

1 **SECTION 4.4.(a)** Agricultural Crop Loss Program Expansion. – On August 17,
2 2021, Secretary Thomas J. Vilsack declared a natural disaster in the State based on the damages
3 and losses caused by freezing temperatures and frost from April 2, 2021, to April 21, 2021, in
4 several counties in this State (freeze disaster), allowing for counties in the disaster area to apply
5 for Farm Service Agency emergency loans. The Agricultural Crop Loss Program (Program)
6 established within the Department of Agriculture and Consumer Services (Department) in
7 Section 5.9B of S.L. 2021-180 is expanded to include damages and losses to agricultural
8 commodities caused by the freeze disaster within qualifying counties as listed in subsection (b)
9 of this section. The Program expansion shall be used to provide financial assistance in accordance
10 with this section to persons affected by the freeze disaster.

11 **SECTION 4.4.(b)** Eligibility. – To be eligible for financial assistance under the
12 Program expansion, a person must have experienced a verifiable loss of agricultural commodities
13 as a result of the freeze disaster and the person's farm is located in a qualifying county.

14 **SECTION 4.4.(c)** Verification of Loss. – A person seeking financial assistance for
15 losses of agricultural commodities under the Program expansion shall submit to the Department
16 a Form 578 on file with the USDA Farm Service Agency or a form provided by the Department
17 for reporting acreage or plantings of crops not typically reported on Form 578, along with any
18 other documentation deemed appropriate by the Department, on or before April 15, 2022. For
19 agricultural commodities where the survival level is not immediately known, the Department
20 may extend this deadline to June 1, 2022, upon written request by the person received on or
21 before April 15, 2022, and upon approval by the Department. A person who received or applied
22 for financial assistance for losses of agricultural commodities caused by Tropical Storm Fred
23 under the Program established in Section 5.9B of S.L. 2021-180 shall submit that information
24 with the application for financial assistance in accordance with this section. A person receiving
25 assistance under this Program expansion must provide a signed affidavit, under penalty of
26 perjury, certifying that each fact of the loss presented by the person is accurate.

27 **SECTION 4.4.(d)** Criteria. – The Department shall administer the financial
28 assistance program authorized by this section in accordance with the following criteria:

- 29 (1) In determining the payment calculation for agricultural commodities, the
30 Department shall use a formula based on acreage, county loss estimates,
31 USDA National Agricultural Statistics Service averages, and any other
32 measure the Department deems appropriate. Funds shall be distributed based
33 on county averages for yields and State averages for price. Calculations shall
34 be based on county or State averages in price, whichever the Department
35 determines is appropriate.
- 36 (2) The Department shall gather all claim information, except from those
37 applicants granted a deadline extension, no later than April 15, 2022. The
38 Department shall, as closely as possible, estimate the amount of the funds
39 needed to be held in reserve for payments related to losses of agricultural
40 commodities for which losses will not be fully known or calculated. The
41 Department shall set aside funds as it deems appropriate based on the
42 estimated percentage of these losses.
- 43 (3) The Department shall ensure applicants who received financial assistance
44 under the Program established in Section 5.9B of S.L. 2021-180 for damages
45 or losses caused by Tropical Storm Fred demonstrate a separate and distinct
46 loss due to the freeze disaster.

47 **SECTION 4.4.(e)** Definitions. – For purposes of this section, the following
48 definitions apply:

- 49 (1) Agricultural commodity. – As defined in Section 5.9B(i) of S.L. 2021-180, as
50 amended by S.L. 2021-189.

- 1 (2) Person. – As defined in Section 5.9B(i) of S.L. 2021-180, as amended by S.L.
2 2021-189.
- 3 (3) Qualifying counties. – Buncombe, Haywood, Henderson, Polk, Rutherford,
4 and Transylvania Counties.

5 **SECTION 4.4.(f)** Audit; Expenditure of Awarded Funds; Refund of Award. –
6 Subsections (f) through (h) of Section 5.9B of S.L. 2021-180 apply to this section.

7 **SECTION 4.4.(g)** Program Expansion Reporting Requirement. – The Department
8 shall include in the report required in Section 5.9B(j) of S.L. 2021-180 all of the following data
9 for the Program expansion:

- 10 (1) The number of applicants and the county in which the person incurred the
11 verified loss.
- 12 (2) The number and amount of grants awarded.
- 13 (3) The geographic distribution of the grants awarded.
- 14 (4) The total amount of funding available to the Program, the total amount
15 encumbered, and the total amount disbursed to date.
- 16 (5) Any refunds made to the Program pursuant to Section 5.9B(h) of S.L.
17 2021-180.

18 19 **PART V. COMMERCE**

20 21 **PIEDMONT TRIAD AIRPORT AUTHORITY**

22 **SECTION 5.1.** Section 11.20 of S.L. 2021-180, as enacted by Section 4.4A of S.L.
23 2021-189, reads as rewritten:

24 "**SECTION 11.20.** Provided the Economic Investment Committee awards a Job
25 Development Investment Grant (JDIG) for a high-yield project for an airplane manufacturer in
26 Guilford County and for which the average annual wage is at least sixty thousand dollars
27 (\$60,000), of the funds appropriated to the Department of Commerce (Department) for the
28 2021-2022 fiscal year the sum of one hundred six million seven hundred fifty thousand dollars
29 (\$106,750,000) shall be used for improvements at the Piedmont Triad International Airport
30 (Airport) as follows:

- 31 ...
- 32 (3) Fifty-six million seven hundred fifty thousand dollars (\$56,750,000) to be
33 allocated to the Airport for the construction of one or more new hangars at the
34 Airport for the project. The Piedmont Triad Airport Authority (Authority) may
35 contract for the design and construction of the new hangars using any delivery
36 method it deems appropriate, and the Department shall pay the costs of the
37 design and construction to the Authority or shall reimburse the Authority for
38 the costs of the design and construction from the funds allocated under this
39 subdivision. If it deems it appropriate, the Authority may authorize, in writing,
40 the prospective operator of the new hangars to contract for the design and
41 construction of the hangars, and the Department shall pay the costs of the
42 design and construction to the prospective operator or shall reimburse the
43 prospective operator for the costs of the design and construction from the
44 funds allocated under this subdivision. For purposes of this subdivision,
45 neither the Authority nor the prospective operator shall be subject to the
46 provisions of Article 3D of Chapter 143 of the General Statutes or Article 8
47 of Chapter 143 of the General Statutes."

48 49 **MOTORSPORT INDUSTRY GRANT APPLICATION DEADLINE**

50 **SECTION 5.2.** Section 11.14 of S.L. 2021-180, as amended by Section 4.4 of S.L.
51 2021-189, reads as rewritten: