A bill for an act relating to state government; establishing a budget for the Department of Agriculture, the Board of Animal Health, the Agricultural Utilization Research Institute, and broadband development; making policy and technical changes to various provisions related to agriculture, food, rural development, and broadband development, including provisions related to grants, loans, pesticides, feedlots, bioincentive programs, Cervidae, veterinary services, reports, and mapping; requiring reports; appropriating money; amending Minnesota Statutes 2020, sections 3.737, by adding a subdivision; 17.1017, subdivision 6; 18B.33, subdivision 1; 18E.04, subdivision 4; 28A.15, by adding a subdivision; 28A.152, subdivisions 1, 3, 4, 5; 31A.15, subdivision 1; 35.155, subdivisions 5, 11; 41A.16, subdivision 5; 41A.17, subdivision 4; 116.07, subdivision 7; 116J.394; 116J.397; 156.12, subdivision 2; Laws 2020, chapter 101, section 5, subdivisions 2, 7; proposing coding for new law in Minnesota Statutes, chapter 25.

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

ARTICLE 1

APPROPRIATIONS

Section 1. AGRICULTURE APPROPRIATIONS.

The sums shown in the columns marked "Appropriations" are appropriated to the agencies and for the purposes specified in this article. The appropriations are from the general fund, or another named fund, and are available for the fiscal years indicated for each purpose.

The figures "2022" and "2023" used in this article mean that the appropriations listed under them are available for the fiscal year ending June 30, 2022, or June 30, 2023, respectively. "The first year" is fiscal year 2022. "The second year" is fiscal year 2023. "The biennium" is fiscal years 2022 and 2023.

<table>
<thead>
<tr>
<th>Appropriations</th>
<th>Available for the Year</th>
<th>Ending June 30</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>2022</td>
<td>2023</td>
</tr>
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</table>
Sec. 2. **DEPARTMENT OF AGRICULTURE**

Subdivision 1. **Total Appropriation**

<table>
<thead>
<tr>
<th></th>
<th>2022</th>
<th>2023</th>
</tr>
</thead>
<tbody>
<tr>
<td>General</td>
<td>54,600,000</td>
<td>54,436,000</td>
</tr>
<tr>
<td>Remediation</td>
<td>399,000</td>
<td>399,000</td>
</tr>
</tbody>
</table>

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

Subd. 2. **Protection Services**

Appropriations by Fund

<table>
<thead>
<tr>
<th></th>
<th>2022</th>
<th>2023</th>
</tr>
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<tbody>
<tr>
<td>General</td>
<td>18,019,000</td>
<td>18,019,000</td>
</tr>
<tr>
<td>Remediation</td>
<td>399,000</td>
<td>399,000</td>
</tr>
</tbody>
</table>

2.15 (a) $399,000 the first year and $399,000 the second year are from the remediation fund for administrative funding for the voluntary cleanup program.

2.19 (b) $175,000 the first year and $175,000 the second year are for compensation for destroyed or crippled livestock under Minnesota Statutes, section 3.737. The first year appropriation may be spent to compensate for livestock that were destroyed or crippled during fiscal year 2021. If the amount in the first year is insufficient, the amount in the second year is available in the first year. The commissioner may use up to $5,000 each year to reimburse expenses incurred by university extension educators to provide fair market values of destroyed or crippled livestock. If the commissioner receives federal dollars to pay claims for destroyed or crippled livestock, an equivalent amount of this appropriation
may be used to reimburse nonlethal prevention
methods performed by federal wildlife services
staff.

(c) $300,000 the first year and $300,000 the
second year are for rapid detection,
identification, containment, control, and
management of high-priority plant pests and
pathogens including emerald ash borer. The
commissioner may also use these funds for
agricultural emergency preparedness and
response.

(d) $155,000 the first year and $155,000 the
second year are for compensation for crop
damage under Minnesota Statutes, section
3.7371. If the amount in the first year is
insufficient, the amount in the second year is
available in the first year. The commissioner
may use up to $10,000 of the appropriation
each year to reimburse expenses incurred by
the commissioner or the commissioner's
approved agent to investigate and resolve
claims, as well as for costs associated with
training for approved agents. The
commissioner may use up to $20,000 of the
appropriation each year to make grants to
producers for measures to protect stored crops
from elk damage.

If the commissioner determines that claims
made under Minnesota Statutes, section 3.737
or 3.7371, are unusually high, amounts
appropriated for either program may be
transferred to the appropriation for the other
program.
(e) $225,000 the first year and $225,000 the second year are for the noxious weed and invasive plant program.

(f) $175,000 the first year and $175,000 the second year are for industrial hemp development.

(g) $110,000 the first year and $110,000 the second year are for additional meat and poultry inspection services. The commissioner is encouraged to seek inspection waivers, matching federal dollars, and offer more online inspections for the purposes under this paragraph.

(h) $225,000 the first year and $225,000 the second year are to replace capital equipment in the Department of Agriculture's analytical laboratory.

Subd. 3. Agricultural Marketing and Development

(a) $186,000 the first year and $186,000 the second year are for transfer to the Minnesota grown account and may be used as grants for Minnesota grown promotion under Minnesota Statutes, section 17.102. Grants may be made for one year. Notwithstanding Minnesota Statutes, section 16A.28, the appropriations encumbered under contract on or before June 30, 2023, for Minnesota grown grants in this paragraph are available until June 30, 2025.

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

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

(d) $50,000 the first year and $50,000 the second year are for additional community outreach on farms and rural mental health services including the 24-hour hotline, service availability, and mental health forums. The appropriations under this paragraph are onetime.
(e) The commissioner may use funds appropriated in this subdivision for annual cost-share payments to resident farmers or entities that sell, process, or package agricultural products in this state for the costs of organic certification. The commissioner may allocate these funds for assistance to persons transitioning from conventional to organic agriculture.

Subd. 4. **Agriculture, Bioenergy, and Bioproduct Advancement**

(a) $9,300,000 the first year and $9,300,000 the second year are for transfer to the agriculture research, education, extension, and technology transfer account under Minnesota Statutes, section 41A.14, subdivision 3. Of these amounts: at least $600,000 the first year and $600,000 the second year are for the Minnesota Agricultural Experiment Station's agriculture rapid response fund under Minnesota Statutes, section 41A.14, subdivision 1, clause (2); $2,000,000 the first year and $2,000,000 the second year are for grants to the Minnesota Agriculture Education Leadership Council to enhance agricultural education with priority given to Farm Business Management challenge grants; $350,000 the first year and $350,000 the second year are for potato breeding; and $450,000 the first year and $450,000 the second year are for the cultivated wild rice breeding project at the North Central Research and Outreach Center to include a tenure track/research associate plant breeder. The commissioner shall transfer the remaining funds in this appropriation each year to the Board of Regents of the University.
of Minnesota for purposes of Minnesota
Statutes, section 41A.14. Of the amount
transferred to the Board of Regents, up to
$1,000,000 each year is for research on avian
influenza, salmonella, and other turkey-related
diseases. By January 15, 2023, entities
receiving grants for potato breeding and wild
rice breeding are requested to report to the
chairs and ranking minority members of the
legislative committees with jurisdiction over
agriculture and higher education regarding the
use of the grant money and to provide an
update on the status of research and related
accomplishments.

To the extent practicable, money expended
under Minnesota Statutes, section 41A.14,
subdivision 1, clauses (1) and (2), must
supplement and not supplant existing sources
and levels of funding. The commissioner may
use up to $93,000 each year of this
appropriation for costs incurred to administer
the program.

(b) $15,288,000 the first year and $15,289,000
the second year are for the agricultural growth,
research, and innovation program in
Minnesota Statutes, section 41A.12. Except
as provided below, the commissioner may
allocate the appropriation each year among
the following areas: facilitating the start-up,
modernization, improvement, or expansion of
livestock operations including beginning and
transitioning livestock operations with
preference given to robotic dairy-milking
equipment; providing funding not to exceed
$500,000 each year to develop and enhance
farm-to-school markets for Minnesota farmers
by providing more fruits, vegetables, meat, grain, and dairy for Minnesota children in
school and child care settings including, at the commissioner's discretion, reimbursing schools for purchases from local farmers;
assisting value-added agricultural businesses to begin or expand, to access new markets, or to diversify, including aquaponics systems;
providing funding not to exceed $150,000 each year for the good food access program under Minnesota Statutes, section 17.1017;
facilitating the start-up, modernization, or expansion of other beginning and transitioning farms including by providing loans under Minnesota Statutes, section 41B.056;
providing funding not to exceed $350,000 each year for new market development grants, of which $50,000 in the first year may be spent for additional funding for the industrial hemp program for information technology development; sustainable agriculture on-farm research and demonstration; development or expansion of food hubs and other alternative community-based food distribution systems; enhancing renewable energy infrastructure and use; crop research including basic and applied turf seed research; Farm Business Management tuition assistance; and good agricultural practices/good handling practices certification assistance. The commissioner may use up to $580,000 each year of this appropriation for costs incurred to administer the program.
Of the amount appropriated for the agricultural
growth, research, and innovation program in
Minnesota Statutes, section 41A.12:

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

(2) $4,000,000 the first year and $4,000,000
the second year are for incentive payments
under Minnesota Statutes, sections 41A.16,
41A.17, and 41A.18. An incentive payment
must not exceed $3,000,000 annually per
entity. Notwithstanding Minnesota Statutes,
section 16A.28, the first year appropriation is
available until June 30, 2023, and the second
year appropriation is available until June 30,
2024. If this appropriation exceeds the total
amount for which all producers are eligible in
a fiscal year, the balance of the appropriation
is available for the agricultural growth,
research, and innovation program;

(3) $3,500,000 the first year and $3,500,000
the second year are for grants that enable retail
petroleum dispensers, fuel storage tanks, and
other equipment to dispense biofuels to the
public in accordance with the biofuel
replacement goals established under
Minnesota Statutes, section 239.7911. A retail
petroleum dispenser selling petroleum for use
in spark ignition engines for vehicle model
years after 2000 is eligible for grant money
under this clause if the retail petroleum
dispenser has no more than 15 retail petroleum
dispensing sites and each site is located in
Minnesota. The grant money must be used to
replace or upgrade equipment that does not
have the ability to be certified for E25. A grant
award must not exceed 75 percent of the cost
of the technical assistance and appropriate
technology. A grant award must not exceed
$200,000 per station. The commissioner must
cooperate with biofuel stakeholders in the
implementation of the grant program. The
commissioner must report to the chairs and
ranking minority members of the legislative
committees with jurisdiction over agriculture
by February 1 each year, detailing the number
of grants awarded statewide and by county,
and the projected effect of the grant program
on meeting the biofuel replacement goals
under Minnesota Statutes, section 239.7911.
These are onetime appropriations;

(4) $500,000 the first year and $500,000 the
second year are for grants to facilitate the
start-up, modernization, or expansion of meat,
poultry, egg, and milk processing facilities. A
grant award must not exceed $200,000. When
allowed under federal law, the commissioner
shall first use federal COVID-19-related funds
for livestock processing before using
state-appropriated money under this clause for
similar services and expenses, except that the
commissioner must not use Coronavirus State
and Local Fiscal Recovery Funds from Public
Law 117-2, title IX, subtitle M, section 9901,
to satisfy the requirement under this clause;

(5) $1,400,000 the first year and $1,400,000
the second year are for livestock investment
grants under Minnesota Statutes, section
A grant award must not exceed $200,000;

(6) $2,000,000 the first year and $2,000,000 the second year are for value-added grants.

When allowed under federal law, the commissioner shall first use federal COVID-19-related funds for livestock processing before using state-appropriated money under this clause for similar services and expenses, except that the commissioner must not use Coronavirus State and Local Fiscal Recovery Funds from Public Law 117-2, title IX, subtitle M, section 9901, to satisfy the requirement under this clause;

(7) $600,000 the first year and $600,000 the second year are for Farm Business Management tuition assistance;

(8) $500,000 the first year and $500,000 the second year are for grants for beginning farmers. These are onetime appropriations;

(9) $25,000 the first year and $25,000 the second year are for Southern Minnesota Initiative Foundation's promotion of local foods through an annual event that raises public awareness of local foods and connects local food producers and processors with potential buyers;

(10) $100,000 the first year and $100,000 the second year are for grants to Greater Mankato Growth, Inc., for assistance to agriculture-related businesses to promote jobs, innovation, and synergy development. This is a onetime appropriation; and
12.1 (11) $75,000 the first year and $75,000 the second year are for grants to the Minnesota Turf Seed Council for basic and applied research. The Minnesota Turf Seed Council may subcontract with a qualified third party for some or all of the basic or applied research.

12.7 No later than January 15, 2023, the Minnesota Turf Seed Council must submit a report outlining the use of the grant money and related accomplishments to the chairs and ranking minority members of the legislative committees with jurisdiction over agriculture. This is a onetime appropriation.

12.15 Notwithstanding Minnesota Statutes, section 16A.28, any unencumbered balance does not cancel at the end of the first year and is available for the second year, and appropriations encumbered under contract on or before June 30, 2023, for agricultural growth, research, and innovation grants are available until June 30, 2026.

12.22 The base amount for the agricultural growth, research, and innovation program is $14,906,000 in fiscal year 2024 and $14,906,000 in fiscal year 2025, and includes funding for incentive payments under Minnesota Statutes, sections 41A.16, 41A.17, 41A.18, and 41A.20.

12.29 Subd. 5. Administration and Financial Assistance

<p>| | |</p>
<table>
<thead>
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<tr>
<td>Subd. 5.</td>
<td>7,989,000</td>
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<tr>
<td></td>
<td>7,824,000</td>
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</tbody>
</table>

12.31 (a) $474,000 the first year and $474,000 the second year are for payments to county and district agricultural societies and associations under Minnesota Statutes, section 38.02.
13.1 district agricultural societies and associations shall be disbursed no later than July 15 of each year. These payments are the amount of aid from the state for an annual fair held in the previous calendar year.

13.2 (b) $50,000 the first year and $50,000 the second year are for the Northern Crops Institute. These appropriations may be spent to purchase equipment. These are onetime appropriations.

13.3 (c) $217,000 the first year and $277,000 the second year are for farm advocate services. This appropriation is in addition to funds allocated in section 5. When allowed under federal law, the commissioner shall first use federal COVID-19-related relief funds for farm advocate services before using state appropriated money under this paragraph for similar services and expenses, except that the commissioner must not use Coronavirus State and Local Fiscal Recovery Funds from Public Law 117-2, title IX, subtitle M, section 9901, to satisfy the requirement under this paragraph. The base amount for this appropriation in fiscal year 2024 and thereafter is $277,000.

13.4 (d) $238,000 the first year and $238,000 the second year are for transfer to the Board of Trustees of the Minnesota State Colleges and Universities for statewide mental health counseling support to farm families and business operators through the Minnesota State Agricultural Centers of Excellence. South Central College and Central Lakes College shall serve as the fiscal agents.
(e) $1,700,000 the first year and $1,700,000 the second year are for grants to Second Harvest Heartland on behalf of Minnesota's six Feeding America food banks for the following:

1. To purchase milk for distribution to Minnesota's food shelves and other charitable organizations that are eligible to receive food from the food banks. Milk purchased under the grants must be acquired from Minnesota milk processors and based on low-cost bids. The milk must be allocated to each Feeding America food bank serving Minnesota according to the formula used in the distribution of United States Department of Agriculture commodities under The Emergency Food Assistance Program. Second Harvest Heartland may enter into contracts or agreements with food banks for shared funding or reimbursement of the direct purchase of milk. Each food bank that receives funding under this clause may use up to two percent for administrative expenses;

2. To compensate agricultural producers and processors for costs incurred to harvest and package for transfer surplus fruits, vegetables, and other agricultural commodities that would otherwise go unharvested, be discarded, or sold in a secondary market. Surplus commodities must be distributed statewide to food shelves and other charitable organizations that are eligible to receive food from the food banks. Surplus food acquired under this clause must be from Minnesota producers and processors. Second Harvest Heartland may
use up to 15 percent of each grant awarded under this clause for administrative and transportation expenses; and

(3) to purchase and distribute protein products, which must be surplus products when practicable, including but not limited to pork, poultry, beef, dry legumes, cheese, and eggs to Minnesota's food shelves and other charitable organizations that are eligible to receive food from the food banks. Second Harvest Heartland may use up to two percent of each grant awarded under this clause for administrative expenses. To the extent practicable, protein products purchased under the grants must be acquired from Minnesota processors and producers.

Of the amount appropriated under this paragraph, at least $600,000 each year must be allocated under clause (1). Notwithstanding Minnesota Statutes, section 16A.28, any unencumbered balance the first year does not cancel and is available in the second year.

Second Harvest Heartland must submit quarterly reports to the commissioner and the chairs and ranking minority members of the legislative committees with jurisdiction over agriculture finance in the form prescribed by the commissioner. The reports must include but are not limited to information on the expenditure of funds, the amount of milk or other commodities purchased, and the organizations to which this food was distributed. When allowed under federal law, the commissioner shall first use federal COVID-19-related relief funds for food...
shelves before using state-appropriated money
under this paragraph for similar services and
expenses, except that the commissioner must
not use Coronavirus State and Local Fiscal
Recovery Funds from Public Law 117-2, title
IX, subtitle M, section 9901, to satisfy the
requirement under this paragraph.

(f) $150,000 the first year and $150,000 the
second year are for grants to the Center for
Rural Policy and Development.

(g) $250,000 the first year and $250,000 the
second year are for grants to the Minnesota
Agricultural Education and Leadership
Council for programs of the council under
Minnesota Statutes, chapter 41D.

(h) $100,000 the first year and $100,000 the
second year are for farm safety grants and
outreach programs under Minnesota Statutes,
section 17.1195. Of this amount, $10,000 is
for outreach, which may include creating and
presenting a grain storage facility safety
curriculum.

(i) $200,000 the first year is to provide grants
to Central Lakes College for the purposes of
designing, building, and offering credentials
in the area of meat cutting and butchery that
align with industry needs as advised by local
industry advisory councils. Notwithstanding
Minnesota Statutes, section 16A.28, any
unencumbered balance does not cancel at the
end of the first year and is available for the
second year. This is a onetime appropriation.
Grants may be used for costs including but
not limited to:
(1) facility renovation to accommodate meat cutting;
(2) curriculum design and approval from the Higher Learning Commission;
(3) program operational start-up costs;
(4) equipment required for a meat cutting program; and
(5) meat handling start-up costs in regard to meat access and market channel building.

No later than January 15, 2023, Central Lakes College must prepare a report outlining the use of grant money to the chairs and ranking minority members of the legislative committees and divisions with jurisdiction over agriculture and higher education.

(j) $25,000 the first year is for grants to organizations to acquire, host, and operate a mobile slaughter unit. The mobile unit must coordinate with Minnesota state two-year colleges that have meat cutting programs to accommodate training as it relates to animal slaughter. The mobile unit may coordinate with livestock producers who desire to provide value-added meat products by utilizing the mobile slaughter unit. The mobile unit may be used for research, training outside of the two-year colleges, and other activities that align with industry needs. This is a onetime appropriation.

The commissioner is encouraged to seek federal funds for the purpose under this paragraph, except that the commissioner must not use Coronavirus State and Local Fiscal Recovery Funds from Public Law 117-2, title Article 1 Sec. 2.
IX, subtitle M, section 9901, to satisfy the requirement under this paragraph. By January 15, 2023, the commissioner must report to the chairs and ranking minority members of the legislative committees with jurisdiction over agriculture regarding the status of the project, including on the use of any state or federal funds to complete the project.

