

1 agreement with the department of agriculture, on forms
2 prescribed and prepared by the department, which shall include
3 the following information for each private agricultural park:

- 4 (1) The names and addresses of all the parties;
- 5 (2) The tax map parcel numbers and number of acres in each
6 parcel to be included in the private agricultural
7 park;
- 8 (3) The types of agricultural activities and products
9 being produced or to be produced by each party,
10 including non-agricultural by-products that may
11 include renewable sources of energy for the production
12 of electrical energy or liquid fuel and cold water for
13 cooling, processing, and air conditioning purposes;
14 and
- 15 (4) Other information that the department of agriculture
16 determines may be of assistance in promoting the
17 private agricultural park;

18 provided that, by subsequent filings, a private agricultural
19 park may add or delete parties and parcels from its original
20 filing.

21 **§ -2 Activities permitted in a private agricultural**
22 **park.** Within a private agricultural park, pursuant to private



1 agreements between any or all of the parties of the private
2 agricultural park agreement, one or more of the parties may:

- 3 (1) Engage in the generation of electrical energy from
4 fossil fuel or renewable energy sources, including the
5 use of falling water, biomass, wind, and solar energy.
6 Any electrical energy generated within the boundaries
7 of the private agricultural park, whether by a party
8 or parties to the agreement or through an agreement
9 between a party or parties and a nonparty independent
10 energy producer, may be produced, sold, transmitted,
11 and consumed by any other party of the private
12 agricultural park agreement; provided that the
13 electrical energy generated is used for agricultural
14 purposes including but not limited to the pumping of
15 agricultural water, cooling, air conditioning, or
16 agricultural processing; provided further that the
17 electrical energy generated is used within the
18 established boundaries of the private agricultural
19 park; and provided further that the transmission and
20 distribution system is solely owned by a party of the
21 private agricultural park agreement;



- 1 (2) Collect, sell, and distribute cold water to any other
2 party of the private agricultural park agreement to
3 operate cooling and processing facilities for
4 agricultural products or for air conditioning;
- 5 (3) Collect, store, sell, and distribute nonpotable water
6 for irrigation purposes to any other party of the
7 private agricultural park agreement; and
- 8 (4) Engage in any other lawful activity within the
9 boundaries of the private agricultural park for the
10 benefit of one or more of its parties.

11 **§ -3 Annual report.** (a) Every private agricultural
12 park shall file with the chairperson of the board of agriculture
13 an annual report as prescribed by the chairperson. A copy of
14 the report shall be submitted to the parties of the private
15 agricultural park agreement at an annual meeting or mailed to
16 each party of the private agricultural park agreement.

17 (b) The annual report shall include an affidavit that
18 electricity generated and distributed within the private
19 agricultural park was used solely for agricultural purposes
20 within the private agricultural park."

21 SECTION 3. This Act shall take effect upon its approval.



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H.D. 2
S.D. 1
C.D. 1

Report Title:

Agriculture; Private Agricultural Parks

Description:

Allows owners of contiguous parcels within the agricultural district to establish private agricultural parks registered with the department of agriculture. Specifies activities within a private agricultural park. (HB1351 CD1)

HB1351 CD1 HMS 2009-3894

