

SENATE
STATE OF MINNESOTA
NINETY-FIRST SESSION

S.F. No. 4223

(SENATE AUTHORS: WEBER)

DATE	D-PG	OFFICIAL STATUS
03/11/2020	5403	Introduction and first reading Referred to Agriculture, Rural Development, and Housing Policy
05/07/2020	6368a	Comm report: To pass as amended Joint rule 2.03, referred to Rules and Administration
	6424	Comm report: Adopt previous comm report Jt. rule 2.03 suspended
	6425	Second reading
05/13/2020	6872	Rule 45-amend, subst. General Orders HF4285

1.1 A bill for an act

1.2 relating to agriculture; making policy and technical changes to agriculture-related

1.3 provisions including provisions related to seed law, noxious weed law, loans, pet

1.4 food, hemp, meat processing, eggs, grain buyers, and others; modifying agriculture

1.5 education; providing immunity for animal cruelty reporting by veterinarians;

1.6 modifying rulemaking; modifying a 2019 appropriation; requiring reports; amending

1.7 Minnesota Statutes 2018, sections 13.6435, subdivision 4a; 17.117, subdivisions

1.8 4, 5, 16; 18.77, subdivisions 8a, 13, by adding subdivisions; 18.771; 18.78,

1.9 subdivisions 1, 3; 18.79, subdivisions 6, 10, 15, 18, 21; 18.82; 18.90; 18.91,

1.10 subdivision 2; 18G.09; 18K.02, by adding subdivisions; 18K.04, subdivisions 1,

1.11 3, by adding subdivisions; 18K.06; 21.72, subdivisions 11, 14, 15, by adding a

1.12 subdivision; 21.73, subdivision 1; 21.74; 21.75, subdivision 1; 21.81, by adding

1.13 subdivisions; 21.82, by adding a subdivision; 21.84; 21.85, subdivisions 2, 15;

1.14 21.86, subdivision 2; 21.89, subdivision 4; 25.40, subdivisions 1, 2; 28A.03,

1.15 subdivision 8; 29.23, subdivision 3; 31A.02, subdivision 10; 31A.10; 31A.15,

1.16 subdivision 1; 41B.056, subdivision 4; 41D.01; 41D.02; 41D.03; 41D.04; Minnesota

1.17 Statutes 2019 Supplement, sections 223.16, subdivision 4; 223.177, subdivisions

1.18 2, 3; Laws 2019, First Special Session chapter 1, article 1, section 2, subdivision

1.19 4; proposing coding for new law in Minnesota Statutes, chapters 21; 343; repealing

1.20 Minnesota Statutes 2018, section 21.81, subdivision 12.

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

1.22 style="text-align:center">**ARTICLE 1**

1.23 style="text-align:center">**DEPARTMENT OF AGRICULTURE;**

1.24 style="text-align:center">**SEED LAW**

1.25 Section 1. Minnesota Statutes 2018, section 21.72, subdivision 11, is amended to read:

1.26 Subd. 11. **Screenings.** "Screenings" means chaff, florets, immature or broken seed, weed

1.27 seeds, inert matter, and other foreign material removed in any way from any seeds or grains

1.28 in any kind of cleaning and processing, or obtained from any other source.

2.1 Sec. 2. Minnesota Statutes 2018, section 21.72, subdivision 14, is amended to read:

2.2 Subd. 14. **Noxious weed seeds.** "Noxious weed seeds" includes restricted and prohibited
2.3 noxious weed seeds as defined in ~~subdivision~~ subdivisions 15 and 16.

2.4 Sec. 3. Minnesota Statutes 2018, section 21.72, subdivision 15, is amended to read:

2.5 Subd. 15. **Restricted weed seeds.** "Restricted weed seeds" are those weed seeds ~~which,~~
2.6 ~~if present in weed-seed infested agricultural seeds and grains, or screenings, shall not be~~
2.7 ~~present singly or collectively in excess of the rate of 90 per pound. Restricted weed seeds~~
2.8 ~~are seeds of buckhorn plantain (Plantago lanceolata), dodder (Cuscuta spp.), Frenchweed~~
2.9 ~~(Thlaspi arvense), hoary alyssum (Berteroa incana), horse nettle (Solanum carolinense),~~
2.10 ~~wild mustard (Brassica ssp.), quack grass (Agropyron repens), Canada thistle (Cirsium~~
2.11 ~~arvense), field bindweed (Convolvulus arvensis), leafy spurge (Euphorbia esula), perennial~~
2.12 ~~peppergrass (Cardaria draba), perennial sow thistle (Sonchus arvensis), and Russian~~
2.13 ~~knapweed (Centaurea repens) placed on the list provided under section 21.85, subdivision~~
2.14 15.

2.15 Sec. 4. Minnesota Statutes 2018, section 21.72, is amended by adding a subdivision to
2.16 read:

2.17 Subd. 16. **Prohibited noxious weed seeds.** "Prohibited noxious weed seeds" are those
2.18 weed seeds placed on the list provided under section 21.85, subdivision 15.

2.19 Sec. 5. Minnesota Statutes 2018, section 21.73, subdivision 1, is amended to read:

2.20 Subdivision 1. **Infested feed grain; screenings.** It is unlawful for any person to feed or
2.21 to sell, offer for sale, or expose for sale, or transport, to the consumer, for feeding purposes,
2.22 any weed-seed infested agricultural seeds and grains, or screenings:

2.23 (1) containing restricted or prohibited noxious weed seeds in excess of the legal limit;
2.24 and

2.25 (2) containing more than ten percent total weed seeds by weight.

2.26 Sec. 6. Minnesota Statutes 2018, section 21.74, is amended to read:

2.27 **21.74 EXCEPTIONS.**

2.28 The provisions of section 21.73 shall not apply to:

2.29 (1) Agricultural seeds and grains, or screenings, not intended for feeding purposes;

3.1 (2) Weed-seed infested agricultural seeds and grains, or screenings, being transported
3.2 upon any public highway to or from a cleaning or processing establishment for cleaning or
3.3 processing, which same are carried or transported in such vehicles or containers as will
3.4 prevent the leaking or scattering thereof;

3.5 (3) Weed-seed infested agricultural seeds and grains, or screenings, which have first
3.6 been devitalized by grinding, heating, chemical treatment, or any other suitable method;

3.7 (4) The sale of weed-seed infested agricultural seeds and grains, or screenings, to each
3.8 other by jobbers, manufacturers, or processors who mix or grind concentrated commercial
3.9 feeding stuff for sale; provided that the restrictions applying to clause (2), are complied
3.10 with;

3.11 (5) The sale of weed-seed infested agricultural seeds and grains, or screenings, by any
3.12 vendor to a consumer, provided that the restrictions set forth in clauses (2) and (3) are
3.13 complied with. However, where the vendor is not equipped to devitalize weed seeds, the
3.14 vendor may sell weed-seed infested agricultural seeds, grains, or screenings only to a
3.15 consumer who holds a permit issued by the commissioner for such a purchase. The
3.16 commissioner shall issue such a permit annually to a consumer only if the consumer has
3.17 the necessary facilities for devitalization, as determined by the commissioner, or has access
3.18 to such facilities. The consumer shall devitalize such weed-seed infested agricultural seeds,
3.19 grains, or screenings. The commissioner may revoke a permit after due notice and a hearing
3.20 if the consumer does not comply with the provisions of this clause. The provisions of this
3.21 clause shall not apply to the sale at a farm auction of a vendors agricultural seeds or grains
3.22 for feeding or processing purposes. "Farm auction" for the purpose of this clause means the
3.23 final sale at auction of the personal property of the farmer to the highest bidder. However,
3.24 if such agricultural seeds and grains are sold under variety names, and in such manner and
3.25 at such prices as to indicate that it is intended to use the seeds and grains for seeding purposes,
3.26 the seeds and grains are then subject to all laws relating to cleaning, testing, and labeling
3.27 of agricultural seed as set forth in the agricultural seed laws and the agricultural weed laws
3.28 of the state of Minnesota and such rules as have been promulgated by the commissioner of
3.29 agriculture thereunder; and

3.30 (6) Weed-seed infested agricultural seed and grains or screenings, produced by the farmer
3.31 and fed on the farmer's own farm, provided it does not contain restricted or prohibited
3.32 noxious weed seeds in excess of the legal limit.

4.1 Sec. 7. Minnesota Statutes 2018, section 21.75, subdivision 1, is amended to read:

4.2 Subdivision 1. **Enforcement; rulemaking.** ~~The duty of enforcing sections 21.71 to~~
 4.3 ~~21.78 and carrying out the provisions and requirements thereof is vested in the commissioner~~
 4.4 ~~of agriculture. The commissioner, personally or through agents, shall~~ The commissioner
 4.5 must enforce sections 21.71 to 21.78. The commissioner must:

4.6 (1) sample, inspect, make analysis of, and test weed-seed infested agricultural seeds and
 4.7 grains, or screenings, transported, sold, or offered, or exposed for sale within this state for
 4.8 any purpose, at such time and place, and to such extent as the commissioner may deem
 4.9 necessary to determine whether such weed-seed infested agricultural seeds and grain, or
 4.10 screenings, is in compliance with the provisions of sections 21.71 to 21.78, and to notify
 4.11 promptly the person who transported, sold, offered, or exposed the weed-seed infested
 4.12 agricultural seeds and grains, or screenings, for sale of any violation; and

4.13 (2) prescribe and, after public hearing following due public notice, adopt such rules as
 4.14 may be necessary to secure the efficient enforcement of sections 21.71 to 21.78. ~~Such rules~~
 4.15 ~~are to be adopted in accordance with the law; and~~

4.16 ~~(3) Prescribe and, after public hearing following due public notice, establish, add to, or~~
 4.17 ~~subtract therefrom by rules a restricted noxious weed-seed list.~~

4.18 Sec. 8. Minnesota Statutes 2018, section 21.81, is amended by adding a subdivision to
 4.19 read:

4.20 Subd. 14a. **Labeler.** "Labeler" means the person whose complete name and address
 4.21 appears on the label of agricultural, vegetable, flower, tree, or shrub seed for sale within
 4.22 this state, or the person identified by the code designation on the label as authorized by
 4.23 Code of Federal Regulations, title 7, section 201.23.

4.24 Sec. 9. Minnesota Statutes 2018, section 21.81, is amended by adding a subdivision to
 4.25 read:

4.26 Subd. 21a. **Recommended Uniform State Seed Law.** "Recommended Uniform State
 4.27 Seed Law" refers to the Association of American Seed Control Officials guidelines for seed
 4.28 law.

5.1 Sec. 10. Minnesota Statutes 2018, section 21.82, is amended by adding a subdivision to
5.2 read:

5.3 Subd. 9. **Hemp seed.** To comply with the hemp requirements in chapter 18K, a hemp
5.4 seed labeler must test the hemp parent plants used to produce the hemp seed at the appropriate
5.5 developmental stage and obtain a certificate of analysis showing that the hemp seed was
5.6 produced from hemp parent plants with less than 0.3 percent total delta-9
5.7 tetrahydrocannabinol concentration.

5.8 Sec. 11. Minnesota Statutes 2018, section 21.84, is amended to read:

5.9 **21.84 RECORDS.**

5.10 (a) Each person whose name appears on the label of agricultural, vegetable, flower,
5.11 wildflower, tree, or shrub seeds, or any other seed subject to section 21.82 or 21.83 shall
5.12 must keep (1) for three years complete records of each seed lot of agricultural, vegetable,
5.13 flower, wildflower, tree, or shrub seed sold in this state, and shall keep (2) for one year a
5.14 file sample of each seed lot of seed after disposition of the lot.

5.15 (b) The labeler must retain the following information as part of the complete record for
5.16 each seed lot sold:

5.17 (1) the lot number or other lot identification;

5.18 (2) a copy of the genuine grower's or tree seed collector's declaration, or a similar
5.19 document containing the same information;

5.20 (3) copies of invoices showing the sale of each seed lot, including the name of the person
5.21 the seed was sold to, the amount sold, the date of sale, the name of the kind or the kind and
5.22 variety of the seed, and the lot number;

5.23 (4) a copy of the label that was attached to or accompanied the seed lot;

5.24 (5) a copy of the field and final certification documents, if applicable;

5.25 (6) a copy of each testing report of the seed for labeling purposes; and

5.26 (7) a file sample of the seed lot which is representative of the seed lot and of sufficient
5.27 size to constitute an official sample in accordance with section 201.43 of the Federal Seed
5.28 Act regulations.

6.1 Sec. 12. Minnesota Statutes 2018, section 21.85, subdivision 2, is amended to read:

6.2 Subd. 2. **Seed laboratory.** (a) The commissioner ~~shall~~ must establish and maintain a
6.3 seed laboratory for seed testing, employing necessary agents and assistants to administer
6.4 and enforce sections 21.80 to 21.92, who shall be governed by chapter 43A.

6.5 (b) The laboratory procedures for testing official seed samples are the procedures set
6.6 forth in the Rules for Testing Seeds that is published annually by the Association of Official
6.7 Seed Analysts. If a laboratory procedure rule does not exist for a particular type of seed,
6.8 then laboratory procedures from other recognized seed testing sources may be used, including
6.9 procedures under the Code of Federal Regulations, title 7, part 201, or the International
6.10 Rules for Testing Seeds.

6.11 (c) The commissioner must apply the following tolerances when comparing the label
6.12 claims made for required label categories, minimum standards not specifically required to
6.13 be labeled, or other label claims that can be verified by laboratory analysis:

6.14 (1) tolerances for pure seed, weed seed, other crop seed, and inert matter according to
6.15 Code of Federal Regulations, title 7, section 201.60, including additional tolerances for
6.16 chaffy seeds and mixtures containing chaffy seeds;

6.17 (2) tolerances for the presence of prohibited noxious weed seeds and rate of occurrence
6.18 of restricted weed seeds according to Code of Federal Regulations, title 7, section 201.65;

6.19 (3) tolerances for germination, hard seed, dormant seed, total viable seed, and pure live
6.20 seed percentages of kinds of seeds required to be labeled as agricultural seed according to
6.21 Code of Federal Regulations, title 7, section 201.63; and

6.22 (4) minimum germination standards:

6.23 (i) for vegetable seed germination, in accordance with section 21.82, subdivision 7,
6.24 paragraph (a), and the germination standards for vegetable seeds prepared for use by home
6.25 gardeners in Code of Federal Regulations, title 7, section 201.31; and

6.26 (ii) for flower seed germination, in accordance with section 21.82, subdivision 8,
6.27 paragraph (a), and the germination standards for flower seeds prepared for use by home
6.28 gardeners as listed in the Recommended Uniform State Seed Law.

6.29 Sec. 13. Minnesota Statutes 2018, section 21.85, subdivision 15, is amended to read:

6.30 Subd. 15. **Prohibited and restricted seeds.** (a) The commissioner shall, in consultation
6.31 with the Seed Program Advisory Committee, must determine species that are considered
6.32 prohibited weed seeds and restricted noxious weed seeds and the allowable rate of occurrence

7.1 of restricted noxious weed seeds: subject to sections 21.80 to 21.92. The commissioner must
7.2 prepare, publish, and revise at least once every three years, a list of prohibited and restricted
7.3 noxious weed seeds. The commissioner must distribute the list to the public and may request
7.4 the help of the United States Department of Agriculture's published All-States Noxious
7.5 Weed Seed List or any other organization that the commissioner considers appropriate to
7.6 assist in the distribution. The commissioner may, in consultation with the Seed Program
7.7 Advisory Committee, accept and consider noxious weed seed designation petitions from
7.8 Minnesota citizens or Minnesota organizations or associations including the Noxious Weed
7.9 Advisory Committee.