(k) The commissioner shall continue to increase connections between ethnic minority and immigrant farmers and farming opportunities and farming programs throughout the state.

Sec. 3. BOARD OF ANIMAL HEALTH $ 5,877,000 $ 5,877,000

(a) $200,000 the first year and $200,000 the second year are for agricultural emergency preparedness and response.

(b) $200,000 the first year and $200,000 the second year are for the board's regulatory responsibilities and oversight over farmed Cervidae.

Sec. 4. AGRICULTURAL UTILIZATION RESEARCH INSTITUTE $ 3,893,000 $ 3,893,000

Sec. 5. Laws 2020, chapter 101, section 5, subdivision 2, is amended to read:

Subd. 2. Farm advocate services. (a) $60,000 in fiscal year 2020 is appropriated from the coronavirus relief federal fund to the commissioner of agriculture for additional farm advocate services in response to the COVID-19 crisis. This is a onetime appropriation.

(b) By January 31, 2022, the commissioner must report to the chairs and ranking minority members of the legislative committees with jurisdiction over agriculture finance regarding the uses of this appropriation. This report must include but is not limited to a description of the methods used to recruit applicants for this position and list the number of people who applied for positions created by this appropriation, the number of people interviewed for...
positions created by this appropriation, and the number of people hired for positions created
by this appropriation.

EFFECTIVE DATE. This section is effective retroactively from December 30, 2020.

Sec. 6. Laws 2020, chapter 101, section 5, subdivision 7, is amended to read:

Subd. 7. Eligible expenditure from the coronavirus relief fund. (a) No money in this
section may be spent until the commissioner of management and budget determines that
the appropriations in this section are an eligible use of the coronavirus relief fund.

(b) The commissioner may transfer funds between the appropriations under subdivisions
4 and 6 based on need, the availability of nonstate funds, or other factors.

(c) The appropriations in this section subdivisions 1, 3, 4, 5, and 6, are available until
December 30, 2020. The appropriation in subdivision 2 is available until December 31,
2021.

EFFECTIVE DATE. This section is effective retroactively from December 30, 2020.

Sec. 7. CANCELLATIONS.

(a) The day following final enactment of this section, $916,553 of the 2021 fiscal year
appropriation for protection services under Laws 2019, First Special Session chapter 1,
article 1, section 2, subdivision 2, is canceled to the general fund.

(b) The day following final enactment of this section, $136,000 of the 2021 fiscal year
appropriation for agricultural marketing and development under Laws 2019, First Special
Session chapter 1, article 1, section 2, subdivision 3, is canceled to the general fund.

(c) The day following final enactment of this section, $120,000 of the 2021 fiscal year
appropriation for agriculture, bioenergy, and bioproduct advancement under Laws 2019,
First Special Session chapter 1, article 1, section 2, subdivision 4, is canceled to the general
fund.

(d) The day following final enactment of this section, $157,500 of the 2021 fiscal year
appropriation for administration and financial assistance under Laws 2019, First Special
Session chapter 1, article 1, section 2, subdivision 5, is canceled to the general fund.
ARTICLE 2

AGRICULTURAL AND RURAL DEVELOPMENT POLICY

Section 1. Minnesota Statutes 2020, section 3.737, is amended by adding a subdivision to read:

Subd. 7. Report. The commissioner must submit a report to the chairs and ranking minority members of the house of representatives and senate committees and divisions with jurisdiction over agriculture and environment and natural resources by December 15 each year. The report must include:

1. all payments made under this section, by county and statewide, in the previous five fiscal years;
2. the program's total revenue by funding source including state appropriations; and
3. how each revenue source is used in expenditures including administrative costs used to carry out this section.

Sec. 2. Minnesota Statutes 2020, section 17.1017, subdivision 6, is amended to read:

Subd. 6. Qualifications for receipt of financing and other financial or technical assistance. (a) An applicant for receipt of financing through an economic or community development financial institution, or an applicant for a grant or other financial or technical assistance, may be a for-profit or not-for-profit entity, including, but not limited to, a sole proprietorship, limited liability company, corporation, cooperative, nonprofit organization, or nonprofit community development organization. Each applicant must:

1. demonstrate community engagement in and support for the project;
2. demonstrate the capacity to successfully implement the project;
3. demonstrate a viable plan for long-term sustainability, including the ability to increase the availability of and access to affordable, nutritious, and culturally appropriate food, including fresh fruits and vegetables, for underserved communities in low-income and moderate-income areas; and
4. demonstrate the ability to repay the debt, to the extent that the financing requires repayment.

(b) Each applicant must also agree to comply with the following conditions for a period of at least five years, except as otherwise specified in this section:

1. accept Supplemental Nutrition Assistance Program (SNAP) benefits;
(2) apply to accept Special Supplemental Nutrition Program for Women, Infants, and Children (WIC) benefits and, if approved, accept WIC benefits;

(3) allocate at least 30 percent of retail space for the sale of affordable, nutritious, and culturally appropriate foods, including fruits and vegetables, low-fat and nonfat dairy, fortified dairy substitute beverages such as soy-based or nut-based dairy substitute beverages, whole grain-rich staple foods, meats, poultry, fish, seafood, and other proteins, consistent with nutrition standards in national guidelines described in the current United States Department of Agriculture Dietary Guidelines for Americans;

(4) comply with all data collection and reporting requirements established by the commissioner; and

(5) promote the hiring, training, and retention of local or regional residents from low-income and moderate-income areas that reflect area demographics, including communities of color.

(c) A selected project that is a small food retailer is not subject to the allocation agreement under paragraph (b), clause (3), and may use financing, grants, or other financial or technical assistance for refrigeration, displays, or onetime capital expenditures for the promotion and sale of perishable foods, including a combination of affordable, nutritious, and culturally appropriate fresh or frozen dairy, dairy substitute products, produce, meats, poultry, and fish, consistent with nutrition standards in national guidelines described in the current United States Department of Agriculture Dietary Guidelines for Americans.

Sec. 3. Minnesota Statutes 2020, section 18B.33, subdivision 1, is amended to read:

Subdivision 1. Requirement. (a) A person may not apply a pesticide for hire without a commercial applicator license for the appropriate use categories or a structural pest control license.

(b) A commercial applicator licensee must have a valid license identification card to purchase a restricted use pesticide or apply pesticides for hire and must display it upon demand by an authorized representative of the commissioner or a law enforcement officer. The commissioner shall prescribe the information required on the license identification card.

(c) A person licensed under this section is considered qualified and is not required to verify, document, or otherwise prove a particular need prior to use, except as required by the federal label.
(d) A person who uses a general-use sanitizer or disinfectant for hire is exempt from the commercial applicator license requirements under this section.

