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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-EIGHTH SESSION

H. F. No. 1839

05/15/2013 Authored by McNamar

The bill was read for the first time and referred to the Committee on Agriculture Policy

1.1 A bill for an act
1.2 relating to agriculture; increasing the maximum reimbursement allowed from the
1.3 agricultural chemical response and reimbursement account; amending Minnesota
1.4 Statutes 2012, section 18E.04, subdivision 4.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. Minnesota Statutes 2012, section 18E.04, subdivision 4, is amended to read:

1.7 Subd. 4. **Reimbursement payments.** (a) The board shall pay a person that is eligible
1.8 for reimbursement or payment under subdivisions 1, 2, and 3 from the agricultural chemical
1.9 response and reimbursement account for 80 percent of the total reasonable and necessary
1.10 corrective action costs greater than \$1,000 and less than or equal to ~~\$350,000~~ \$500,000.

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

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

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

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

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

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

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

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

2.7 (h) The deduction of \$1,000 and 20 percent from the ~~\$350,000~~ \$500,000 remuneration
2.8 may be waived by the board if the incident took place on or after August 18, 2007, and was
2.9 caused by flooding associated with Presidential Declaration of Major Disaster DR-1717.