7.10 (b) Restricted weed seeds, if present in weed-seed infested agricultural seeds and grains,
7.11 or screenings, must not be present singly or collectively in excess of the rate of 90 per pound.

7.12 (c) Prohibited noxious weed seeds must not be present in weed-seed infested agricultural
7.13 seeds and grains, or screenings.

7.14 Sec. 14. [21.851] ADVISORY COMMITTEE; MEMBERSHIP.

7.15 Subdivision 1. **Duties.** The commissioner must consult with the Seed Program Advisory
7.16 Committee to advise the commissioner concerning responsibilities under the seed regulatory
7.17 program. The committee must evaluate species for invasiveness, difficulty of control, cost
7.18 of control, benefits, and amount of injury caused by each species. For each species evaluated,
7.19 the committee must recommend to the commissioner whether a species should be listed as
7.20 a prohibited noxious weed seed or restricted noxious weed seed or not be listed. Species
7.21 designated as prohibited or restricted noxious weed seeds must be reevaluated every three
7.22 years for a recommendation on whether or not the designated species need to remain on the
7.23 noxious weed seed lists. The committee must also advise the commissioner on the
7.24 implementation of the Minnesota Seed Law. Members of the committee are not entitled to
7.25 reimbursement of expenses nor payment of per diem. Members serve two-year terms with
7.26 subsequent reappointment by the commissioner.

7.27 Subd. 2. **Membership.** The commissioner must appoint members to include
7.28 representatives from:

7.29 (1) the College of Food, Agricultural and Natural Resource Sciences or Extension at the
7.30 University of Minnesota;

7.31 (2) Minnesota Crop Improvement;

7.32 (3) the seed industry in Minnesota, a minimum of six members with representation from
7.33 multinational, national, regional, and Minnesota seed companies;

8.1 (4) the grain industry in Minnesota;

8.2 (5) farmers in Minnesota;

8.3 (6) other state and federal agencies with an interest in seed; and

8.4 (7) other members as needed.

8.5 Subd. 3. **Organization.** The committee must select a chair from its membership. Meetings
8.6 of the committee may be called by or at the direction of the commissioner or the chair.

8.7 Sec. 15. Minnesota Statutes 2018, section 21.86, subdivision 2, is amended to read:

8.8 Subd. 2. **Miscellaneous violations.** No person may:

8.9 (a) detach, alter, deface, or destroy any label required in sections 21.82 and 21.83, alter
8.10 or substitute seed in a manner that may defeat the purposes of sections 21.82 and 21.83, or
8.11 alter or falsify any seed tests, laboratory reports, records, or other documents to create a
8.12 misleading impression as to kind, variety, history, quality, or origin of the seed;

8.13 (b) hinder or obstruct in any way any authorized person in the performance of duties
8.14 under sections 21.80 to 21.92;

8.15 (c) fail to comply with a "stop sale" order or to move or otherwise handle or dispose of
8.16 any lot of seed held under a stop sale order or attached tags, except with express permission
8.17 of the enforcing officer for the purpose specified;

8.18 (d) use the word "type" in any labeling in connection with the name of any agricultural
8.19 seed variety;

8.20 (e) use the word "trace" as a substitute for any statement which is required; ~~or~~

8.21 (f) plant any agricultural seed which the person knows contains weed seeds or noxious
8.22 weed seeds in excess of the limits for that seed; or

8.23 (g) advertise or sell seed containing patented, protected, or proprietary varieties used
8.24 without permission of the patent or certificate holder of the intellectual property associated
8.25 with the variety of seed.

8.26 Sec. 16. Minnesota Statutes 2018, section 21.89, subdivision 4, is amended to read:

8.27 Subd. 4. **Exemptions.** ~~An initial~~ A labeler who sells for use in Minnesota agricultural,
8.28 vegetable, or flower seeds must have a seed fee permit unless the agricultural, vegetable,
8.29 or flower seeds are of the breeder or foundation seed classes of varieties developed by

9.1 publicly financed research agencies intended for the purpose of increasing the quantity of
9.2 seed available.

9.3 Sec. 17. **REPEALER.**

9.4 Minnesota Statutes 2018, section 21.81, subdivision 12, is repealed.

9.5 **ARTICLE 2**

9.6 **DEPARTMENT OF AGRICULTURE;**
9.7 **NOXIOUS WEEDS**

9.8 Section 1. Minnesota Statutes 2018, section 18.77, subdivision 8a, is amended to read:

9.9 Subd. 8a. **Noxious weed management plan.** "Noxious weed management plan" means
9.10 controlling or eradicating noxious weeds in the manner designated in a management plan
9.11 developed for the ~~area or site~~ location where the infestations are found using specific
9.12 strategies or methods that are to be used singly or in combination to achieve control or
9.13 eradication.

9.14 Sec. 2. Minnesota Statutes 2018, section 18.77, subdivision 13, is amended to read:

9.15 Subd. 13. ~~Weed management area~~ **Noxious weed management site.** "~~Weed~~
9.16 ~~management area~~" "Noxious weed management site" means a designated area where special
9.17 or unique noxious weed control or eradication strategies or methods are used according to
9.18 a specific management plan developed for each management area established.

9.19 Sec. 3. Minnesota Statutes 2018, section 18.77, is amended by adding a subdivision to
9.20 read:

9.21 Subd. 14. **Cooperative weed management areas or CWMA.** "Cooperative weed
9.22 management areas" or "CWMA" means partnership organizations formed with the goal
9.23 of managing invasive plants across jurisdictional and land ownership boundaries through
9.24 collective planning and sharing of knowledge and resources.

9.25 Sec. 4. Minnesota Statutes 2018, section 18.77, is amended by adding a subdivision to
9.26 read:

9.27 Subd. 15. **Biological control of plants.** "Biological control of plants" means the reduction
9.28 of noxious weed or invasive plant populations through the use of natural enemies such as
9.29 parasitoids, predators, pathogens, antagonists, or competitors to suppress noxious weed or
9.30 invasive plant populations.

10.1 Sec. 5. Minnesota Statutes 2018, section 18.77, is amended by adding a subdivision to
 10.2 read:

10.3 Subd. 16. **Appropriate disposal site.** "Appropriate disposal site" means a facility that
 10.4 lawfully destroys noxious weeds and noxious weed propagating parts.

10.5 Sec. 6. Minnesota Statutes 2018, section 18.77, is amended by adding a subdivision to
 10.6 read:

10.7 Subd. 17. **Invasive plant.** "Invasive plant" means a nonnative species whose introduction
 10.8 and establishment causes, or may cause, economic or environmental harm or harm to human
 10.9 health.

10.10 Sec. 7. Minnesota Statutes 2018, section 18.771, is amended to read:

10.11 **18.771 NOXIOUS WEED CATEGORIES.**

10.12 (a) For purposes of designation under section 18.79, subdivision 13, noxious weed
 10.13 category means each of the following categories:

10.14 (1) the prohibited-eradicate noxious weeds category;

10.15 (2) the prohibited-control noxious weeds category;

10.16 (3) the restricted noxious weeds category;

10.17 (4) the specially regulated plants category; and

10.18 (5) the county noxious weeds category.