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

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

Subd. 4. Reimbursement payments. (a) The board shall pay a person that is eligible for reimbursement or payment under subdivisions 1, 2, and 3 from the agricultural chemical response and reimbursement account for 80 percent of the total reasonable and necessary corrective action costs greater than $1,000 and less than or equal to $350,000 to $600,000.

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

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

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

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

1. were not reported at the time of release but were discovered and reported after July 1, 1989; and

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

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

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

(h) The deduction of $1,000 and 20 percent from the $350,000 to $600,000 remuneration may be waived by the board if the incident took place on or after August 18, 2007, and was caused by flooding associated with Presidential Declaration of Major Disaster DR-1717.
Sec. 5.  [25.391] EXEMPTION FOR COTTAGE FOOD PRODUCERS;

HOME-PROCESSED PET TREATS.

Subdivision 1. Exemption. The provisions of this chapter do not apply to an individual who prepares and sells home-processed pet treats for dogs and cats, provided the following conditions are met:

1. the individual is registered with the commissioner under section 28A.152, subdivision 4;
2. the pet treats are prepared using not potentially hazardous food, as defined in Minnesota Rules, part 4626.0020, subpart 62, that is safe for human consumption and for consumption by the intended species;
3. the pet treats are baked or dehydrated;
4. the individual displays at the point of sale a clearly legible sign or placard stating, "These pet treats are homemade and not subject to state inspection"; and
5. each individual pet treat package is labeled with the following: (i) the name, home address or post office box address, and phone number of the individual preparing the pet treat; (ii) the date on which the pet treat was prepared; (iii) the ingredients listed in descending order of predominance; and (iv) the following statement: "These pet treats are homemade and not subject to state inspection."

Subd. 2. Direct sales to consumers. An individual qualifying for the exemption under subdivision 1 may sell the exempt pet treats to consumers in accordance with section 28A.152, subdivision 2.

Sec. 6. Minnesota Statutes 2020, section 28A.15, is amended by adding a subdivision to read:

Subd. 11. Seasonal processors of game meat. A person who processes noninspected meat from game animals, as that term is defined in Minnesota Rules, part 4626.0020, subpart 37, for the owner of the carcass, and who returns the meat products derived from the processing to the owner, if the person does not engage in processing for more than one 90-day period per calendar year.

EFFECTIVE DATE. This section is effective the day following final enactment.
Sec. 7. Minnesota Statutes 2020, section 28A.152, subdivision 1, is amended to read:

Subdivision 1. Licensing provisions applicability. (a) The licensing provisions of sections 28A.01 to 28A.16 do not apply to the following:

(1) an individual who prepares and sells food that is not potentially hazardous food, as defined in Minnesota Rules, part 4626.0020, subpart 62, if the following requirements are met:

(i) the prepared food offered for sale under this clause is labeled to accurately reflect the name and registration number or address of the individual preparing and selling the food, the date on which the food was prepared, and the ingredients and any possible allergens;

and

(ii) the individual displays at the point of sale a clearly legible sign or placard stating:

"These products are homemade and not subject to state inspection."; and

(2) an individual who prepares and sells home-processed and home-canned food products if the following requirements are met:

(i) the products are pickles, vegetables, or fruits having an equilibrium pH value of 4.6 or lower, or a water activity value of .85 or less;

(ii) the products are home-processed and home-canned in Minnesota;

(iii) the individual displays at the point of sale a clearly legible sign or placard stating:

"These canned goods are homemade and not subject to state inspection."; and

(iv) each container of the product sold or offered for sale under this clause is accurately labeled to provide the name and registration number or address of the individual who processed and canned the goods, the date on which the goods were processed and canned, and ingredients and any possible allergens.

(b) An individual who qualifies for an exemption under paragraph (a), clause (2), is also exempt from the provisions of sections 31.31 and 31.392.

(c) An individual who qualifies for an exemption under paragraph (a) may organize the individual's cottage food business as a business entity recognized by state law.

Sec. 8. Minnesota Statutes 2020, section 28A.152, subdivision 3, is amended to read:

Subd. 3. Limitation on sales. An individual selling exempt foods under this section is limited to total sales with gross receipts of $48,000 $78,000 or less in a calendar year.

Beginning January 1, 2027, and every five years thereafter, the commissioner shall adjust the limitation on sales.
the maximum gross receipts amount under this subdivision based on the consumer price
index using 2021 as the index year.

Sec. 9. Minnesota Statutes 2020, section 28A.152, subdivision 4, is amended to read:

Subd. 4. Registration. An individual who prepares and sells exempt food under
subdivision 1 must register annually with the commissioner. The commissioner shall register
an individual within 30 days of submitting a complete registration to the commissioner. A
registration shall be deemed accepted after 30 days following an individual's complete
registration to the commissioner. The annual registration fee is $50 $25. An individual with
$5,000 or less in annual gross receipts from the sale of exempt food under this section is
not required to pay the registration fee. Beginning January 1, 2022, and every five years
thereafter, the commissioner shall adjust the gross receipts amount of this fee exemption
based on the consumer price index using 2015 as the index year for the $5,000 gross receipts
exemption.

Sec. 10. Minnesota Statutes 2020, section 28A.152, subdivision 5, is amended to read:

Subd. 5. Training. (a) An individual with gross receipts between $5,000 and $18,000
in a calendar year from the sale of who sells exempt food under this section and is required
to pay the registration fee in subdivision 4 must complete a safe food handling training
course that is approved by the commissioner before registering under subdivision 4. The
training shall not exceed eight hours and must be completed every three years while the
individual is registered under subdivision 4.

(b) An individual with gross receipts of less than $5,000 in a calendar year from the sale
of who sells exempt food under this section and is exempt from paying the registration fee
in subdivision 4 must satisfactorily complete an online course and exam as approved by the
commissioner before registering under subdivision 4. The commissioner shall offer the
online course and exam under this paragraph at no cost to the individual.

