota Statutes 2020, section 17.117, subdivision 11a, is amended to read:

33.28 Subd. 11a. **Eligible projects.** (a) All projects that remediate or mitigate adverse
33.29 environmental impacts are eligible if the project is eligible under an allocation agreement.

33.15 (b) A manure management project is eligible if the project remediates or mitigates
33.16 impacts from facilities with less than 1,000 animal units as defined in Minnesota Rules,
33.17 chapter 7020, and otherwise meets the requirements of this section.

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

33.19 (1) remediates ~~the~~ or mitigates the inadequate flow, adverse environmental impacts or
33.20 presence of contaminants in ~~private well~~ privately owned water supplies that are used for
33.21 drinking water by people or livestock, privately owned water service lines, or privately
33.22 owned plumbing and fixtures;

33.23 (2) implements best management practices that are intended to achieve drinking water
33.24 standards or adequate flow; and

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

33.26 Sec. 8. Minnesota Statutes 2020, section 17.118, subdivision 1, is amended to read:

33.27 Subdivision 1. **Establishment.** The commissioner may award a livestock investment
33.28 grant to a person who raises livestock in this state equal to ten percent of the first \$500,000
33.29 \$250,000 of qualifying expenditures, provided the person makes qualifying expenditures
33.30 of at least \$4,000. The commissioner may award multiple livestock investment grants to a
34.1 person over the life of the program as long as the cumulative amount does not exceed
34.2 \$50,000.

34.3 Sec. 9. Minnesota Statutes 2020, section 17.118, subdivision 3, is amended to read:

34.4 Subd. 3. **Eligibility.** ~~(a)~~ To be eligible for a livestock investment grant, a person must:

34.5 (1) be a resident of Minnesota or an entity specifically defined in section 500.24,
34.6 subdivision 2, that is eligible to own farmland and operate a farm in this state under section
34.7 500.24;

34.8 (2) be the principal operator of the farm;

34.9 (3) hold a feedlot registration, if required; and

34.10 (4) apply to the commissioner on forms prescribed by the commissioner including a
34.11 statement of the qualifying expenditures made during the qualifying period along with any
34.12 proof or other documentation the commissioner may require.

34.13 ~~(b) The \$50,000 maximum grant applies at the entity level for partnerships, S~~
34.14 ~~corporations, C corporations, trusts, and estates as well as at the individual level. In the case~~
34.15 ~~of married individuals, the grant is limited to \$50,000 for a married couple.~~

34.16 Sec. 10. Minnesota Statutes 2020, section 17.118, subdivision 4, is amended to read:

34.17 Subd. 4. **Process.** The commissioner, in consultation with the chairs and ranking minority
34.18 members of the house of representatives and senate committees with jurisdiction over
34.19 agriculture finance, shall develop competitive eligibility criteria and may allocate grants on

34.1 (b) A manure management project is eligible if the project remediates or mitigates
34.2 impacts from facilities with less than 1,000 animal units as defined in Minnesota Rules,
34.3 chapter 7020, and otherwise meets the requirements of this section.

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

34.5 (1) remediates ~~the~~ or mitigates the inadequate flow, adverse environmental impacts or
34.6 presence of contaminants in ~~private well~~ privately owned water supplies that are used for
34.7 drinking water by people or livestock, privately owned water service lines, or privately
34.8 owned plumbing and fixtures;

34.9 (2) implements best management practices that are intended to achieve drinking water
34.10 standards or adequate flow; and

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

34.20 a needs basis. The commissioner shall place any eligible unfunded applications on a waiting
 34.21 list and, notwithstanding subdivision 2, paragraph (d), give them consideration during the
 34.22 next fiscal year in which program funding is available. The commissioner shall notify in
 34.23 writing any applicant who applies for a grant and is ineligible under the provisions of this
 34.24 section as well as any applicant whose application is received or reviewed after the fiscal
 34.25 year funding limit has been reached.

34.26 Sec. 11. **[17.133] FARM DOWN PAYMENT ASSISTANCE GRANTS.**

34.27 Subdivision 1. **Definitions.** (a) For purposes of this section, the following terms have
 34.28 the meanings given.

34.29 (b) "Eligible farmer" means an individual who at the time that the grant is awarded:

35.1 (1) is a resident of Minnesota who intends to acquire farmland located within the state
 35.2 and provide the majority of the day-to-day physical labor and management of the farm;

35.3 (2) grosses no more than \$250,000 per year from the sale of farm products; and

35.4 (3) has not, and whose spouse has not, at any time had a direct or indirect ownership
 35.5 interest in farmland.

35.6 (c) "Farm down payment" means an initial, partial payment required by a lender or seller
 35.7 to purchase farmland.

35.8 Subd. 2. **Grants.** The commissioner must award farm down payment assistance grants
 35.9 of up to \$15,000 per eligible farmer. An eligible farmer must match the grant with at least
 35.10 an equivalent amount of other funding. An eligible farmer must commit to own and farm
 35.11 the land purchased with assistance provided under this section for at least five years. For
 35.12 each year that a grant recipient does not own and farm the land during the five-year period,
 35.13 the grant recipient must pay a penalty to the commissioner equal to 20 percent of the grant
 35.14 amount.

35.15 Sec. 12. **[17.994] SOIL HEALTH FINANCIAL ASSISTANCE PROGRAM.**

35.16 Subdivision 1. **Establishment.** The soil health financial assistance program is established
 35.17 to promote soil health practices that mitigate climate change impacts, improve water quality,
 35.18 and provide related public benefits.

35.19 Subd. 2. **Financial assistance.** (a) The commissioner may provide financial assistance
 35.20 to local governments, private sector providers, or farmers to cover the costs of specialized
 35.21 equipment and technology necessary to implement and sustain soil health practices, including
 35.22 equipment technology purchases or subscriptions, services to landowners, and other
 35.23 equipment purchases or financial assistance that the commissioner considers appropriate
 35.24 to promote healthy soil.

29.6 Sec. 2. **[17.1162] AGRICULTURE BEST MANAGEMENT PRACTICES GRANT**
 29.7 **PROGRAM.**

29.8 Subdivision 1. **Establishment.** The commissioner of agriculture must establish and
 29.9 administer a grant program to support healthy soil management practices in accordance
 29.10 with this section.