10.19 (b) ~~"Prohibited"~~ The "prohibited-eradicate noxious weeds" category includes noxious
 10.20 weeds that must be ~~controlled or~~ eradicated on all lands within the state. Transportation of
 10.21 ~~a prohibited noxious weed's propagating parts is restricted by permit~~ the propagating parts
 10.22 of prohibited-eradicate noxious weeds is prohibited except as allowed ~~by~~ under section
 10.23 18.82. ~~Prohibited~~ Prohibited-eradicate noxious weeds may not be sold or propagated in
 10.24 Minnesota. ~~There are two regulatory listings for prohibited noxious weeds in Minnesota:~~
 10.25 Noxious weeds that are designated as prohibited-eradicate noxious weeds and placed on
 10.26 the prohibited-eradicate noxious weeds list are plants that are not currently known to be
 10.27 present in Minnesota or are not widely established in the state. All prohibited-eradicate
 10.28 noxious weeds must be eradicated.

10.29 ~~(1) the noxious weed eradicate list is established. Prohibited noxious weeds placed on~~
 10.30 ~~the noxious weed eradicate list are plants that are not currently known to be present in~~
 10.31 ~~Minnesota or are not widely established. These species must be eradicated; and~~

11.1 ~~(2) the noxious weed control list is established. Prohibited noxious weeds placed on the~~
 11.2 ~~noxious weed control list are plants that are already established throughout Minnesota or~~
 11.3 ~~regions of the state. Species on this list must at least be controlled.~~

11.4 (c) The "prohibited-control noxious weeds" category includes noxious weeds that must
 11.5 be controlled on all lands within the state. Transportation of the propagating parts of
 11.6 prohibited-control noxious weeds is prohibited except as allowed under section 18.82.
 11.7 Prohibited-control noxious weeds may not be propagated or sold in Minnesota. Noxious
 11.8 weeds that are designated as prohibited-control noxious weeds and placed on the
 11.9 prohibited-control noxious weeds list are plants that are already established throughout the
 11.10 state or regions of the state. At minimum, these species must be controlled in a way that
 11.11 prevents spread of these species by seed or vegetative means.

11.12 ~~(e)~~ (d) The "restricted noxious weeds" category includes noxious weeds and their
 11.13 propagating parts that may not be imported, sold, or transported in the state, except as
 11.14 allowed by permit under section 18.82. Noxious weeds that are designated as restricted and
 11.15 placed on the restricted list may be plants that are widely distributed in Minnesota, but for
 11.16 ~~which the only feasible means of control is to prevent their spread by prohibiting the~~
 11.17 ~~importation, sale, and transportation of their propagating parts in the state, except as allowed~~
 11.18 ~~by section 18.82 and for which a requirement of eradication or control would not be feasible~~
 11.19 on a statewide basis using existing practices.

11.20 ~~(d)~~ (e) The "specially regulated plants" category includes noxious weeds that may be
 11.21 native species or nonnative species that have demonstrated economic value, but also have
 11.22 the potential to cause harm in noncontrolled environments. Plants designated as specially
 11.23 regulated have been determined to pose ecological, economical, or human or animal health
 11.24 concerns. Species-specific management plans or rules that define the use and management
 11.25 requirements for these plants must be developed by the commissioner of agriculture for
 11.26 each plant designated as specially regulated. The commissioner must also take measures to
 11.27 minimize the potential for harm caused by these plants.

11.28 ~~(e)~~ (f) The "county noxious weeds" category includes noxious weeds that are designated
 11.29 by individual county boards to be enforced as prohibited noxious weeds within the county's
 11.30 jurisdiction and must be approved by the commissioner of agriculture, in consultation with
 11.31 the Noxious Weed Advisory Committee. Each county board must submit newly proposed
 11.32 county noxious weeds to the commissioner of agriculture for review. Approved county
 11.33 noxious weeds shall also be posted with the county's general weed notice prior to May 15
 11.34 each year. Counties are solely responsible for developing county noxious weed lists and
 11.35 their enforcement.

12.1 Sec. 8. Minnesota Statutes 2018, section 18.78, subdivision 1, is amended to read:

12.2 Subdivision 1. **Generally.** A person owning land, a person occupying land, or a person
12.3 responsible for the maintenance of public land ~~shall control or eradicate~~ must manage all
12.4 noxious weeds, according to the noxious weed categories under section 18.771, on the land
12.5 at a time and in a manner ordered by an inspector or county-designated employee.

12.6 Sec. 9. Minnesota Statutes 2018, section 18.78, subdivision 3, is amended to read:

12.7 Subd. 3. ~~Weed control agreement~~ Noxious weed management plan. The
12.8 commissioner, municipality, or county agricultural inspector or county-designated employee
12.9 may enter into a ~~weed control~~ an agreement with a landowner or noxious weed management
12.10 ~~area site~~ group to establish a mutually agreed-upon noxious weed management plan for up
12.11 to three years duration, whereby a noxious weed problem will be controlled without additional
12.12 enforcement action. If a property owner fails to comply with the noxious weed management
12.13 plan, an individual notice may be served.

12.14 Sec. 10. Minnesota Statutes 2018, section 18.79, subdivision 6, is amended to read:

12.15 Subd. 6. **Training for control or eradication of noxious weeds.** The commissioner
12.16 shall conduct initial training considered necessary for inspectors and county-designated
12.17 employees in the enforcement of the Minnesota Noxious Weed Law. The ~~director~~ dean of
12.18 University of Minnesota Extension may conduct educational programs for the general public
12.19 that will aid compliance with the Minnesota Noxious Weed Law. Upon request, the
12.20 commissioner may provide information and other technical assistance to the county
12.21 agricultural inspector or county-designated employee to aid in the performance of
12.22 responsibilities specified by the county board under section 18.81, subdivisions 1a and 1b.

12.23 Sec. 11. Minnesota Statutes 2018, section 18.79, subdivision 10, is amended to read:

12.24 Subd. 10. **Prosecution.** On finding that a person has violated sections 18.76 to 18.91,
12.25 the ~~county agricultural~~ inspector or county-designated employee may start court proceedings
12.26 in the locality in which the violation occurred. The county attorney may prosecute actions
12.27 under sections 18.76 to 18.91 within the county attorney's jurisdiction.

12.28 Sec. 12. Minnesota Statutes 2018, section 18.79, subdivision 15, is amended to read:

12.29 Subd. 15. **Noxious weed management.** The commissioner, in consultation with the
12.30 Noxious Weed Advisory Committee, shall develop management strategies and criteria for
12.31 each noxious weed category listed in section 18.771 and each individually listed species.

13.1 Sec. 13. Minnesota Statutes 2018, section 18.79, subdivision 18, is amended to read:

13.2 Subd. 18. **Noxious weed education and notification.** (a) The commissioner shall
 13.3 disseminate information and conduct educational campaigns with respect to control of
 13.4 noxious weeds or invasive plants to enhance regulatory compliance and voluntary efforts
 13.5 to eliminate or manage these plants. The commissioner shall call and attend meetings and
 13.6 conferences dealing with the subject of noxious weeds. The commissioner shall maintain
 13.7 on the department's website noxious weed management information including but not limited
 13.8 to the roles and responsibilities of citizens and government entities under sections 18.76 to
 13.9 18.91 and specific guidance as to whom a person should contact to report a noxious weed
 13.10 issue.

13.11 (b) The commissioner shall post notice on the department's website ~~and alert~~ when a
 13.12 weed on the eradicate list is confirmed for the first time in a county. The commissioner may
 13.13 notify appropriate media outlets when a weed on the eradicate list is confirmed for the first
 13.14 time in a county.