Sec. 11. Minnesota Statutes 2020, section 31A.15, subdivision 1, is amended to read:

Subdivision 1. Inspection. The provisions of sections 31A.01 to 31A.16 requiring
inspection of the slaughter of animals and the preparation of the carcasses, parts of carcasses,
meat, poultry, poultry food products, and meat food products at establishments conducting
slaughter and preparation do not apply:

(1) to the processing by a person of the person's own animals and the owner's preparation
and transportation in intrastate commerce of the carcasses, parts of carcasses, meat, poultry,
poultry food products, and meat food products of those animals exclusively for use by the
owner and members of the owner's household, nonpaying guests, and employees; or

(2) to the custom processing by a person of animals, wild game, or fowl delivered by
the owner for processing, and the preparation or transportation in intrastate commerce of
the carcasses, parts of carcasses, meat, poultry, poultry food products, and meat food products
of animals, exclusively for use in the household of the owner by the owner and members
of the owner's household, nonpaying guests, and employees. Meat from custom processing
must be identified and handled as required by the commissioner, during all phases of
processing, chilling, cooling, freezing, preparation, storage, and transportation. The custom
processor may not engage in the business of buying or selling carcasses, parts of carcasses,
meat, poultry, poultry food products, or meat food products of animals usable as human
food unless the carcasses, parts of carcasses, meat, poultry, poultry food products, or meat
food products have been inspected and passed and are identified as inspected and passed
by the Minnesota Department of Agriculture or the United States Department of Agriculture;

or

(3) to the custom processing of meat from game animals not listed in clause (2) for the
owner of the carcasses, if the custom processor returns the meat products derived from the
processing to the owner and does not engage in custom processing for more than one 90-day
period per calendar year. For purposes of this clause, "game animals" has the meaning given
in Minnesota Rules, part 4626.0020, subpart 37.

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

Sec. 12. Minnesota Statutes 2020, section 35.155, subdivision 5, is amended to read:

Subd. 5. Disease control programs. Farmed Cervidae are subject to this chapter and
the rules of the Board of Animal Health in the same manner as other livestock and domestic
animals, including provisions related to importation and transportation. The board must not
designate or continue a disease management or endemic zone for chronic wasting disease
unless chronic wasting disease is found on a specific property where a cervid farm is located.
The zone is limited to that chronic wasting disease positive property and does not extend
to other noncontiguous property owned by the same person or entity.

Sec. 13. Minnesota Statutes 2020, section 35.155, subdivision 11, is amended to read:

Subd. 11. Mandatory surveillance for chronic wasting disease; depopulation. (a)
An inventory for each farmed Cervidae herd must be verified by an accredited veterinarian
and filed with the Board of Animal Health every 12 months.
(b) Movement of farmed Cervidae from any premises to another location must be reported to the Board of Animal Health within 14 days of the movement on forms approved by the Board of Animal Health.

c) All animals from farmed Cervidae herds that are over 12 months of age that die or are slaughtered must be tested for chronic wasting disease.

d) The owner of a premises where chronic wasting disease is detected must:

1) depopulate the premises of Cervidae after the appraisal process for federal indemnification process has been completed or, if an indemnification application is not submitted, within a reasonable time determined by the board in consultation with the commissioner of natural resources;

2) maintain the fencing required under subdivision 4 on the premises for five years after the date of detection; and

3) post the fencing on the premises with biohazard signs as directed by the board.

Sec. 14. Minnesota Statutes 2020, section 41A.16, subdivision 5, is amended to read:

Subd. 5. Agricultural cellulosic biomass sourcing plan. (a) An eligible producer who utilizes agricultural cellulosic biomass other than corn kernel fiber or biogas must submit a responsible biomass sourcing plan for approval by the commissioner prior to applying for payments under this section. The commissioner shall make the plan publicly available. The plan must:

1) provide a detailed explanation of how agricultural cellulosic biomass will be produced and managed in a way that preserves soil quality, does not increase soil and nutrient runoff, avoids introduction of harmful invasive species, limits negative impacts on wildlife habitat, and reduces greenhouse gas emissions;

2) include the producer's approach to verifying that biomass suppliers are following the plan;

3) discuss how new technologies and practices that are not yet commercially viable may be encouraged and adopted during the life of the facility, and how the producer will encourage continuous improvement during the life of the project;

4) include specific numeric goals and timelines for making progress;

5) require agronomic practices that result in a positive Natural Resources Conservation Service Soil Conditioning Index score for acres from which biomass from corn stover will be harvested; and
(6) include biennial soil sampling to verify maintained or increased levels of soil organic matter.

(b) An eligible producer who utilizes agricultural cellulosic biomass and receives payments under this section shall submit an annual report on the producer's responsible biomass sourcing plan to the commissioner by January 15 each year. The report must include data on progress made by the producer in meeting specific goals laid out in the plan. The commissioner shall make the report publicly available. The commissioner shall perform an annual review of submitted reports and may make a determination that the producer is not following the plan based on the reports submitted. The commissioner may take appropriate steps, including reducing or ceasing payments, until the producer is in compliance with the plan.

Sec. 15. Minnesota Statutes 2020, section 41A.17, subdivision 4, is amended to read:

Subd. 4. Agricultural cellulosic biomass sourcing plan. (a) An eligible producer who utilizes agricultural cellulosic biomass other than corn kernel fiber or biogas must submit a responsible biomass sourcing plan to the commissioner prior to applying for payments under this section. The plan must:

(1) provide a detailed explanation of how agricultural cellulosic biomass will be produced and managed in a way that preserves soil quality, does not increase soil and nutrient runoff, avoids introduction of harmful invasive species, limits negative impacts on wildlife habitat, and reduces greenhouse gas emissions;

(2) include the producer's approach to verifying that biomass suppliers are following the plan;

(3) discuss how new technologies and practices that are not yet commercially viable may be encouraged and adopted during the life of the facility, and how the producer will encourage continuous improvement during the life of the project; and

(4) include specific numeric goals and timelines for making progress.

(b) An eligible producer who utilizes agricultural cellulosic biomass and receives payments under this section shall submit an annual report on the producer's responsible biomass sourcing plan to the commissioner by January 15 each year. The report must include data on progress made by the producer in meeting specific goals laid out in the plan. The commissioner shall make the report publicly available. The commissioner shall perform an annual review of submitted reports and may make a determination that the producer is not following the plan based on the reports submitted. The commissioner may take appropriate
steps, including reducing or ceasing payments, until the producer is in compliance with the plan.

Sec. 16. Minnesota Statutes 2020, section 116.07, subdivision 7, is amended to read:

Subd. 7. **Counties; processing applications for animal lot permits.** (a) Any Minnesota county board may, by resolution, with approval of the Pollution Control Agency, assume responsibility for processing applications for permits required by the Pollution Control Agency under this section for livestock feedlots, poultry lots or other animal lots. The responsibility for permit application processing, if assumed by a county, may be delegated by the county board to any appropriate county officer or employee.

(b) For the purposes of this subdivision, the term "processing" includes:

(1) the distribution to applicants of forms provided by the Pollution Control Agency;

(2) the receipt and examination of completed application forms, and the certification, in writing, to the Pollution Control Agency either that the animal lot facility for which a permit is sought by an applicant will comply with applicable rules and standards, or, if the facility will not comply, the respects in which a variance would be required for the issuance of a permit; and

(3) rendering to applicants, upon request, assistance necessary for the proper completion of an application.