29.11 Subd. 2. **State healthy soil management plan.** The commissioner must develop a
 29.12 healthy soil management plan in consultation with the University of Minnesota, the United
 29.13 States Department of Agriculture Natural Resources Conservation Service, the Board of
 29.14 Water and Soil Resources, the Minnesota Pollution Control Agency, and nongovernmental
 29.15 environmental and agricultural organizations. By December 31, 2023, and every two years
 29.16 thereafter, the commissioner must report the plan to the governor and to the chairs and
 29.17 ranking minority members of the house of representatives and senate committees and

- 35.25 (b) The commissioner must establish costs eligible for financial assistance under this
35.26 section.
- 35.27 (c) The commissioner must prioritize or weigh program implementation elements based
35.28 on considerations including:
- 35.29 (1) support for soil health principles;
- 35.30 (2) supporting participants or participation in the Minnesota agricultural water quality
35.31 certification program established under Minnesota Statutes, sections 17.9891 to 17.993;
- 35.32 (3) reducing or avoiding greenhouse gas emissions; and
- 36.1 (4) other beneficial public or private programs or initiatives to achieve program results.

- 29.18 divisions with jurisdiction over agriculture and the environment and natural resources. The
29.19 plan must include all of the following:
- 29.20 (1) an assessment of the current state of healthy soil management practices statewide;
- 29.21 (2) a statewide five- and ten-year goal for healthy soil management practice
29.22 implementation, denominated in acres;
- 29.23 (3) an explanation of how the commissioner will make grant award decisions based on
29.24 the eligibility categories described in subdivision 3;
- 29.25 (4) an explanation of how the commissioner will ensure a geographically fair distribution
29.26 of funding across a broad group of crop types, soil management practices, and farm sizes;
- 29.27 (5) a strategy for leveraging other public and private sources of money to expand healthy
29.28 soil management practices in the state;
- 29.29 (6) a summary of the operations of the program during the previous two-year period,
29.30 including a summary of state, federal, and private money spent, the total number of projects
29.31 and acres, and an estimate of carbon sequestered or carbon emissions reduced during that
29.32 period; and
- 30.1 (7) any other matter that the commissioner deems relevant.
- 30.2 Subd. 3. **Eligible projects.** The commissioner may award a grant under this section for
30.3 any project on agricultural land in Minnesota that will:
- 30.4 (1) increase the quantity of organic carbon in soil through practices, including but not
30.5 limited to reduced tillage, cover cropping, manure management, precision agriculture, crop
30.6 rotations, and changes in grazing management;
- 30.7 (2) integrate perennial vegetation into the management of agricultural lands;
- 30.8 (3) reduce nitrous oxide and methane emissions through changes to livestock, soil
30.9 management, or nutrient optimization;
- 30.10 (4) increase the usage of precision agricultural practices;
- 30.11 (5) enable the development of site-specific management plans; or
- 30.12 (6) enable the purchase of equipment, technology, subscriptions, technical assistance,
30.13 seeds, seedlings, or amendments that will further any of the purposes in clauses (1) to (5).
- 30.14 Subd. 4. **Grant eligibility.** Any land owner or lessee may apply for a grant under this
30.15 section.
- 30.16 Subd. 5. **Funding limitations.** Every appropriation for the agriculture best management
30.17 practices grant program is subject to the following limitations:

36.2 Sec. 13. Minnesota Statutes 2020, section 18B.01, is amended by adding a subdivision to
36.3 read:

36.4 Subd. 20b. **Plastic.** "Plastic" means an organic or petroleum derivative synthetic or a
36.5 semisynthetic organic solid that is moldable, and to which additives or other substances
36.6 may have been added. Plastic does not mean natural polymers that have not been chemically
36.7 modified.

36.8 Sec. 14. Minnesota Statutes 2020, section 18B.01, is amended by adding a subdivision to
36.9 read:

36.10 Subd. 20c. **Plastic-coated pesticide.** "Plastic-coated pesticide" means a pesticide coated
36.11 with or microencapsulated by plastic.

36.12 Sec. 15. Minnesota Statutes 2020, section 18B.051, is amended to read:

36.13 **18B.051 POLLINATOR HABITAT AND RESEARCH ACCOUNT.**

36.14 Subdivision 1. **Account established.** A pollinator ~~habitat and~~ research account is
36.15 established in the agricultural fund. Money in the account, including interest, is appropriated
36.16 to the Board of Regents of the University of Minnesota for pollinator research and outreach
36.17 including, but not limited to:

36.18 (1) pesticide, parasite, and climate disruption impacts;

36.19 (2) science-based best practices; and

36.20 (3) the identification and establishment of habitat beneficial to pollinators.

36.21 Subd. 2. **Expiration.** This section expires July 1, ~~2022~~ 2025.

36.22 Sec. 16. Minnesota Statutes 2020, section 18B.07, is amended by adding a subdivision to
36.23 read:

36.24 Subd. 9. **Plastic-coated pesticide prohibited.** A person may not sell, offer for sale, use,
36.25 or apply a plastic-coated pesticide.

36.26 **EFFECTIVE DATE.** This section is effective January 1, 2025, for nonagricultural
36.27 pesticide, and January 1, 2026, for agricultural pesticide.

37.1 Sec. 17. Minnesota Statutes 2020, section 18C.005, is amended by adding a subdivision
37.2 to read:

37.3 Subd. 26a. **Plastic.** "Plastic" has the meaning given in section 18B.01, subdivision 20b.

30.18 (1) the commissioner may award no more than ten percent of the appropriation to a
30.19 single recipient; and

30.20 (2) the commissioner may use no more than five percent of the appropriation to cover
30.21 the costs of administering the program.

37.4 Sec. 18. Minnesota Statutes 2020, section 18C.005, is amended by adding a subdivision
37.5 to read:

37.6 Subd. 26b. **Plastic-coated fertilizer.** "Plastic-coated fertilizer" means a fertilizer coated
37.7 with or microencapsulated by plastic.

37.8 Sec. 19. Minnesota Statutes 2020, section 18C.201, is amended by adding a subdivision
37.9 to read:

37.10 Subd. 8. **Plastic-coated fertilizer prohibited.** A person may not sell, offer for sale, use,
37.11 or apply a plastic-coated fertilizer.

37.12 **EFFECTIVE DATE.** This section is effective January 1, 2025, for nonagricultural
37.13 fertilizer, and January 1, 2026, for agricultural fertilizer.

34.12 Sec. 8. Minnesota Statutes 2020, section 18E.04, subdivision 4, is amended to read:

34.13 Subd. 4. **Reimbursement payments.** (a) The board shall pay a person that is eligible
34.14 for reimbursement or payment under subdivisions 1, 2, and 3 from the agricultural chemical
34.15 response and reimbursement account for 80 percent of the total reasonable and necessary
34.16 corrective action costs greater than \$1,000 and less than or equal to ~~\$350,000~~ \$425,000 in
34.17 fiscal years 2023 and 2024, \$500,000 in fiscal years 2025 and 2026, and \$575,000 in fiscal
34.18 year 2027 and each following year.

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

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

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

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

34.28 (1) were not reported at the time of release but were discovered and reported after July
34.29 1, 1989; and

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

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

37.14 Sec. 20. Minnesota Statutes 2020, section 21.81, is amended by adding a subdivision to
 37.15 read:

37.16 Subd. 5a. **Coated agricultural seed.** "Coated agricultural seed" means any seed unit
 37.17 covered with a coating material.