13.15 Sec. 14. Minnesota Statutes 2018, section 18.79, subdivision 21, is amended to read:

13.16 Subd. 21. **Noxious weed management area site.** The commissioner, in consultation
 13.17 with the Noxious Weed Advisory Committee, may establish a noxious weed management
 13.18 ~~area site~~ area site to include a part of one or more counties or all of one or more counties of this state
 13.19 and shall include all the land within the boundaries of the area established. Noxious weed
 13.20 management plans developed for a noxious weed management ~~area site~~ area site must be reviewed
 13.21 and approved by the commissioner ~~and in consultation with~~ the Noxious Weed Advisory
 13.22 Committee. Noxious weed management ~~areas sites~~ areas sites may seek funding under section 18.90.

13.23 Sec. 15. Minnesota Statutes 2018, section 18.82, is amended to read:

13.24 **18.82 TRANSPORTATION OF NOXIOUS WEED PROPAGATING PARTS IN**
 13.25 **~~INFESTED MATERIAL OR EQUIPMENT.~~**

13.26 Subdivision 1. **Permits.** Transporting noxious weed propagating parts without a permit
 13.27 is prohibited, except as provided in section 21.74~~5~~. If a person wants to transport noxious
 13.28 weed propagating parts along a public highway roadway, including materials or equipment
 13.29 containing the propagating parts of noxious weeds ~~designated as noxious by the~~
 13.30 ~~commissioner,~~ the person must secure a written permit for transportation ~~of the material or~~
 13.31 ~~equipment~~ from an inspector or county-designated employee. Inspectors or county-designated
 13.32 employees may issue permits to persons residing or operating within their jurisdiction. A
 13.33 permit is not required for the transport of noxious weeds for the purpose of destroying

14.1 propagating parts at a ~~Department of Agriculture-approved~~ an appropriate disposal site.
 14.2 Anyone transporting noxious weed propagating parts for the purpose of disposal at an
 14.3 ~~approved~~ appropriate disposal site shall ensure that all materials are contained in a manner
 14.4 that prevents escape during transport and complies with section 115A.931. A person must
 14.5 obtain a permit before possessing noxious weeds with propagating parts for research,
 14.6 education and outreach, or other reasons approved by the commissioner.

14.7 Subd. 2. **Conditions of permit issuance.** The following conditions must be met before
 14.8 a permit under subdivision 1 may be issued:

14.9 (1) any material or equipment containing noxious weed propagating parts that is about
 14.10 to be transported along a public ~~highway~~ roadway must be in a container that is sufficiently
 14.11 tight and closed or otherwise covered to prevent the blowing or scattering of the material
 14.12 along the highway or on other lands or water; ~~and~~

14.13 (2) the destination for unloading and the use of the material or equipment containing
 14.14 noxious weed propagating parts must be stated on the permit along with the method that
 14.15 will be used to destroy the viability of the propagating parts and thereby prevent ~~their~~ the
 14.16 material being dumped or scattered upon land or water; and

14.17 (3) the applicant for a permit for possession of noxious weed propagating parts must
 14.18 agree to follow the guidelines listed on the permit by the inspector.

14.19 Subd. 3. **Duration of permit; revocation.** A permit under subdivision 1 is valid for up
 14.20 to one year after the date it is issued unless otherwise specified by the inspector or
 14.21 county-designated employee issuing the permit. The permit may be revoked if an inspector
 14.22 or county-designated employee determines that the applicant has not complied with this
 14.23 section.

14.24 Sec. 16. Minnesota Statutes 2018, section 18.90, is amended to read:

14.25 **18.90 GRANT PROGRAM.**

14.26 (a) From funds available in the noxious weed and invasive plant species assistance
 14.27 account established in section 18.89, the commissioner shall administer a grant program to
 14.28 assist counties and municipalities and other weed management entities in the cost of
 14.29 implementing and maintaining noxious weed control programs and in addressing special
 14.30 weed control problems. The commissioner shall receive applications by counties,
 14.31 municipalities, noxious weed management ~~areas~~ sites, and weed management entities for
 14.32 assistance under this section and, in consultation with the Noxious Weed Advisory
 14.33 Committee, award grants for any of the following eligible purposes:

- 15.1 (1) to conduct applied research to solve locally significant weed management problems;
- 15.2 (2) to demonstrate innovative control methods or land management practices which have
- 15.3 the potential to reduce landowner costs to control noxious weeds or improve the effectiveness
- 15.4 of noxious weed control;
- 15.5 (3) to encourage the ongoing support of noxious weed management ~~areas~~ sites;
- 15.6 (4) to respond to introductions or infestations of invasive plants that threaten or potentially
- 15.7 threaten the productivity of cropland and rangeland over a wide area;
- 15.8 (5) to respond to introductions or infestations of invasive plant species that threaten or
- 15.9 potentially threaten the productivity of biodiversity of wildlife and fishery habitats on public
- 15.10 and private lands;
- 15.11 (6) to respond to special weed control problems involving weeds not included in the list
- 15.12 of noxious weeds published and distributed by the commissioner;
- 15.13 (7) to conduct monitoring or surveillance activities to detect, map, or determine the
- 15.14 distribution of invasive plant species and to determine susceptible locations for the
- 15.15 introduction or spread of invasive plant species; and
- 15.16 (8) to conduct educational activities.
- 15.17 (b) The commissioner shall select and prioritize applications for assistance under this
- 15.18 section based on the following considerations:
- 15.19 (1) the seriousness of the noxious weed or invasive plant problem or potential problem
- 15.20 addressed by the project;
- 15.21 (2) the ability of the project to provide timely intervention to save current and future
- 15.22 costs of control and eradication;
- 15.23 (3) the likelihood that the project will prevent or resolve the problem or increase
- 15.24 knowledge about resolving similar problems in the future;
- 15.25 (4) the extent to which the project will leverage federal funds and other nonstate funds;
- 15.26 (5) the extent to which the applicant has made progress in addressing noxious weed or
- 15.27 invasive plant problems;
- 15.28 (6) the extent to which the project will provide a comprehensive approach to the control
- 15.29 or eradication of noxious weeds;
- 15.30 (7) the extent to which the project will reduce the total population or area of infestation
- 15.31 of a noxious weed;

16.1 (8) the extent to which the project uses the principles of integrated vegetation management
 16.2 and sound science; and

16.3 (9) other factors that the commissioner determines to be relevant.

16.4 (c) Nothing in this section may be construed to relieve a person of the duty or
 16.5 responsibility to control the spread of noxious weeds on lands owned and controlled by the
 16.6 person.

16.7 Sec. 17. Minnesota Statutes 2018, section 18.91, subdivision 2, is amended to read:

16.8 Subd. 2. **Membership.** The commissioner shall appoint members, which shall include
 16.9 representatives from the following:

16.10 (1) the Department of Horticultural Science, agronomy, and forestry at the University
 16.11 of Minnesota;

16.12 (2) the Department of Agronomy at the University of Minnesota;

16.13 (3) the Department of Forest Resources at the University of Minnesota;

16.14 ~~(2)~~ (4) the nursery and landscape industry in Minnesota;

16.15 ~~(3)~~ (5) the seed industry in Minnesota;

16.16 ~~(4)~~ (6) the Department of Agriculture;

16.17 ~~(5)~~ (7) the Department of Natural Resources;

16.18 ~~(6)~~ (8) a conservation organization;

16.19 ~~(7)~~ (9) an environmental organization;

16.20 ~~(8)~~ (10) at least two farm organizations;

16.21 ~~(9)~~ (11) the county agricultural inspectors;

16.22 ~~(10)~~ (12) city, township, and county governments;

16.23 (13) township governments;

16.24 (14) county governments;

16.25 ~~(11)~~ (15) the Department of Transportation;

16.26 ~~(12)~~ (16) the University of Minnesota Extension;

16.27 ~~(13)~~ (17) the timber and forestry industry in Minnesota;

16.28 ~~(14)~~ (18) the Board of Water and Soil Resources;

- 17.1 ~~(15)~~ (19) soil and water conservation districts;
- 17.2 ~~(16)~~ (20) the Minnesota Association of County Land Commissioners; and
- 17.3 ~~(17)~~ (21) other members as needed.

