

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.