37.18 Sec. 21. Minnesota Statutes 2020, section 21.86, subdivision 2, is amended to read:

37.19 Subd. 2. **Miscellaneous violations.** No person may:

37.20 (a) detach, alter, deface, or destroy any label required in sections 21.82 and 21.83, alter
 37.21 or substitute seed in a manner that may defeat the purposes of sections 21.82 and 21.83, or
 37.22 alter or falsify any seed tests, laboratory reports, records, or other documents to create a
 37.23 misleading impression as to kind, variety, history, quality, or origin of the seed;

37.24 (b) hinder or obstruct in any way any authorized person in the performance of duties
 37.25 under sections 21.80 to 21.92;

37.26 (c) fail to comply with a "stop sale" order or to move or otherwise handle or dispose of
 37.27 any lot of seed held under a stop sale order or attached tags, except with express permission
 37.28 of the enforcing officer for the purpose specified;

38.1 (d) use the word "type" in any labeling in connection with the name of any agricultural
 38.2 seed variety;

38.3 (e) use the word "trace" as a substitute for any statement which is required;

38.4 (f) plant any agricultural seed which the person knows contains weed seeds or noxious
 38.5 weed seeds in excess of the limits for that seed; ~~or~~

38.6 (g) advertise or sell seed containing patented, protected, or proprietary varieties used
 38.7 without permission of the patent or certificate holder of the intellectual property associated
 38.8 with the variety of seed; ~~or~~

38.9 (h) use or sell as food, feed, oil, or ethanol feedstock any seed treated with neonicotinoid
 38.10 pesticide.

35.4 (g) Except for an emergency incident, the board may not reimburse or pay for more than
 35.5 60 percent of the corrective action costs of an eligible person or for an incident within five
 35.6 years of a previous incident at a single site resulting from a site recontamination.

35.7 (h) The deduction of \$1,000 and 20 percent from the \$350,000 remuneration payment
 35.8 amounts described in subdivision (a) may be waived by the board if the incident took place
 35.9 on or after August 18, 2007, and was caused by flooding associated with Presidential
 35.10 Declaration of Major Disaster DR-1717.

35.11 **EFFECTIVE DATE.** This section is effective July 1, 2022.

38.11 Sec. 22. **[21.915] PESTICIDE TREATED SEED USE AND DISPOSAL; CONSUMER**
38.12 **GUIDANCE REQUIRED.**

38.13 (a) The commissioner, in consultation with the commissioner of the Pollution Control
38.14 Agency, must develop and maintain consumer guidance regarding the proper use and disposal
38.15 of seed treated with neonicotinoid pesticide.

38.16 (b) A person selling seed treated with neonicotinoid pesticide at retail must post in a
38.17 conspicuous location the guidance developed by the commissioner under paragraph (a).

38.18 Sec. 23. Minnesota Statutes 2020, section 28A.08, is amended by adding a subdivision to
38.19 read:

38.20 Subd. 4. **Food handler license account; appropriation.** A food handler license account
38.21 is established in the agricultural fund. The commissioner must deposit fees and penalties
38.22 paid under subdivision 3 in this account. Money in the account, including interest, is
38.23 appropriated to the commissioner for expenses relating to licensing and inspecting food
38.24 handlers under chapters 28 to 34A or rules adopted under one of those chapters.

38.25 Sec. 24. Minnesota Statutes 2020, section 28A.09, is amended by adding a subdivision to
38.26 read:

38.27 Subd. 3. **Vending machine inspection account; appropriation.** A vending machine
38.28 inspection account is established in the agricultural fund. The commissioner must deposit
38.29 fees paid under subdivision 1 in this account. Money in the account, including interest, is
38.30 appropriated to the commissioner for expenses relating to identifying and inspecting food
38.31 vending machines under chapters 28 to 34A or rules adopted under one of those chapters.

39.1 Sec. 25. Minnesota Statutes 2020, section 28A.10, is amended to read:

39.2 **28A.10 POSTING OF LICENSE; RULES.**

39.3 All such licenses shall be issued for a period of one year and shall be posted or displayed
39.4 in a conspicuous place at the place of business so licensed. Except as provided in sections
39.5 28A.08, subdivision 4; 28A.09, subdivision 3; 29.22, subdivision 4; and 31.39, all such
39.6 license fees and penalties collected by the commissioner shall be deposited into the state
39.7 treasury and credited to the general fund. The commissioner may adopt such rules in
39.8 conformity with law as the commissioner deems necessary to effectively and efficiently
39.9 carry out the provisions of sections 28A.01 to 28A.16.

39.10 Sec. 26. Minnesota Statutes 2020, section 28A.21, subdivision 2, is amended to read:

39.11 Subd. 2. **Membership.** (a) The Food Safety and Defense Task Force consists of:

39.12 (1) the commissioner of agriculture or the commissioner's designee;

39.13 (2) the commissioner of health or the commissioner's designee;

39.14 (3) a representative of the United States Food and Drug Administration;

- 39.15 (4) a representative of the United States Department of Agriculture;
- 39.16 (5) a representative of the Agricultural Utilization Research Institute;
- 39.17 (6) one member of the Minnesota Grocers Association;
- 39.18 (7) one member from the University of Minnesota knowledgeable in food and food
- 39.19 safety issues; and
- 39.20 (8) ~~nine~~ ten members appointed by the governor who are interested in food and food
- 39.21 safety, of whom:
- 39.22 (i) two persons are health or food professionals;
- 39.23 (ii) one person represents a statewide general farm organization;
- 39.24 (iii) one person represents a local food inspection agency;
- 39.25 (iv) one person represents a food-oriented consumer group; ~~and~~
- 39.26 (v) one person represents a Minnesota-based manufacturer of microbial detection
- 39.27 equipment and remediation products; and
- 39.28 (vi) one person is knowledgeable in cybersecurity.
- 40.1 (b) Members shall serve without compensation. Members appointed by the governor
- 40.2 shall serve four-year terms.
- 40.3 Sec. 27. Minnesota Statutes 2020, section 35.155, subdivision 10, is amended to read:
- 40.4 Subd. 10. **Mandatory registration.** (a) A person may not possess live Cervidae in
- 40.5 Minnesota unless the person is registered with the Board of Animal Health and meets all
- 40.6 the requirements for farmed Cervidae under this section. Cervidae possessed in violation
- 40.7 of this subdivision may be seized and destroyed by the commissioner of natural resources.
- 40.8 (b) A person whose registration is revoked by the board is ineligible for future registration
- 40.9 under this section unless the board determines that the person has undertaken measures that
- 40.10 make future escapes extremely unlikely.
- 40.11 (c) The board must not approve a new registration under this subdivision for farmed
- 40.12 white-tailed deer. This paragraph does not prohibit a person holding a valid registration to
- 40.13 possess farmed white-tailed deer from selling or transferring the person's registration to a
- 40.14 family member who resides in this state and is related to the person within the third degree
- 40.15 of kindred according to the rules of civil law. A registration to possess farmed white-tailed
- 40.16 deer may be sold or transferred only once under this paragraph. Before the board approves
- 40.17 a sale or transfer under this paragraph, the board must verify that the farmed white-tailed
- 40.18 deer herd is free from chronic wasting disease and the person or eligible family member
- 40.19 must pay a onetime transfer fee of \$500 to the board.