ARTICLE 3

DEPARTMENT OF AGRICULTURE; MISCELLANEOUS PROVISIONS

17.4

17.5

17.6

17.7 Section 1. Minnesota Statutes 2018, section 13.6435, subdivision 4a, is amended to read:

17.8 Subd. 4a. **Industrial hemp background check licensing data.** ~~Criminal history records~~
 17.9 Certain data provided to the commissioner by a first-time licensee or applicant for a license
 17.10 to grow or process industrial hemp for commercial purposes are is classified under section
 17.11 18K.04, ~~subdivision 2.~~

17.12 Sec. 2. Minnesota Statutes 2018, section 17.117, subdivision 4, is amended to read:

17.13 Subd. 4. **Definitions.** (a) For the purposes of this section, the terms defined in this
 17.14 subdivision have the meanings given them.

17.15 (b) "Agricultural and environmental revolving accounts" means accounts in the
 17.16 agricultural fund, controlled by the commissioner, which hold funds available to the program.

17.17 (c) "Agriculture supply business" means a person, partnership, joint venture, corporation,
 17.18 limited liability company, association, firm, public service company, or cooperative that
 17.19 provides materials, equipment, or services to farmers or agriculture-related enterprises.

17.20 (d) "Allocation" means the funds awarded to an applicant for implementation of best
 17.21 management practices through a competitive or noncompetitive application process.

17.22 (e) "Applicant" means a local unit of government eligible to participate in this program
 17.23 that requests an allocation of funds as provided in subdivision 6b.

17.24 (f) "Best management practices" has the meaning given in sections 103F.711, subdivision
 17.25 3, and 103H.151, subdivision 2. Best management practices also means other practices,
 17.26 techniques, and measures that have been demonstrated to the satisfaction of the
 17.27 commissioner: (1) to prevent or reduce adverse environmental impacts by using the most
 17.28 effective and practicable means of achieving environmental goals; or (2) to achieve drinking
 17.29 water quality standards under chapter 103H or under Code of Federal Regulations, title 40,
 17.30 parts 141 and 143, as amended.

18.1 (g) "Borrower" means a farmer, an agriculture supply business, or a rural landowner
18.2 applying for a low-interest loan.

18.3 (h) "Commissioner" means the commissioner of agriculture, including when the
18.4 commissioner is acting in the capacity of chair of the Rural Finance Authority, or the designee
18.5 of the commissioner.

18.6 (i) "Committed project" means an eligible project scheduled to be implemented at a
18.7 future date:

18.8 ~~(1) that has been approved and certified by the local government unit; and,~~

18.9 ~~(2) for which a local lender has obligated itself to offer a loan.~~

18.10 (j) "Comprehensive water management plan" means a state-approved and locally adopted
18.11 plan authorized under section 103B.231, 103B.255, 103B.311, 103C.331, 103D.401, or
18.12 103D.405.

18.13 (k) "Cost incurred" means expenses for implementation of a project accrued because
18.14 the borrower has agreed to purchase equipment or is obligated to pay for services or materials
18.15 already provided as a result of implementing an approved eligible project.

18.16 (l) "Farmer" means a person, partnership, joint venture, corporation, limited liability
18.17 company, association, firm, public service company, or cooperative that regularly participates
18.18 in physical labor or operations management of farming and files a Schedule F as part of
18.19 filing United States Internal Revenue Service Form 1040 or indicates farming as the primary
18.20 business activity under Schedule C, K, or S, or any other applicable report to the United
18.21 States Internal Revenue Service.

18.22 (m) "Lender agreement" means an agreement entered into between the commissioner
18.23 and a local lender which contains terms and conditions of participation in the program.

18.24 (n) "Local government unit" means a county, soil and water conservation district, or an
18.25 organization formed for the joint exercise of powers under section 471.59 with the authority
18.26 to participate in the program.

18.27 (o) "Local lender" means a local government unit as defined in paragraph (n); a local
18.28 unit of government with taxing or special assessment authority, such as a watershed district,
18.29 a drainage authority, or a township; a state or federally chartered bank; a savings association;
18.30 a state or federal credit union; Agribank and its affiliated organizations; or a nonprofit
18.31 economic development organization or other financial lending institution approved by the
18.32 commissioner.

19.1 (p) "Local revolving loan account" means the account held by a local government unit
 19.2 and a local lender into which principal repayments from borrowers are deposited and new
 19.3 loans are issued in accordance with the requirements of the program and lender agreements.

19.4 (q) "Nonpoint source" has the meaning given in section 103F.711, subdivision 6.

19.5 (r) "Program" means the agriculture best management practices loan program in this
 19.6 section.

19.7 (s) "Project" means one or more components or activities located within Minnesota that
 19.8 are required by the local government unit to be implemented for satisfactory completion of
 19.9 an eligible best management practice.

19.10 (t) "Rural landowner" means the owner of record of Minnesota real estate located in an
 19.11 area determined by the local government unit to be rural after consideration of local land
 19.12 use patterns, zoning regulations, jurisdictional boundaries, local community definitions,
 19.13 historical uses, and other pertinent local factors.

19.14 (u) "Water-quality cooperative" has the meaning given in section 115.58, paragraph (d),
 19.15 except as expressly limited in this section.

19.16 Sec. 3. Minnesota Statutes 2018, section 17.117, subdivision 5, is amended to read:

19.17 Subd. 5. **Uses of funds.** (a) Use of funds under this section must be in compliance with
 19.18 the rules and regulations of the funding source or appropriation. Use of funds from the
 19.19 Public Facilities Authority must comply with the federal Water Pollution Control Act,
 19.20 section 446A.07, and eligible activities listed in the intended use plan authorized in section
 19.21 446A.07, subdivision 4.

19.22 (b) In the event of a conflict between this section and a law appropriating money for
 19.23 this program, the law appropriating money for this program governs.

19.24 Sec. 4. Minnesota Statutes 2018, section 17.117, subdivision 16, is amended to read:

19.25 Subd. 16. **Liens against property.** (a) The amount of loans and accruing interest made
 19.26 by ~~counties~~ a county, home rule charter city, statutory city, or town acting as a local lenders
 19.27 lender under this section is a lien against the real property for which the improvement was
 19.28 made and must be assessed against the property or properties benefited unless the amount
 19.29 is prepaid. The lien is a special assessment under chapter 419 and repayments may be
 19.30 collected as a special assessment as provided for in section 429.101 or by charter. An amount
 19.31 loaned under the program and its accruing interest assessed against the property is a priority
 19.32 lien only against subsequent liens.

20.1 (b) The county, home rule charter city, statutory city, or town may bill amounts due on
 20.2 the loan on the tax statement for the property. Enforcement of the lien created by this
 20.3 subdivision must, at the county's, home rule charter city's, statutory city's, or town's option,
 20.4 be in the manner set forth in chapter 580 or 581. When the amount due and all interest has
 20.5 been paid, the county, home rule charter city, statutory city, or town shall file a satisfaction
 20.6 of the lien created under this subdivision.

20.7 (c) A county, home rule charter city, statutory city, or town may also secure amounts
 20.8 due on a loan under this section by taking a purchase money security interest in equipment
 20.9 in accordance with chapter 336, article 9, and may enforce the purchase money security
 20.10 interest in accordance with chapters 336, article 9, and 565.

20.11 Sec. 5. Minnesota Statutes 2018, section 18G.09, is amended to read:

20.12 **18G.09 SHIPMENT OF PLANT PESTS AND BIOLOGICAL CONTROL AGENTS.**

20.13 ~~Shipment, introduction into, or release in Minnesota of (1) a plant pest, noxious weed,~~
 20.14 ~~or other organism that may directly or indirectly affect Minnesota's plant life as a harmful~~
 20.15 ~~or dangerous pest, parasite, or predator of other organisms, or (2) an arthropod, is prohibited,~~
 20.16 ~~except under permit issued by the commissioner.~~

20.17 ~~No~~ (a) A person may not sell, offer for sale, move, convey, transport, deliver, ship, or
 20.18 offer for shipment any plant pest, noxious weed, or biological control agent without a permit
 20.19 from the United States Department of Agriculture, Animal and Plant Health Inspection
 20.20 Service or its state equivalent. A permit may be issued only after the commissioner
 20.21 determines that the proposed shipment or use will not create a hazard to the agricultural,
 20.22 forest, or horticultural interests of this state or the state's general environmental quality. For
 20.23 interstate movement, the permit must be affixed conspicuously to the exterior of each
 20.24 shipping container, box, package, or appliance; accompany each shipping container, box,
 20.25 package, or appliance; or comply with other directions of the commissioner. ~~This section~~
 20.26 ~~does not apply to intrastate shipments of federal or state-approved biological control agents~~
 20.27 ~~used in this state for control of plant pests.~~ Shipping containers must be escape-proof and
 20.28 the commissioner shall specify labeling and shipping protocols.

20.29 (b) This section does not apply to:

20.30 (1) intrastate shipments of federal- or state-approved biological control agents used in
 20.31 this state for control of plant pests; and

20.32 (2) interstate shipments of organisms that the United States Department of Agriculture
 20.33 has specifically identified as not needing a permit for movement.

21.1 Sec. 6. Minnesota Statutes 2018, section 18K.02, is amended by adding a subdivision to
21.2 read:

21.3 Subd. 1a. **Applicant.** "Applicant" means an individual who submits an application for
21.4 a license as required under this chapter. If the applicant is an entity, applicant means the
21.5 owner or most responsible individual in charge of the entity.

21.6 Sec. 7. Minnesota Statutes 2018, section 18K.02, is amended by adding a subdivision to
21.7 read:

21.8 Subd. 1b. **Authorized representative.** "Authorized representative" means any individual
21.9 authorized by the licensee to make changes to the license and share data on behalf of the
21.10 licensee.

21.11 Sec. 8. Minnesota Statutes 2018, section 18K.02, is amended by adding a subdivision to
21.12 read:

21.13 Subd. 2a. **Entity.** "Entity" means a corporation, joint stock company, association, limited
21.14 partnership, limited liability partnership, limited liability company, irrevocable trust, estate,
21.15 charitable organization, or other similar organization, including any such organization
21.16 participating in hemp production as a partner in a general partnership, a participant in a joint
21.17 venture, or a participant in a similar organization.

21.18 Sec. 9. Minnesota Statutes 2018, section 18K.02, is amended by adding a subdivision to
21.19 read:

21.20 Subd. 5. **Processing.** "Processing" means rendering by refinement hemp plants or hemp
21.21 plant parts from their natural or original state after harvest. Processing includes but is not
21.22 limited to decortication, devitalization, chopping, crushing, extraction, and packaging.
21.23 Processing does not include typical farm operations such as sorting, grading, baling, and
21.24 harvesting.

21.25 Sec. 10. Minnesota Statutes 2018, section 18K.02, is amended by adding a subdivision to
21.26 read:

21.27 Subd. 6. **Processing location.** "Processing location" means any area, building, plant, or
21.28 facility registered with and approved by the commissioner in which a licensee converts raw
21.29 hemp into a marketable product.

22.1 Sec. 11. Minnesota Statutes 2018, section 18K.02, is amended by adding a subdivision to
22.2 read:

22.3 Subd. 7. **Processor.** "Processor" means a person or business that converts raw hemp
22.4 into a product.

22.5 Sec. 12. Minnesota Statutes 2018, section 18K.04, subdivision 1, is amended to read:

22.6 Subdivision 1. **Requirement; issuance; presumption.** (a) A person must obtain a license
22.7 from the commissioner before (1) growing industrial hemp for commercial or research
22.8 purposes, and (2) before processing industrial hemp for commercial purposes.

22.9 (b) To obtain a license under paragraph (a), a person must apply to the commissioner
22.10 in the form prescribed by the commissioner and must pay the annual registration and
22.11 inspection fee established by the commissioner in accordance with section 16A.1285,
22.12 subdivision 2.

22.13 (c) For a license to grow industrial hemp for commercial or research purposes, the license
22.14 application must include the name and address of the applicant and the legal description of
22.15 the land area or areas where industrial hemp will be grown by the applicant and any other
22.16 information required under Code of Federal Regulations, title 7, part 990.

22.17 (d) For a license to process industrial hemp for commercial purposes, the license
22.18 application must include the name and address of the applicant, the legal description of the
22.19 processing location, and any other information required by the commissioner.

22.20 (e) A licensee is responsible for compliance with the license requirements irrespective
22.21 of the acts or omissions of an authorized representative acting on behalf of the licensee.

22.22 ~~(b)~~ (f) When an applicant has paid the fee and completed the application process to the
22.23 satisfaction of the commissioner, the commissioner must issue a license which is valid until
22.24 December 31 of the year of application.

22.25 ~~(e)~~ (g) A person licensed under this section paragraph (a) to grow industrial hemp is
22.26 presumed to be growing industrial hemp for commercial or research purposes.

22.27 Sec. 13. Minnesota Statutes 2018, section 18K.04, subdivision 3, is amended to read:

22.28 Subd. 3. **Federal requirements.** The applicant must demonstrate to the satisfaction of
22.29 the commissioner that the applicant has complied with all applicable federal requirements
22.30 pertaining to the processing, production, distribution, and sale of industrial hemp.

23.1 Sec. 14. Minnesota Statutes 2018, section 18K.04, is amended by adding a subdivision to
23.2 read:

23.3 Subd. 4. **Industrial hemp licensing data classification.** (a) In addition to data classified
23.4 pursuant to section 13.41, the following data collected, created, or maintained by the
23.5 commissioner under this chapter is classified as private data, as defined in section 13.02,
23.6 subdivision 12, or nonpublic data, as defined in section 13.02, subdivision 9:

23.7 (1) nondesignated addresses provided by licensees and applicants; and

23.8 (2) data that identify the specific locations where licensees and applicants grow or
23.9 process, or will grow or process, industrial hemp, including but not limited to legal
23.10 descriptions, street addresses, geospatial locations, maps, and property boundaries and
23.11 dimensions.

23.12 (b) The commissioner may disclose data classified as private data or nonpublic data
23.13 under this subdivision if the commissioner determines that there is a substantive threat to
23.14 human health or safety or to the environment, or to aid in the law enforcement process.

23.15 Sec. 15. Minnesota Statutes 2018, section 18K.04, is amended by adding a subdivision to
23.16 read:

23.17 Subd. 5. **Industrial hemp licensing data security and auditing.** (a) The commissioner
23.18 must establish written procedures to ensure that only individuals authorized by law may
23.19 access the private data and nonpublic data identified in subdivision 4. An authorized
23.20 individual's ability to enter, update, or access data must correspond to the official duties or
23.21 training level of the individual and to the statutory authorization granting access for that
23.22 purpose. All queries and responses, including the specific purpose for which data is requested
23.23 and, if applicable, disclosed; and all actions in which data are entered, updated, accessed,
23.24 shared, or disseminated, must be recorded in the data audit trail. Data contained in the audit
23.25 trail are public to the extent the data are not otherwise classified by law.

