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State of Minnesota

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HOUSE OF REPRESENTATIVES

EIGHTY-FIFTH SESSION

HOUSE FILE No. 3361

February 25, 2008

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The bill was read for the first time and referred to the Committee on Agriculture, Rural Economies and Veterans Affairs

March 10, 2008

Committee Recommendation and Adoption of Report:

To Pass

Read Second Time

1.1 A bill for an act
1.2 relating to agriculture; changing certain payment provisions for certain
1.3 agricultural chemical corrective action costs; amending Minnesota Statutes 2006,
1.4 section 18E.04, subdivision 2.

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

1.6 Section 1. Minnesota Statutes 2006, section 18E.04, subdivision 2, is amended to read:

1.7 Subd. 2. **Payment of corrective action costs.** (a) On request by an eligible person,
1.8 the board may pay the eligible person for the reasonable and necessary cash disbursements
1.9 for corrective action costs incurred by the eligible person as provided under subdivision 4
1.10 if the board determines:

1.11 (1) the eligible person pays the first \$1,000 of the corrective action costs;

1.12 (2) the eligible person provides the board with a sworn affidavit and other convincing
1.13 evidence that the eligible person is unable to pay additional corrective action costs;

1.14 (3) the eligible person continues to assume responsibility for carrying out the
1.15 requirements of corrective action orders issued to the eligible person or that are in effect;

1.16 (4) the incident was reported as required in chapters 18B, 18C, and 18D; and

1.17 (5) the eligible person submits an application for payment or reimbursement to the
1.18 department, along with associated invoices, within three years of (i) ~~incurring eligible~~
1.19 ~~corrective action costs~~ performance of the eligible work, or (ii) approval of a the related
1.20 corrective action design or plan for that work, whichever is later.

1.21 (b) The eligible person must submit an application for payment or reimbursement of
1.22 eligible cost incurred prior to July 1, 2001, no later than June 1, 2004.

1.23 (c) An eligible person is not eligible for payment or reimbursement and must refund
1.24 amounts paid or reimbursed by the board if false statements or misrepresentations are

2.1 made in the affidavit or other evidence submitted to the commissioner to show an inability
2.2 to pay corrective action costs.

2.3 (d) The board may pay the eligible person and one or more designees by multiparty
2.4 check.