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

35.12 Sec. 9. Minnesota Statutes 2020, section 35.155, subdivision 12, is amended to read:

35.13 Subd. 12. **Importation.** If there is an antemortem test for chronic wasting disease
35.14 validated by the United States Department of Agriculture, a person may only import
35.15 white-tailed deer that have tested negative immediately prior to importation. A person must
35.16 not import Cervidae into the state from a herd that is infected or exposed to chronic wasting
35.17 disease or from a known chronic wasting disease endemic area, as determined by the board.
35.18 A person may import Cervidae into the state only from a herd that is not in a known chronic
35.19 wasting disease endemic area, as determined by the board, and the herd has been subject to
35.20 a state or provincial approved chronic wasting disease monitoring program for at least three
35.21 years. Cervidae imported in violation of this section may be seized and destroyed by the
35.22 commissioner of natural resources.

35.23 Sec. 10. Minnesota Statutes 2021 Supplement, section 35.155, subdivision 14, is amended
35.24 to read:

35.25 Subd. 14. **Concurrent authority; regulating farmed white-tailed deer.** ~~(a) The~~
35.26 ~~commissioner of natural resources and, in conjunction with the Board of Animal Health,~~
35.27 ~~possess concurrent authority to regulate farmed white-tailed deer under this section, sections~~
35.28 ~~35.92 to 35.96, and any administrative rules adopted pursuant to this section or sections~~
35.29 ~~35.92 to 35.96. This does not confer to the commissioner any additional authorities under~~
35.30 ~~chapter 35, other than those set forth in sections 35.155 and 35.92 to 35.96, and any~~
35.31 ~~administrative rules adopted thereto. Neither entity may issue an emergency order restricting~~
35.32 ~~the movement of farmed white-tailed deer without the concurrence of the other.~~

36.1 ~~(b) By February 1, 2022, the commissioner of natural resources, in conjunction with the~~
36.2 ~~Board of Animal Health, must submit a report to the chairs and ranking minority members~~
36.3 ~~of the legislative committees and divisions with jurisdiction over the environment and~~
36.4 ~~natural resources and agriculture on the implementation of the concurrent authority under~~
36.5 ~~this section. The report must include:~~

36.6 ~~(1) a summary of how the agencies worked together under this section, including~~
36.7 ~~identification of any challenges;~~

36.8 ~~(2) an assessment of ongoing challenges to managing chronic wasting disease in this~~
36.9 ~~state; and~~

36.10 ~~(3) recommendations for statutory and programmatic changes to help the state better~~
36.11 ~~manage the disease.~~

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

36.13 Sec. 11. Minnesota Statutes 2020, section 40A.18, subdivision 2, is amended to read:

36.14 Subd. 2. **Allowed commercial and industrial operations.** (a) Commercial and industrial
36.15 operations are not allowed on land within an agricultural preserve except:

36.16 (1) small on-farm commercial or industrial operations normally associated with and
36.17 important to farming in the agricultural preserve area;

36.18 (2) storage use of existing farm buildings that does not disrupt the integrity of the
36.19 agricultural preserve;

36.20 (3) small commercial use of existing farm buildings for trades not disruptive to the
36.21 integrity of the agricultural preserve such as a carpentry shop, small scale mechanics shop,
36.22 and similar activities that a farm operator might conduct; ~~and~~

36.23 (4) wireless communication installments and related equipment and structure capable
36.24 of providing technology potentially beneficial to farming activities. A property owner who
36.25 installs wireless communication equipment does not violate a covenant made prior to January
36.26 1, 2018, under section 40A.10, subdivision 1; and

36.27 (5) solar energy generating systems with an output capacity of one megawatt or less.

36.28 (b) For purposes of paragraph (a), clauses (2) and (3), "existing" means existing on
36.29 August 1, 1989.

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

40.21 Sec. 28. Minnesota Statutes 2020, section 41A.16, subdivision 1, is amended to read:

40.22 Subdivision 1. **Eligibility.** (a) A facility eligible for payment under this section must
40.23 source from Minnesota at least 80 percent of the biomass used to produce an advanced
40.24 biofuel, except that, if a facility is sited 50 miles or less from the state border, biomass used
40.25 to produce an advanced biofuel may be sourced from outside of Minnesota, but only if at
40.26 least 80 percent of the biomass is sourced from within a 100-mile radius of the facility or
40.27 from within Minnesota. The facility must be located in Minnesota, must begin production
40.28 at a specific location by ~~June 30, 2025~~ December 31, 2022, and must not begin operating
40.29 above 23,750 MMBtu of quarterly advanced biofuel production before July 1, 2015. Eligible
40.30 facilities include existing companies and facilities that are adding advanced biofuel
40.31 production capacity, or retrofitting existing capacity, as well as new companies and facilities.
40.32 Production of conventional corn ethanol and conventional biodiesel is not eligible. Eligible
40.33 advanced biofuel facilities must produce at least 1,500 MMBtu of advanced biofuel quarterly.

41.1 (b) No payments shall be made for advanced biofuel production that occurs after June
41.2 30, 2035, for those eligible biofuel producers under paragraph (a), provided that an eligible
41.3 producer may continue to receive payments equal to the difference between the claims for
41.4 payment filed under subdivision 6 and the pro rata amount received as of June 30, 2035,
41.5 until the full amounts of the original claims are paid.

