

AMENDMENTS TO HOUSE BILL NO. 2310

Sponsor: SENATOR VOGEL

Printer's No. 3140

1 Amend Bill, page 1, lines 1 through 3, by striking out all of
 2 said lines and inserting
 3 Amending Title 3 (Agriculture) of the Pennsylvania Consolidated
 4 Statutes, establishing the Agriculture Innovation Grant
 5 Program and the Agriculture Innovation Board.

6 Amend Bill, page 1, lines 6 through 17; pages 2 through 7,
 7 lines 1 through 30; page 8, lines 1 through 26; by striking out
 8 all of said lines on said pages and inserting

9 Section 1. Title 3 of the Pennsylvania Consolidated Statutes
 10 is amended by adding a chapter to read:

11 CHAPTER 110

12 AGRICULTURE INNOVATION GRANT PROGRAM

13 Sec.

14 11001. Scope of chapter.

15 11002. Purpose.

16 11003. Definitions.

17 11004. Agriculture Innovation Grant Program.

18 11005. Board.

19 11006. Grant funds and eligibility.

20 11007. Funding.

21 11008. Limitation of grants.

22 11009. Applications and disposition of grants.

23 11010. Regulations.

24 § 11001. Scope of chapter.

25 This chapter relates to the Agriculture Innovation Grant
 26 Program.

27 § 11002. Purpose.

28 It is the intent of the General Assembly to offer
 29 reimbursement grants to promote and support agricultural
 30 innovation to ensure the competitiveness, resiliency,
 31 environmental stewardship and vitality of farms, agribusinesses
 32 and agricultural support services in this Commonwealth.

33 § 11003. Definitions.

34 The following words and phrases when used in this chapter
 35 shall have the meanings given to them in this section unless the

1 context clearly indicates otherwise:

2 "Agricultural commodity." As defined in the act of June 10,
3 1982 (P.L.454, No.133), referred to as the Right-to-Farm Law.

4 "Board." The Agriculture Innovation Board established under
5 section 11005 (relating to board).

6 "Conservation district." As defined in section 503 (relating
7 to definitions).

8 "Cooperative association." As defined in section 4502
9 (relating to definitions).

10 "Department." The Department of Agriculture of the
11 Commonwealth.

12 "Eligible applicant." An applicant that meets one of the
13 following criteria:

14 (1) A person who grows an agricultural commodity and who
15 has anticipated sales greater than \$2,000 a year.

16 (2) A person who processes an agricultural commodity and
17 has anticipated sales greater than \$10,000 a year.

18 (3) A person who provides technical assistance or
19 services to farmers for conservation, engineering, veterinary
20 care, animal disease management, farm management,
21 agricultural commodity production, nutrient management or
22 similar services.

23 (4) A person or cooperative association that utilizes
24 agricultural commodities to create products or energy.

25 "Innovation." The practical implementation of ideas that
26 results in new products, processes or services.

27 "Lending institution." As defined under section 603
28 (relating to definitions).

29 "Licensed doctor of veterinary medicine." A person who is
30 currently licensed under the act of December 27, 1974 (P.L.995,
31 No.326), known as the Veterinary Medicine Practice Act.

32 "Person." An individual, partnership, association, firm,
33 corporation or any other legal entity.

34 "Program." The Agriculture Innovation Grant Program
35 established under section 11004 (relating to Agriculture
36 Innovation Grant Program).

37 § 11004. Agriculture Innovation Grant Program.

38 The Agriculture Innovation Grant Program is established
39 within the department. The program shall be administered by the
40 department, in consultation with the board, to provide
41 reimbursement grants to eligible applicants for costs associated
42 with one or more of the following:

43 (1) Utilization of innovation to improve energy
44 efficiency, improve water quality, reduce water consumption,
45 reduce odors or address solid waste concerns.

46 (2) Utilization of innovation to improve production,
47 processing, commercialization or utilization of agricultural
48 commodities.

49 (3) Innovation that produces energy from agricultural
50 sources, including manure, food waste or biomass.

51 (4) Innovation equipment that provides low-carbon or no-

1 carbon energy sources from agricultural commodities.

2 (5) Innovation technology that assists eligible
3 applicants with the management of their farms, including
4 diagnostic tools and services.

5 (6) Innovation technology that assists a packer,
6 processor or cooperative in more efficient sorting, grading
7 or processing of agricultural commodities.

8 (7) Innovation that improves biosecurity or health of
9 plants or animals.

10 (8) Innovation that supports cybersecurity or data
11 analytics.

12 § 11005. Board.

13 (a) Establishment.--The Agriculture Innovation Board is
14 established and shall consist of the following members:

15 (1) The Secretary of Agriculture or a designee who shall
16 serve as chairperson.

17 (2) The Secretary of Community and Economic Development
18 or a designee.

19 (3) An employee of a conservation district selected by
20 the executive director of the State Conservation Commission.

21 (4) The following members appointed by the Governor:

22 (i) A representative of an institution of higher
23 education located in this Commonwealth.

24 (ii) A board member of a rural electric cooperative
25 located in this Commonwealth.

26 (iii) A member of a cooperative association located
27 in this Commonwealth.

28 (iv) An employee of a lending institution located in
29 this Commonwealth.

30 (v) A person or an employee of a person engaged in
31 the production or processing of an agricultural commodity
32 in this Commonwealth.

33 (vi) A licensed doctor of veterinary medicine who is
34 not an employee of the Commonwealth.