(c) For the purposes of this subdivision, the term "processing" may include, at the option of the county board, issuing, denying, modifying, imposing conditions upon, or revoking permits pursuant to the provisions of this section or rules promulgated pursuant to it, subject to review, suspension, and reversal by the Pollution Control Agency. The Pollution Control Agency shall, after written notification, have 15 days to review, suspend, modify, or reverse the issuance of the permit. After this period, the action of the county board is final, subject to appeal as provided in chapter 14. For permit applications filed after October 1, 2001, section 15.99 applies to feedlot permits issued by the agency or a county pursuant to this subdivision.

(d) For the purpose of administration of rules adopted under this subdivision, the commissioner and the agency may provide exceptions for cases where the owner of a feedlot has specific written plans to close the feedlot within five years. These exceptions include waiving requirements for major capital improvements.
(e) For purposes of this subdivision, a discharge caused by an extraordinary natural event such as a precipitation event of greater magnitude than the 25-year, 24-hour event, tornado, or flood in excess of the 100-year flood is not a "direct discharge of pollutants."

(f) In adopting and enforcing rules under this subdivision, the commissioner shall cooperate closely with other governmental agencies.

(g) The Pollution Control Agency shall work with the Minnesota Extension Service, the Department of Agriculture, the Board of Water and Soil Resources, producer groups, local units of government, as well as with appropriate federal agencies such as the Natural Resources Conservation Service and the Farm Service Agency, to notify and educate producers of rules under this subdivision at the time the rules are being developed and adopted and at least every two years thereafter.

(h) The Pollution Control Agency shall adopt rules governing the issuance and denial of permits for livestock feedlots, poultry lots or other animal lots pursuant to this section. Pastures are exempt from the rules authorized under this paragraph. No feedlot permit shall include any terms or conditions that impose any requirements related to any pastures owned or utilized by the feedlot operator other than restrictions under a manure management plan.

A feedlot permit is not required for livestock feedlots with more than ten but less than 50 animal units; provided they are not in shoreland areas. A livestock feedlot permit does not become required solely because of a change in the ownership of the buildings, grounds, or feedlot. These rules apply both to permits issued by counties and to permits issued by the Pollution Control Agency directly. No feedlot permit issued by the Pollution Control Agency shall include terms or conditions that:

(1) impose requirements related to pastures owned or used by the feedlot operator other than restrictions under a manure management plan;

(2) prohibit application of solid manure during February and March;

(3) require establishing a cover crop as a condition of allowing application of manure in September; or

(4) require implementing nitrogen best management practices as a condition of allowing application of manure in October.

(i) The Pollution Control Agency shall exercise supervising authority with respect to the processing of animal lot permit applications by a county.

(j) Any new rules or amendments to existing rules proposed under the authority granted in this subdivision, or to implement new fees on animal feedlots, must be submitted to the
members of legislative policy and finance committees with jurisdiction over agriculture and the environment prior to final adoption. The rules must not become effective until 90 days after the proposed rules are submitted to the members.

(k) Until new rules are adopted that provide for plans for manure storage structures, any plans for a liquid manure storage structure must be prepared or approved by a registered professional engineer or a United States Department of Agriculture, Natural Resources Conservation Service employee.

(l) A county may adopt by ordinance standards for animal feedlots that are more stringent than standards in Pollution Control Agency rules.

(m) After January 1, 2001, a county that has not accepted delegation of the feedlot permit program must hold a public meeting prior to the agency issuing a feedlot permit for a feedlot facility with 300 or more animal units, unless another public meeting has been held with regard to the feedlot facility to be permitted.

(n) After the proposed rules published in the State Register, volume 24, number 25, are finally adopted, the agency may not impose additional conditions as a part of a feedlot permit, unless specifically required by law or agreed to by the feedlot operator.

(o) For the purposes of feedlot permitting, a discharge from land-applied manure or a manure stockpile that is managed according to agency rule must not be subject to a fine for a discharge violation.

(p) For the purposes of feedlot permitting, manure that is land applied, or a manure stockpile that is managed according to agency rule, must not be considered a discharge into waters of the state, unless the discharge is to waters of the state, as defined by section 103G.005, subdivision 17, except type 1 or type 2 wetlands, as defined in section 103G.005, subdivision 17b, and does not meet discharge standards established for feedlots under agency rule.

(q) Unless the upgrade is needed to correct an immediate public health threat under section 145A.04, subdivision 8, or the facility is determined to be a concentrated animal feeding operation under Code of Federal Regulations, title 40, section 122.23, in effect on April 15, 2003, the agency may not require a feedlot operator:

(1) to spend more than $3,000 to upgrade an existing feedlot with less than 300 animal units unless cost-share money is available to the feedlot operator for 75 percent of the cost of the upgrade; or
(2) to spend more than $10,000 to upgrade an existing feedlot with between 300 and
500 animal units, unless cost-share money is available to the feedlot operator for 75 percent
of the cost of the upgrade or $50,000, whichever is less.

(r) A feedlot operator who stores and applies up to 100,000 gallons per calendar year of
private truck wash wastewater resulting from trucks that transport animals or supplies to
and from the feedlot does not require a permit to land-apply industrial by-products if the
feedlot operator stores and applies the wastewater in accordance with Pollution Control
Agency requirements for land applications of industrial by-product that do not require a
permit.

(s) A feedlot operator who holds a permit from the Pollution Control Agency to
land-apply industrial by-products from a private truck wash is not required to have a certified
land applicator apply the private truck wash wastewater if the wastewater is applied by the
feedlot operator to cropland owned or leased by the feedlot operator or by a commercial
animal waste technician licensed by the commissioner of agriculture under chapter 18C.

For purposes of this paragraph and paragraph (r), "private truck wash" means a truck washing
facility owned or leased, operated, and used only by a feedlot operator to wash trucks owned
or leased by the feedlot operator and used to transport animals or supplies to and from the
feedlot.

EFFECTIVE DATE. This section is effective retroactively from February 1, 2021.