- 41.6 (c) An eligible producer of advanced biofuel shall not transfer the producer's eligibility
41.7 for payments under this section to an advanced biofuel facility at a different location.
- 41.8 (d) A producer that ceases production for any reason is ineligible to receive payments
41.9 under this section until the producer resumes production.
- 41.10 (e) Renewable chemical production for which payment has been received under section
41.11 41A.17, and biomass thermal production for which payment has been received under section
41.12 41A.18, are not eligible for payment under this section.
- 41.13 (f) Biobutanol is eligible under this section.
- 41.14 **EFFECTIVE DATE.** This section is effective retroactively from January 1, 2020, and
41.15 applies to claims filed after January 1, 2020.
- 41.16 Sec. 29. Minnesota Statutes 2020, section 41A.16, subdivision 2, is amended to read:
- 41.17 Subd. 2. **Payment amounts; limits.** (a) The commissioner shall make payments to
41.18 eligible producers of advanced biofuel. The amount of the payment for each eligible
41.19 producer's annual production is \$2.1053 per MMBtu for advanced biofuel production from
41.20 cellulosic biomass, and \$1.053 per MMBtu for advanced biofuel production from sugar,
41.21 starch, oil, or animal fat at a specific location for ten years after the start of production.
- 41.22 (b) Total payments under this section to an eligible biofuel producer in a fiscal year may
41.23 not exceed the amount necessary for 2,850,000 MMBtu of biofuel production. Total payments
41.24 under this section to all eligible biofuel producers in a fiscal year may not exceed the amount
41.25 necessary for 17,100,000 MMBtu of biofuel production. If the total amount for which all
41.26 producers are eligible in a quarter exceeds the amount available for payments, the
41.27 commissioner shall make the payments on a pro rata basis. An eligible producer may reapply
41.28 for payment of the difference between the claim for payment filed under subdivision 6 and
41.29 the pro rata amount received:
- 41.30 (1) until the full amount of the original claim is paid; and
- 41.31 (2) subject to available money appropriated for the express purpose of paying claims
41.32 not otherwise paid.
- 42.1 (c) For purposes of this section, an entity that holds a controlling interest in more than
42.2 one advanced biofuel facility is considered a single eligible producer.
- 42.3 **EFFECTIVE DATE.** This section is effective retroactively from January 1, 2020, and
42.4 applies to claims filed after January 1, 2020.
- 42.5 Sec. 30. Minnesota Statutes 2020, section 41A.17, subdivision 1, is amended to read:
- 42.6 Subdivision 1. **Eligibility.** (a) A facility eligible for payment under this section must
42.7 source from Minnesota at least 80 percent of the biomass used to produce a renewable
42.8 chemical, except that, if a facility is sited 50 miles or less from the state border, biomass
42.9 used to produce a renewable chemical may be sourced from outside of Minnesota, but only

42.10 if at least 80 percent of the biomass is sourced from within a 100-mile radius of the facility
42.11 or from within Minnesota. The facility must be located in Minnesota, must begin production
42.12 at a specific location by ~~June 30, 2025~~ December 31, 2022, and must not begin production
42.13 of 250,000 pounds of chemicals quarterly before January 1, 2015. Eligible facilities include
42.14 existing companies and facilities that are adding production capacity, or retrofitting existing
42.15 capacity, as well as new companies and facilities. Eligible renewable chemical facilities
42.16 must produce at least 250,000 pounds of renewable chemicals quarterly. Renewable
42.17 chemicals produced through processes that are fully commercial before January 1, 2000,
42.18 are not eligible.

42.19 (b) No payments shall be made for renewable chemical production that occurs after June
42.20 30, 2035, for those eligible renewable chemical producers under paragraph (a), provided
42.21 that an eligible producer may continue to receive payments equal to the difference between
42.22 the claims for payment filed under subdivision 5 and the pro rata amount received as of
42.23 June 30, 2035, until the full amounts of the original claims are paid.

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

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

42.28 (e) Advanced biofuel production for which payment has been received under section
42.29 41A.16, and biomass thermal production for which payment has been received under section
42.30 41A.18, are not eligible for payment under this section.

42.31 **EFFECTIVE DATE.** This section is effective retroactively from January 1, 2020, and
42.32 applies to claims filed after January 1, 2020.

43.1 Sec. 31. Minnesota Statutes 2020, section 41A.17, subdivision 2, is amended to read:

43.2 Subd. 2. **Payment amounts; bonus; limits.** (a) The commissioner shall make payments
43.3 to eligible producers of renewable chemicals located in the state. The amount of the payment
43.4 for each producer's annual production is \$0.03 per pound of sugar-derived renewable
43.5 chemical, \$0.03 per pound of cellulosic sugar, starch, oil, or animal fat, and \$0.06 per pound
43.6 of cellulosic-derived renewable chemical produced at a specific location for ten years after
43.7 the start of production.

43.8 (b) An eligible facility producing renewable chemicals using agricultural cellulosic
43.9 biomass is eligible for a 20 percent bonus payment for each pound produced from agricultural
43.10 biomass that is derived from perennial crop or cover crop biomass.

43.11 (c) Total payments under this section to an eligible renewable chemical producer in a
43.12 fiscal year may not exceed the amount necessary for 99,999,999 pounds of renewable
43.13 chemical production. Total payments under this section to all eligible renewable chemical
43.14 producers in a fiscal year may not exceed the amount necessary for 599,999,999 pounds of
43.15 renewable chemical production. If the total amount for which all producers are eligible in

43.16 a quarter exceeds the amount available for payments, the commissioner shall make the
43.17 payments on a pro rata basis. An eligible producer may reapply for payment of the difference
43.18 between the claim for payment filed under subdivision 5 and the pro rata amount received:

43.19 (1) until the full amount of the original claim is paid; and

43.20 (2) subject to available money appropriated for the express purpose of paying claims
43.21 not otherwise paid.

43.22 (d) An eligible facility may blend renewable chemicals with other chemicals that are
43.23 not renewable chemicals, but only the percentage attributable to renewable chemicals in
43.24 the blended product is eligible to receive payment.

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

43.27 **EFFECTIVE DATE.** This section is effective retroactively from January 1, 2020, and
43.28 applies to claims filed after January 1, 2020.

43.29 Sec. 32. Minnesota Statutes 2020, section 41A.18, subdivision 1, is amended to read:

43.30 Subdivision 1. **Eligibility.** (a) A facility eligible for payment under this section must
43.31 source from Minnesota at least 80 percent of the biomass used for biomass thermal
43.32 production, except that, if a facility is sited 50 miles or less from the state border, biomass
44.1 used for biomass thermal production may be sourced from outside of Minnesota, but only
44.2 if at least 80 percent of the biomass is sourced from within a 100-mile radius of the facility,
44.3 or from within Minnesota. Biomass must be from agricultural or forestry sources. The
44.4 facility must be located in Minnesota, must have begun production at a specific location by
44.5 ~~June 30, 2025~~ December 31, 2022, and must not begin before July 1, 2015. Eligible facilities
44.6 include existing companies and facilities that are adding production capacity, or retrofitting
44.7 existing capacity, as well as new companies and facilities. Eligible biomass thermal
44.8 production facilities must produce at least 250 MMBtu of biomass thermal quarterly.

44.9 (b) No payments shall be made for biomass thermal production that occurs after June
44.10 30, 2035, for those eligible biomass thermal producers under paragraph (a), provided that
44.11 an eligible producer may continue to receive payments equal to the difference between the
44.12 claims for payment filed under subdivision 5 and the pro rata amount received as of June
44.13 30, 2035, until the full amounts of the original claims are paid.

