

This Document can be made available in alternative formats upon request

State of Minnesota
HOUSE OF REPRESENTATIVES

SPECIAL SESSION

H. F. No. 17

06/12/2015 Authored by Bly, Marquart, Erhardt, Mariani, Clark and others
The bill was read for the first time

1.1 A bill for an act
1.2 relating to agriculture; appropriating money for avian influenza emergency
1.3 response activities; modifying disaster loan provisions; amending Minnesota
1.4 Statutes 2014, section 41B.047, subdivisions 1, as amended, 3, as amended.

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

1.6 Section 1. Minnesota Statutes 2014, section 41B.047, subdivision 1, as amended by
1.7 Laws 2015, chapter 44, section 27, is amended to read:

1.8 Subdivision 1. **Establishment.** The authority shall establish and implement a
1.9 disaster recovery loan program to help farmers:

1.10 (1) clean up, repair, or replace farm structures and septic and water systems, as well
1.11 as replace seed, other crop inputs, feed, and livestock, when damaged by high winds,
1.12 hail, tornado, or flood;

1.13 (2) purchase watering systems, irrigation systems, and other drought mitigation
1.14 systems and practices when drought is the cause of the purchase;

1.15 (3) restore farmland; or

1.16 (4) replace flocks, make building improvements, or ~~obtain an operating line of credit~~
1.17 if the loss or damage cover the loss of revenue when the replacement, improvements, or
1.18 loss of revenue is due to the confirmed presence of the highly pathogenic avian influenza
1.19 in a commercial poultry or game flock located in Minnesota.

1.20 Sec. 2. Minnesota Statutes 2014, section 41B.047, subdivision 3, as amended by Laws
1.21 2015, chapter 44, section 28, is amended to read:

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

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

- 2.1 (2) certify that the damage or loss was (i) sustained within a county that was the
 2.2 subject of (i) a state or federal disaster declaration or (ii) a peacetime emergency declaration
 2.3 made by the governor under section 12.31 due to the confirmed presence of the highly
 2.4 pathogenic avian influenza in a commercial poultry or game flock located in Minnesota;
 2.5 (3) demonstrate an ability to repay the loan; and
 2.6 ~~(4) for loans under subdivision 1, clauses (1) to (3), have a total net worth, including~~
 2.7 ~~assets and liabilities of the borrower's spouse and dependents, of less than \$660,000 in~~
 2.8 ~~2004 and an amount in subsequent years which is adjusted for inflation by multiplying that~~
 2.9 ~~amount by the cumulative inflation rate as determined by the Consumer Price Index; and~~
 2.10 ~~(5)~~ (4) have received at least 50 percent of average annual gross income from
 2.11 farming for the past three years.

2.12 **Sec. 3. AVIAN INFLUENZA RESPONSE ACTIVITIES; APPROPRIATIONS**
 2.13 **AND TRANSFERS.**

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

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

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

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

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

3.7 (f) \$1,000,000 in fiscal year 2016 and \$1,000,000 in fiscal year 2017 are appropriated
 3.8 from the general fund to the Board of Regents of the University of Minnesota for research
 3.9 to determine:

- 3.10 (1) what is causing avian influenza;
 3.11 (2) why some fowl are more susceptible; and
 3.12 (3) prevention measures that can be taken.

3.13 (g) The commissioner of management and budget may transfer unexpended balances
 3.14 from the appropriations in this section to any state agency for operating expenses related
 3.15 to avian influenza emergency response activities. The commissioner of management and
 3.16 budget must report each transfer to the chairs and ranking minority members of the senate
 3.17 Committee on Finance and the house of representatives Committee on Ways and Means.

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

3.24 **Sec. 4. RURAL FINANCE AUTHORITY; APPROPRIATION.**

3.25 \$10,000,000 is appropriated in fiscal year 2016 from the general fund to the
 3.26 commissioner of agriculture for transfer to the rural finance authority revolving loan
 3.27 account under Minnesota Statutes, section 41B.06, for the purposes of disaster recovery
 3.28 loans under Minnesota Statutes, section 41B.047. This appropriation is available the day
 3.29 following final enactment until June 30, 2017.

3.30 **Sec. 5. AVIAN INFLUENZA; FEDERAL FUNDS APPROPRIATION AND**
 3.31 **REPORTING.**

3.32 All federal money received in fiscal years 2015 through 2017 by the Board of Animal
 3.33 Health or the commissioner of agriculture, health, natural resources, or public safety to
 3.34 address avian influenza is appropriated in the fiscal year when it is received. Before

4.1 spending federal funds appropriated in this section, the commissioner of management and
4.2 budget shall report the anticipated federal funds appropriated under this section and their
4.3 intended purpose to the Legislative Advisory Commission, consistent with the urgent
4.4 federal funds request procedure under Minnesota Statutes, section 3.3005, subdivision
4.5 4. By January 15, 2018, the commissioner of management and budget shall report the
4.6 actual federal funds received and appropriated under this section and their actual use
4.7 to the Legislative Advisory Commission.

4.8 Sec. 6. **APPROPRIATIONS GIVEN EFFECT ONCE.**

4.9 If an appropriation in this act is enacted in more than one act, the appropriation
4.10 is to be given effect only once.

4.11 Sec. 7. **EFFECTIVE DATE.**

4.12 This act is effective the day following final enactment.