Sec. 17. Minnesota Statutes 2020, section 156.12, subdivision 2, is amended to read:

Subd. 2. Authorized activities. No provision of this chapter shall be construed to prohibit:

(a) a person from rendering necessary gratuitous assistance in the treatment of any animal
when the assistance does not amount to prescribing, testing for, or diagnosing, operating,
or vaccinating and when the attendance of a licensed veterinarian cannot be procured;

(b) a person who is a regular student in an accredited or approved college of veterinary
medicine from performing duties or actions assigned by instructors or preceptors or working
under the direct supervision of a licensed veterinarian;

(c) a veterinarian regularly licensed in another jurisdiction from consulting with a licensed
veterinarian in this state;

(d) the owner of an animal and the owner’s regular employee from caring for and
administering to the animal belonging to the owner, except where the ownership of the
animal was transferred for purposes of circumventing this chapter;
(e) veterinarians who are in compliance with subdivision 6 and who are employed by
the University of Minnesota from performing their duties with the College of Veterinary
Medicine, College of Agriculture, Agricultural Experiment Station, Agricultural Extension
Service, Medical School, School of Public Health, or other unit within the university; or a
person from lecturing or giving instructions or demonstrations at the university or in
connection with a continuing education course or seminar to veterinarians or pathologists
at the University of Minnesota Veterinary Diagnostic Laboratory;

(f) any person from selling or applying any pesticide, insecticide or herbicide;

(g) any person from engaging in bona fide scientific research or investigations which
reasonably requires experimentation involving animals;

(h) any employee of a licensed veterinarian from performing duties other than diagnosis,
.prescription or surgical correction under the direction and supervision of the veterinarian,
.who shall be responsible for the performance of the employee;

(i) a graduate of a foreign college of veterinary medicine from working under the direct
.personal instruction, control, or supervision of a veterinarian faculty member of the College
.of Veterinary Medicine, University of Minnesota in order to complete the requirements
.necessary to obtain an ECFVG or PAVE certificate;

(j) a licensed chiropractor registered under section 148.01, subdivision 1a, from practicing
.animal chiropractic; or

(k) a person certified by the Emergency Medical Services Regulatory Board under
.chapter 144E from providing emergency medical care to a police dog wounded in the line
.of duty.

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

Sec. 18. AMENDING PERMITS TO CONFORM WITH ACT.

The commissioner of the Pollution Control Agency must, when necessary, amend all
general and individual permits for feedlots to conform with Minnesota Statutes, section
116.07, subdivision 7, paragraph (h), as amended by section 16.

EFFECTIVE DATE. This section is effective retroactively from February 1, 2021.

Sec. 19. DISCONTINUATION OF CURRENT ZONES.

All disease management or endemic zones in effect on the effective date of this section
that do not contain a chronic wasting disease positive cervid farm are discontinued.
ARTICLE 3
BROADBAND

Section 1. APPROPRIATIONS.

The sums shown in the columns marked "Appropriations" are appropriated to the agencies and for the purposes specified in this article. The appropriations are from the general fund, or another named fund, and are available for the fiscal years indicated for each purpose.

The figures "2022" and "2023" used in this article mean that the appropriations listed under them are available for the fiscal year ending June 30, 2022, or June 30, 2023, respectively.

"The first year" is fiscal year 2022. "The second year" is fiscal year 2023. "The biennium" is fiscal years 2022 and 2023.

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<th>APPROPRIATIONS Available for the Year</th>
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Sec. 2. DEPARTMENT OF EMPLOYMENT AND ECONOMIC DEVELOPMENT

(a) $350,000 each year is for the Office of Broadband Development.

(b) $30,000,000 the first year and $10,000,000 the second year are appropriated from the general fund to the commissioner of employment and economic development for deposit in the border-to-border broadband fund account under Minnesota Statutes, section 116J.396. Of the amount in fiscal year 2022, $10,000,000 must be used only to provide broadband service in unserved areas and broadband infrastructure as defined in Minnesota Statutes, section 116J.394, in underserved areas when used to provide service in unserved areas. Notwithstanding the limitation in Minnesota Statutes, section 116J.395, subdivision 7, paragraph (a), the grants are available for 55 percent of the total project cost if money is received from another nonstate entity for the project. The nonstate
entity may include but is not limited to organized townships, cities, counties, foundations, nonprofits, school districts, or higher education institutions. Except as specified in this section, the appropriation must be used for grants and the purposes specified under Minnesota Statutes, sections 116J.395 and 116J.396. These are onetime appropriations.

(c) When allowed under federal law, the commissioner shall first use federal COVID-19-related relief funds of up to $30,000,000 the first year and up to $50,000,000 in the second year if federal funds are available for broadband before using state-appropriated money under paragraph (b) for similar services and expenses, except that the commissioner must not use Coronavirus State and Local Fiscal Recovery Funds from Public Law 117-2, title IX, subtitle M, section 9901, to satisfy the requirement under this paragraph.

Sec. 3. Minnesota Statutes 2020, section 116J.394, is amended to read:

**116J.394 DEFINITIONS.**

(a) For the purposes of sections 116J.394 to 116J.398, the following terms have the meanings given them.

(b) "Broadband" or "broadband service" has the meaning given in section 116J.39, subdivision 1, paragraph (b).

(c) "Broadband infrastructure" means networks of deployed telecommunications equipment and technologies necessary to provide high-speed Internet access and other advanced telecommunications services for end users.

(d) "Commissioner" means the commissioner of employment and economic development.
(e) "Last-mile infrastructure" means broadband infrastructure that serves as the final leg connecting the broadband service provider's network to the end-use customer's on-premises telecommunications equipment.

(f) "Middle-mile infrastructure" means broadband infrastructure that links a broadband service provider's core network infrastructure to last-mile infrastructure.

(g) "Political subdivision" means any county, city, town, school district, special district or other political subdivision, or public corporation.

(h) "Underserved areas" means areas of Minnesota in which households or businesses lack access to wire-line or fixed wireless broadband service at speeds of at least 100 megabits per second download and at least 20 megabits per second upload.

(i) "Unserved areas" means areas of Minnesota in which households or businesses lack access to wire-line or fixed wireless broadband service, as defined in section 116J.39.

Sec. 4. Minnesota Statutes 2020, section 116J.397, is amended to read:

116J.397 UPDATED BROADBAND DEPLOYMENT DATA AND MAPS.

(a) Beginning in 2016 and continuing each year thereafter, The Office of Broadband Development shall contract annually with one or more independent organizations that have extensive experience working with Minnesota broadband providers to:

(1) collect broadband deployment data reflecting all broadband delivery technologies from Minnesota providers, verify its accuracy through on-the-ground testing, and create state and county maps available to the public by April 15, 2017, and each April 15 thereafter, showing the availability of broadband service at various upload and download speeds throughout Minnesota;

(2) analyze the deployment data collected to help inform future investments in broadband infrastructure; and

(3) conduct business and residential surveys that measure broadband adoption and use in the state.

(b) Data provided by a broadband provider under this section is nonpublic data under section 13.02, subdivision 9. Maps produced under this paragraph are public data under section 13.03.