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

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

- 44.19 (e) Biofuel production for which payment has been received under section 41A.16, and
44.20 renewable chemical production for which payment has been received under section 41A.17,
44.21 are not eligible for payment under this section.
- 44.22 **EFFECTIVE DATE.** This section is effective retroactively from January 1, 2020, and
44.23 applies to claims filed after January 1, 2020.
- 44.24 Sec. 33. Minnesota Statutes 2020, section 41A.18, subdivision 2, is amended to read:
- 44.25 Subd. 2. **Payment amounts; bonus; limits; blending.** (a) The commissioner shall make
44.26 payments to eligible producers of biomass thermal located in the state. The amount of the
44.27 payment for each producer's annual production is \$5.00 per MMBtu of biomass thermal
44.28 production produced at a specific location for ten years after the start of production.
- 44.29 (b) An eligible facility producing biomass thermal using agricultural cellulosic biomass
44.30 is eligible for a 20 percent bonus payment for each MMBtu produced from agricultural
44.31 biomass that is derived from perennial crop or cover crop biomass.
- 44.32 (c) Total payments under this section to an eligible thermal producer in a fiscal year
44.33 may not exceed the amount necessary for 30,000 MMBtu of thermal production. Total
45.1 payments under this section to all eligible thermal producers in a fiscal year may not exceed
45.2 the amount necessary for 150,000 MMBtu of total thermal production. If the total amount
45.3 for which all producers are eligible in a quarter exceeds the amount available for payments,
45.4 the commissioner shall make the payments on a pro rata basis. An eligible producer may
45.5 reapply for payment of the difference between the claim for payment filed under subdivision
45.6 5 and the pro rata amount received:
- 45.7 (1) until the full amount of the original claim is paid; and
- 45.8 (2) subject to available money appropriated for the express purpose of paying claims
45.9 not otherwise paid.
- 45.10 (d) An eligible facility may blend a cellulosic feedstock with other fuels in the biomass
45.11 thermal production facility, but only the percentage attributable to biomass meeting the
45.12 cellulosic forestry biomass requirements or agricultural cellulosic biomass sourcing plan is
45.13 eligible to receive payment.
- 45.14 (e) When a facility is eligible due to adding production capacity or retrofitting existing
45.15 capacity, the entire amount of biomass meeting the cellulosic forestry biomass requirements
45.16 or agricultural cellulosic biomass sourcing plan is assumed to have been used for the biomass
45.17 thermal production from the added or retrofitted production capacity.
- 45.18 (f) For purposes of this section, an entity that holds a controlling interest in more than
45.19 one biomass thermal production facility is considered a single eligible producer.
- 45.20 **EFFECTIVE DATE.** This section is effective retroactively from January 1, 2020, and
45.21 applies to claims filed after January 1, 2020.

45.22 Sec. 34. Minnesota Statutes 2021 Supplement, section 41A.19, is amended to read:

45.23 **41A.19 REPORT; INCENTIVE PROGRAMS.**

45.24 By January 15 each year, the commissioner shall report on the incentive programs under
 45.25 sections 41A.16, 41A.17, 41A.18, 41A.20, and 41A.21 to the legislative committees with
 45.26 jurisdiction over environment policy and finance and agriculture policy and finance. The
 45.27 report shall include information on production and incentive expenditures under the
 45.28 programs, as well as the following information that the commissioner must require of each
 45.29 producer who receives a payment during the reporting period:

45.30 (1) the producer's business structure;

45.31 (2) the name and address of the producer's parent company, if any;

45.32 (3) a cumulative list of all financial assistance received from all grantors for the project;

46.1 (4) goals for the number of jobs created and progress in achieving these goals, which
 46.2 may include separate goals for the number of part-time or full-time jobs, or, in cases where
 46.3 job loss is specific and demonstrable, goals for the number of jobs retained;

46.4 (5) equity hiring goals and progress in achieving these goals;

46.5 (6) wage goals and progress in achieving these goals for all jobs created or maintained
 46.6 by the producer;

46.7 (7) board member and executive compensation;

46.8 (8) evidence of compliance with environmental permits;

46.9 (9) the producer's intended and actual use of payments received from the commissioner;
 46.10 and

46.11 (10) if applicable, the latest financial audit opinion statement produced by a certified
 46.12 public accountant in accordance with standards established by the American Institute of
 46.13 Certified Public Accountants.

46.14 Sec. 35. Minnesota Statutes 2021 Supplement, section 41A.21, subdivision 2, is amended
 46.15 to read:

46.16 Subd. 2. **Eligibility.** (a) A facility eligible for payment under this section must source
 46.17 at least 80 percent of its forest resources raw materials from Minnesota. The facility must
 46.18 be located in Minnesota; must begin construction activities by December 31, ~~2022~~ 2023,
 46.19 for a specific location; must ~~begin production~~ have produced at least one OSB square foot
 46.20 on a 3/8-inch nominal basis at a specific location by June 30, ~~2025~~ 2026; and must not begin
 46.21 operating before January 1, 2022. Eligible facilities must be new OSB construction sites
 46.22 with total capital investment in excess of \$250,000,000. Eligible OSB production facilities
 46.23 must produce at least ~~200,000,000~~ 50,000,000 OSB square feet on a 3/8-inch nominal basis
 46.24 of OSB each ~~year~~ quarter. At least one product produced at the facility should be a

37.1 Sec. 12. Minnesota Statutes 2021 Supplement, section 41A.21, subdivision 2, is amended
 37.2 to read:

37.3 Subd. 2. **Eligibility.** (a) A facility eligible for payment under this section must source
 37.4 at least 80 percent of its forest resources raw materials from Minnesota. The facility must
 37.5 be located in Minnesota; must begin construction activities by December 31, ~~2022~~ 2023,
 37.6 for a specific location; must ~~begin production~~ have produced at least one OSB square foot
 37.7 on a 3/8-inch nominal basis at a specific location by June 30, ~~2025~~ 2026; and must not begin
 37.8 operating before January 1, 2022. Eligible facilities must be new OSB construction sites
 37.9 with total capital investment in excess of \$250,000,000. Eligible OSB production facilities
 37.10 must produce at least ~~200,000,000~~ 50,000,000 OSB square feet on a 3/8-inch nominal basis
 37.11 of OSB each ~~year~~ quarter. At least one product produced at the facility should be a

46.25 wood-based wall or roof structural sheathing panel that has an integrated, cellulose-based
46.26 paper overlay that serves as a water resistive barrier.

46.27 (b) No payments shall be made for OSB production that occurs after June 30, 2036, for
46.28 those eligible producers under paragraph (a).