35 (5) One member of the Senate appointed by the President
36 pro tempore of the Senate or a designee who shall be an
37 employee of the Senate.

38 (6) One member of the Senate appointed by the Minority
39 Leader of the Senate or a designee who shall be an employee
40 of the Senate.

41 (7) One member of the House of Representatives appointed
42 by the Speaker of the House of Representatives or a designee
43 who shall be an employee of the House of Representatives.

44 (8) One member of the House of Representatives appointed
45 by the Minority Leader of the House of Representatives or a
46 designee who shall be an employee of the House of
47 Representatives.

48 (b) Quorum.--Seven members of the board shall constitute a
49 quorum. The consent of no less than seven members of the board,
50 with five of the consenting members as specified under
51 subsection (a) (1), (5), (6), (7) and (8), shall be necessary to

1 award grants to eligible applicants under subsection (d).

2 (c) Terms.--A board member appointed under subsection (a)
3 (3), (4), (5), (6), (7) and (8) shall serve a term of two years
4 and may be reappointed to successive terms. A vacancy shall be
5 filled in the same manner as appointments are made under
6 subsection (a).

7 (d) Duties.--The board shall meet as necessary to evaluate
8 and award grants under section 11006 (relating to grant funds
9 and eligibility) to eligible applicants based on the following
10 criteria:

11 (1) The ability of the applicant to complete the
12 project.

13 (2) The ability of the applicant to incorporate one or
14 more of the innovations under section 11004 (relating to
15 Agriculture Innovation Grant Program).

16 (3) How the project fulfills one or more of the
17 innovations under section 11004.

18 (4) The ability of the applicant to sustain the project.

19 (5) Any other criteria as determined by the department,
20 in consultation with the board.

21 § 11006. Grant funds and eligibility.

22 (a) Innovation planning project grant.--An eligible
23 applicant may apply for a grant to develop a strategic plan to
24 utilize innovation to improve agricultural practices,
25 technologies, operations or approaches within a specific
26 business, geographic area or network. The following shall apply
27 to a grant under this subsection:

28 (1) The amount of a grant shall be no less than \$7,500
29 and no more than \$50,000.

30 (2) A grantee must use non-State sourced matching funds
31 equal to at least 30% of the grant amount for the project.

32 (b) On-site project grant.--An eligible applicant may apply
33 for a grant for a project that focuses on implementing
34 innovation practices, technologies or approaches on an
35 individual farm or property producing or processing an
36 agricultural commodity. The following shall apply to a grant
37 under this subsection:

38 (1) The amount of the grant shall be no less than \$5,000
39 and no more than \$200,000.

40 (2) A grantee must use non-State sourced matching funds
41 equal to at least 50% of the grant amount for the project.

42 (c) Regional impact project grant.--An eligible applicant
43 may apply for a grant for a project designed to address
44 challenges, promote efficiencies or achieve specific goals for
45 multiple eligible applicants. The following shall apply to a
46 grant under this subsection:

47 (1) The amount of the grant shall be no less than
48 \$100,000 and no more than \$2,000,000.

49 (2) The grantee must use non-State sourced matching
50 funds equal to at least 50% of the grant amount for the
51 project.

1 (3) The project must impact two or more persons or
2 businesses or be a cooperative association that grows,
3 harvests, processes, packs or manages an agricultural
4 commodity.

5 § 11007. Funding.

6 The department shall accept funds from the following sources:

7 (1) Money appropriated to the department for the
8 purposes of this chapter.

9 (2) Gifts or donations of money, securities or other
10 personal property except real estate, which, or the income of
11 which, shall be used to carry out the purposes of this
12 chapter.

13 § 11008. Limitation of grants.

14 (a) Limitation.--A grant under section 11006 (relating to
15 grant funds and eligibility) may only be awarded to the extent
16 money is appropriated by the General Assembly or provided by
17 other sources.

18 (b) Approval of grant.--The board may approve a grant that
19 is less than the requested amount.

20 (c) Conditions.--The department and the board may impose
21 restrictions or special conditions upon issuance of a grant.

22 (d) Reimbursement grants.--

23 (1) A grant awarded under section 11006 shall be a
24 reimbursement grant. The amount of reimbursement shall be
25 based on actual costs submitted by an approved eligible
26 applicant for a project awarded a grant during any fiscal
27 year in which grants are offered.

28 (2) Grant money shall not be used to reimburse any
29 portion of an in-kind contribution to an eligible project.

30 (3) Grant money may not be used to pay or reimburse
31 wages or salaries of a grant recipient or grant recipient
32 staff.

33 (4) Grant money may not be used to reimburse any portion
34 of project costs that are paid or reimbursed under another
35 Federal or State grant program.

36 (e) Cap on grants.--A single eligible applicant may not be
37 awarded more than \$2,000,000 in a fiscal year.

38 § 11009. Applications and disposition of grants.

39 (a) Submission.--Applications for grants shall be submitted
40 in a manner and on a form as prescribed by the department.

41 (b) Written agreement.--The department may require a written
42 agreement describing the terms and conditions of the grant.

43 (c) Verification.--The department may require verification
44 of grant expenditures.

45 (d) Criteria.--The department may establish criteria under
46 which the department may demand the return of all or a portion
47 of the grant money.

48 § 11010. Regulations.

49 The department shall administer the provisions of this
50 chapter and, with the approval of the board, shall prescribe and
51 adopt program policy guidelines or regulations to administer and

1 enforce this chapter.

2 Section 2. This act shall take effect in 60 days.