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

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

47.1 Sec. 36. Minnesota Statutes 2021 Supplement, section 41A.21, subdivision 6, is amended
47.2 to read:

47.3 Subd. 6. **Appropriation.** (a) In fiscal year 2025, a sum sufficient to make the payments
47.4 required by this section, not to exceed \$1,500,000, is appropriated from the general fund to
47.5 the commissioner. This is a onetime appropriation.

47.6 (b) From fiscal year 2026 through fiscal year 2034, a sum sufficient to make the payments
47.7 required by this section, not to exceed \$3,000,000 in a fiscal year, is annually appropriated
47.8 from the general fund to the commissioner.

47.9 (c) The commissioner may use up to 6.5 percent of this appropriation for costs incurred
47.10 to administer the program.

47.11 Sec. 37. Minnesota Statutes 2020, section 41B.047, subdivision 3, is amended to read:

47.12 Subd. 3. **Eligibility.** To be eligible for this program, a borrower must:

47.13 (1) meet the requirements of section 41B.03, subdivision 1;

47.14 (2) certify that the damage or loss was (i) sustained within a county that was the subject
47.15 of a state or federal disaster declaration; (ii) due to the confirmed presence of a highly
47.16 contagious animal disease in Minnesota; (iii) due to an infectious human disease for which
47.17 the governor has declared a peacetime emergency; or (iv) due to an emergency as determined
47.18 by the authority;

47.19 (3) demonstrate an ability to repay the loan; and

47.20 (4) have received at least 50 20 percent of average annual gross income from farming
47.21 for in the past three years year.

37.12 wood-based wall or roof structural sheathing panel that has an integrated, cellulose-based
37.13 paper overlay that serves as a water resistive barrier.

37.14 (b) No payments shall be made for OSB production that occurs after June 30, 2036, for
37.15 those eligible producers under paragraph (a).

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

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

37.20 Sec. 13. Minnesota Statutes 2020, section 41B.025, is amended by adding a subdivision
37.21 to read:

37.22 Subd. 10. **Timely decisions.** The authority must make a decision on a completed loan
37.23 application submitted by a borrower or eligible agricultural lender within ten business days.

47.22 Sec. 38. Minnesota Statutes 2020, section 223.17, subdivision 4, is amended to read:

47.23 Subd. 4. **Bond.** (a) Except as provided in paragraphs (c) to (e), before a grain buyer's
47.24 license is issued, the applicant for the license must file with the commissioner a bond in a
47.25 penal sum prescribed by the commissioner but not less than the following amounts:

47.26 (1) \$10,000 for grain buyers whose gross annual purchases are \$100,000 or less;

47.27 (2) \$20,000 for grain buyers whose gross annual purchases are more than \$100,000 but
47.28 not more than \$750,000;

47.29 (3) \$30,000 for grain buyers whose gross annual purchases are more than \$750,000 but
47.30 not more than \$1,500,000;

48.1 (4) \$40,000 for grain buyers whose gross annual purchases are more than \$1,500,000
48.2 but not more than \$3,000,000;

48.3 (5) \$50,000 for grain buyers whose gross annual purchases are more than \$3,000,000
48.4 but not more than \$6,000,000;

48.5 (6) \$70,000 for grain buyers whose gross annual purchases are more than \$6,000,000
48.6 but not more than \$12,000,000;

48.7 (7) \$125,000 for grain buyers whose gross annual purchases are more than \$12,000,000
48.8 but not more than \$24,000,000; and

48.9 (8) \$150,000 for grain buyers whose gross annual purchases exceed \$24,000,000.

48.10 (b) The amount of the bond shall be based on the most recent gross annual grain purchase
48.11 report of the grain buyer.

48.12 (c) A first-time applicant for a grain buyer's license shall file a \$50,000 bond with the
48.13 commissioner. This bond shall remain in effect for the first year of the license. Thereafter,
48.14 the licensee shall comply with the applicable bonding requirements contained in paragraph
48.15 (a), clauses (1) to (8).

48.16 (d) In lieu of the bond required by this subdivision the applicant may deposit with the
48.17 commissioner of management and budget an irrevocable bank letter of credit as defined in
48.18 section 336.5-102, in the same amount as would be required for a bond.

48.19 (e) A grain buyer who purchases grain immediately upon delivery solely with cash; a
48.20 certified check; a cashier's check; or a postal, bank, or express money order is exempt from
48.21 this subdivision if the grain buyer's gross annual purchases are \$100,000 or less.

48.22 (f) Bonds must be continuous until canceled. To cancel a bond, a surety must provide
48.23 90 days' written notice of the bond's termination date to the licensee and the commissioner.

37.24 Sec. 14. Minnesota Statutes 2020, section 223.17, subdivision 4, is amended to read:

37.25 Subd. 4. **Bond.** (a) Except as provided in paragraphs (c) to (e), before a grain buyer's
37.26 license is issued, the applicant for the license must file with the commissioner a bond in a
37.27 penal sum prescribed by the commissioner but not less than the following amounts:

37.28 (1) \$10,000 for grain buyers whose gross annual purchases are \$100,000 or less;

37.29 (2) \$20,000 for grain buyers whose gross annual purchases are more than \$100,000 but
37.30 not more than \$750,000;

38.1 (3) \$30,000 for grain buyers whose gross annual purchases are more than \$750,000 but
38.2 not more than \$1,500,000;

38.3 (4) \$40,000 for grain buyers whose gross annual purchases are more than \$1,500,000
38.4 but not more than \$3,000,000;

38.5 (5) \$50,000 for grain buyers whose gross annual purchases are more than \$3,000,000
38.6 but not more than \$6,000,000;

38.7 (6) \$70,000 for grain buyers whose gross annual purchases are more than \$6,000,000
38.8 but not more than \$12,000,000;

38.9 (7) \$125,000 for grain buyers whose gross annual purchases are more than \$12,000,000
38.10 but not more than \$24,000,000; and

38.11 (8) \$150,000 for grain buyers whose gross annual purchases exceed \$24,000,000.

38.12 (b) The amount of the bond shall be based on the most recent gross annual grain purchase
38.13 report of the grain buyer.

38.14 (c) A first-time applicant for a grain buyer's license shall file a \$50,000 bond with the
38.15 commissioner. This bond shall remain in effect for the first year of the license. Thereafter,
38.16 the licensee shall comply with the applicable bonding requirements contained in paragraph
38.17 (a), clauses (1) to (8).

38.18 (d) In lieu of the bond required by this subdivision the applicant may deposit with the
38.19 commissioner of management and budget an irrevocable bank letter of credit as defined in
38.20 section 336.5-102, in the same amount as would be required for a bond.

38.21 (e) A grain buyer who purchases grain immediately upon delivery solely with cash; a
38.22 certified check; a cashier's check; or a postal, bank, or express money order is exempt from
38.23 this subdivision if the grain buyer's gross annual purchases are \$100,000 or less.

38.24 (f) Bonds must be continuous until canceled. To cancel a bond, a surety must provide
38.25 90 days' written notice of the bond's termination date to the licensee and the commissioner.

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

48.24 Sec. 39. Minnesota Statutes 2020, section 223.17, subdivision 6, is amended to read:

48.25 Subd. 6. **Financial statements.** (a) Except as allowed in paragraph (c), a grain buyer
48.26 licensed under this chapter must annually submit to the commissioner a financial statement
48.27 prepared in accordance with generally accepted accounting principles. The annual financial
48.28 statement required under this subdivision must also:

48.29 (1) include, but not be limited to the following:

48.30 (i) a balance sheet;

48.31 (ii) a statement of income (profit and loss);

49.1 (iii) a statement of retained earnings;

49.2 (iv) a statement of changes in financial position; and

49.3 (v) a statement of the dollar amount of grain purchased in the previous fiscal year of the
49.4 grain buyer;

49.5 (2) be accompanied by a compilation report of the financial statement that is prepared
49.6 by a grain commission firm or a management firm approved by the commissioner or by an
49.7 independent public accountant, in accordance with standards established by the American
49.8 Institute of Certified Public Accountants;

49.9 (3) be accompanied by a certification by the chief executive officer or the chief executive
49.10 officer's designee of the licensee, and where applicable, all members of the governing board
49.11 of directors under penalty of perjury, that the financial statement accurately reflects the
49.12 financial condition of the licensee for the period specified in the statement;

49.13 (4) for grain buyers purchasing under ~~\$5,000,000~~ \$7,500,000 of grain annually, be
49.14 reviewed by a certified public accountant in accordance with standards established by the
49.15 American Institute of Certified Public Accountants, and must show that the financial
49.16 statements are free from material misstatements; and

49.17 (5) for grain buyers purchasing ~~\$5,000,000~~ \$7,500,000 or more of grain annually, be
49.18 audited by a certified public accountant in accordance with standards established by the
49.19 American Institute of Certified Public Accountants and must include an opinion statement
49.20 from the certified public accountant.

49.21 (b) Only one financial statement must be filed for a chain of warehouses owned or
49.22 operated as a single business entity, unless otherwise required by the commissioner. All
49.23 financial statements filed with the commissioner are private or nonpublic data as provided
49.24 in section 13.02.

49.25 (c) A grain buyer who purchases grain immediately upon delivery solely with cash; a
49.26 certified check; a cashier's check; or a postal, bank, or express money order is exempt from
49.27 this subdivision if the grain buyer's gross annual purchases are ~~\$100,000~~ \$250,000 or less.

38.27 Sec. 15. Minnesota Statutes 2020, section 223.17, subdivision 6, is amended to read:

38.28 Subd. 6. **Financial statements.** (a) Except as allowed in paragraph (c), a grain buyer
38.29 licensed under this chapter must annually submit to the commissioner a financial statement
38.30 prepared in accordance with generally accepted accounting principles. The annual financial
38.31 statement required under this subdivision must also:

39.1 (1) include, but not be limited to the following:

39.2 (i) a balance sheet;

39.3 (ii) a statement of income (profit and loss);

39.4 (iii) a statement of retained earnings;

39.5 (iv) a statement of changes in financial position; and

39.6 (v) a statement of the dollar amount of grain purchased in the previous fiscal year of the
39.7 grain buyer;

39.8 (2) be accompanied by a compilation report of the financial statement that is prepared
39.9 by a grain commission firm or a management firm approved by the commissioner or by an
39.10 independent public accountant, in accordance with standards established by the American
39.11 Institute of Certified Public Accountants;

39.12 (3) be accompanied by a certification by the chief executive officer or the chief executive
39.13 officer's designee of the licensee, and where applicable, all members of the governing board
39.14 of directors under penalty of perjury, that the financial statement accurately reflects the
39.15 financial condition of the licensee for the period specified in the statement;

39.16 (4) for grain buyers purchasing under ~~\$5,000,000~~ \$7,500,000 of grain annually, be
39.17 reviewed by a certified public accountant in accordance with standards established by the
39.18 American Institute of Certified Public Accountants, and must show that the financial
39.19 statements are free from material misstatements; and

39.20 (5) for grain buyers purchasing ~~\$5,000,000~~ \$7,500,000 or more of grain annually, be
39.21 audited by a certified public accountant in accordance with standards established by the
39.22 American Institute of Certified Public Accountants and must include an opinion statement
39.23 from the certified public accountant.

39.24 (b) Only one financial statement must be filed for a chain of warehouses owned or
39.25 operated as a single business entity, unless otherwise required by the commissioner. All
39.26 financial statements filed with the commissioner are private or nonpublic data as provided
39.27 in section 13.02.

39.28 (c) A grain buyer who purchases grain immediately upon delivery solely with cash; a
39.29 certified check; a cashier's check; or a postal, bank, or express money order is exempt from
39.30 this subdivision if the grain buyer's gross annual purchases are ~~\$100,000~~ or less.

49.28 (d) The commissioner shall annually provide information on a person's fiduciary duties
49.29 to each licensee. To the extent practicable, the commissioner must direct each licensee to
49.30 provide this information to all persons required to certify the licensee's financial statement
49.31 under paragraph (a), clause (3).

39.31 (d) The commissioner shall annually provide information on a person's fiduciary duties
39.32 to each licensee. To the extent practicable, the commissioner must direct each licensee to
40.1 provide this information to all persons required to certify the licensee's financial statement
40.2 under paragraph (a), clause (3).

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

40.4 Sec. 16. Minnesota Statutes 2020, section 346.155, subdivision 7, is amended to read:

40.5 Subd. 7. **Exemptions.** This section does not apply to:

40.6 (1) institutions accredited by the American Zoo and Aquarium Association;

40.7 (2) a wildlife sanctuary;

40.8 (3) fur-bearing animals, as defined in section 97A.015, possessed by a game farm that
40.9 is licensed under section 97A.105, or bears possessed by a game farm that is licensed under
40.10 section 97A.105;

40.11 (4) the Department of Natural Resources, or a person authorized by permit issued by
40.12 the commissioner of natural resources pursuant to section 97A.401, subdivision 3;

40.13 (5) a licensed or accredited research or medical institution; ~~or~~

40.14 (6) a United States Department of Agriculture licensed exhibitor of regulated animals
40.15 while transporting or as part of a circus, carnival, rodeo, or fair; or

40.16 (7) a United States Department of Agriculture licensed exhibitor of regulated animals
40.17 that houses animals owned by institutions accredited by the American Zoo and Aquarium
40.18 Association.

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

50.1 Sec. 40. **REVISOR INSTRUCTION.**

50.2 The revisor of statutes must renumber the subdivisions in Minnesota Statutes, section
50.3 18B.01, so the defined terms are in alphabetical order and adjust any cross-references
50.4 accordingly.