23.26 (b) The commissioner must immediately and permanently revoke the authorization of
23.27 any individual who willfully entered, updated, accessed, shared, or disseminated data in
23.28 violation of state or federal law. If an individual willfully gained access to data without
23.29 authorization by law, the commissioner must forward the matter to the appropriate
23.30 prosecuting authority for prosecution.

23.31 (c) By January 15 of each odd-numbered year, the commissioner must provide a copy
23.32 of the data audit trail required under paragraph (a) to the commissioner of administration;
23.33 the chairs and ranking members of the legislative committees and divisions with jurisdiction

24.1 over agriculture policy and finance, public safety, and data practices; and the Legislative
24.2 Commission on Data Practices and Personal Data Privacy or its successor commission.

24.3 Sec. 16. Minnesota Statutes 2018, section 18K.06, is amended to read:

24.4 **18K.06 RULEMAKING.**

24.5 (a) The commissioner shall adopt rules governing the production, testing, and licensing
24.6 of industrial hemp. Notwithstanding the 18-month limit in section 14.125, the commissioner
24.7 has until December 31, 2022 to publish a notice of intent to adopt rules or a notice of hearing.

24.8 (b) Rules adopted under paragraph (a) must include, but not be limited to, provisions
24.9 governing:

24.10 (1) the supervision and inspection of industrial hemp during its growth and harvest;

24.11 (2) the testing of industrial hemp to determine delta-9 tetrahydrocannabinol levels;

24.12 (3) the use of background check results required under section 18K.04 to approve or
24.13 deny a license application; and

24.14 (4) any other provision or procedure necessary to carry out the purposes of this chapter.

24.15 (c) Rules issued under this section must be consistent with federal law regarding the
24.16 production, distribution, and sale of industrial hemp.

24.17 Sec. 17. Minnesota Statutes 2018, section 25.40, subdivision 1, is amended to read:

24.18 Subdivision 1. **Adoption.** (a) The commissioner may adopt rules for commercial feeds,
24.19 pet foods, and specialty pet foods as are authorized in sections 25.31 to 25.43 and other
24.20 reasonable rules as may be necessary for the efficient enforcement of sections 25.31 to
24.21 25.43. In the interest of uniformity the commissioner shall by rule adopt, unless the
24.22 commissioner determines that they are inconsistent with the provisions of sections 25.31
24.23 to 25.43 or are not appropriate to conditions which exist in this state, the official definitions
24.24 of feed ingredients and official feed terms adopted by the Association of American Feed
24.25 Control Officials and published in the official publication of that organization.

24.26 (b) The Model Pet and Specialty Pet Food Regulation, as adopted by the Association of
24.27 American Feed Control Officials, is adopted as the pet food and specialty pet food rules in
24.28 this state.

25.1 Sec. 18. Minnesota Statutes 2018, section 25.40, subdivision 2, is amended to read:

25.2 Subd. 2. **Notice; public comment.** Before the issuance, amendment, or repeal of any
25.3 rule authorized by sections 25.31 to 25.43, the commissioner shall publish the proposed
25.4 rule, amendment, or notice to repeal an existing rule in a manner reasonably calculated to
25.5 give interested parties, including all current license holders, adequate notice and shall afford
25.6 all interested persons an opportunity to present their views orally or in writing, within a
25.7 reasonable period of time. After consideration of all views presented by interested persons,
25.8 the commissioner shall take appropriate action to issue the proposed rule or to amend or
25.9 repeal an existing rule. The provisions of this subdivision notwithstanding, if the
25.10 commissioner, pursuant to the authority of sections 25.31 to 25.43, adopts the Model Pet
25.11 and Specialty Pet Food Regulation, official definitions of feed ingredients, and official feed
25.12 terms as adopted by the Association of American Feed Control Officials, any amendment
25.13 or modification adopted by the association is adopted automatically under sections 25.31
25.14 to 25.43 without regard to the publication of the notice required by this subdivision unless
25.15 the commissioner, by order specifically determines that the amendment or modification
25.16 shall not be adopted.

25.17 Sec. 19. Minnesota Statutes 2018, section 28A.03, subdivision 8, is amended to read:

25.18 Subd. 8. **Custom processor.** "Custom processor" means a person who slaughters animals
25.19 ~~or processes noninspected meat for the owner of the animals, and returns the meat products~~
25.20 ~~derived from the slaughter or processing to the owner. "Custom processor" does not include~~
25.21 ~~a person who slaughters animals or poultry or processes meat for the owner of the animals~~
25.22 ~~or poultry on the farm or premises of the owner of the animals, meat, or poultry. For the~~
25.23 ~~purpose of this clause, "animals" or "meat" do not include poultry or game animals or meat~~
25.24 ~~derived therefrom~~ conducts activities as defined in section 31A.02, subdivision 5.

25.25 Sec. 20. Minnesota Statutes 2018, section 29.23, subdivision 3, is amended to read:

25.26 Subd. 3. **Egg temperature.** Eggs must be held at a temperature not to exceed 45 degrees
25.27 Fahrenheit (7 degrees Celsius) after being received by the egg handler except for cleaning,
25.28 sanitizing, grading, and further processing when they must immediately be placed under
25.29 refrigeration that is maintained at 45 degrees Fahrenheit (7 degrees Celsius) or below. Eggs
25.30 offered for sale by a retail food handler must be held at a temperature not to exceed ~~41~~ 45
25.31 degrees Fahrenheit (7 degrees Celsius). ~~Equipment in use prior to August 1, 1991, is not~~
25.32 ~~subject to this requirement.~~ Shell eggs that have been frozen must not be offered for sale
25.33 except as approved by the commissioner.

26.1 Sec. 21. Minnesota Statutes 2018, section 31A.02, subdivision 10, is amended to read:

26.2 Subd. 10. **Meat food product; poultry food product.** "Meat food product" or "poultry
26.3 food product" means a product usable as human food and made wholly or in part from meat
26.4 or poultry or a portion of the carcass of cattle, sheep, swine, poultry, wild game or fowl,
26.5 farmed Cervidae, as defined in section 35.153, subdivision 3, llamas, as defined in section
26.6 17.455, subdivision 2, Ratitae, as defined in section 17.453, subdivision 3, or goats. "Meat
26.7 food product" or "poultry food product" does not include products which contain meat,
26.8 poultry, or other portions of the carcasses of cattle, sheep, swine, wild game or fowl, farmed
26.9 Cervidae, llamas, Ratitae, or goats only in a relatively small proportion or that historically
26.10 have not been considered by consumers as products of the meat food industry, and which
26.11 are exempted from definition as a meat food product or poultry food product by the
26.12 commissioner under the conditions the commissioner prescribes to assure that the meat or
26.13 other portions of carcasses contained in the products are not adulterated and that the products
26.14 are not represented as meat food products or poultry food products.

26.15 "Meat food product," as applied to products of equines, has a meaning comparable to
26.16 that for cattle, sheep, swine, wild game or fowl, farmed Cervidae, llamas, Ratitae, and goats.

26.17 Sec. 22. Minnesota Statutes 2018, section 31A.10, is amended to read:

26.18 **31A.10 PROHIBITIONS.**

26.19 No person may, with respect to an animal, carcass, part of a carcass, poultry, poultry
26.20 food product, meat, or meat food product:

26.21 (1) slaughter an animal or prepare an article that is usable as human food, at any
26.22 establishment preparing articles solely for intrastate commerce, except in compliance with
26.23 this chapter;

26.24 (2) sell, transport, offer for sale or transportation, or receive for transportation, in intrastate
26.25 commerce (i) articles which are usable as human food and are adulterated or misbranded
26.26 at the time of sale, transportation, offer for sale or transportation, or receipt for transportation;
26.27 or (ii) articles required to be inspected under sections 31A.01 to 31A.16 that have not been
26.28 inspected and passed;

26.29 (3) do something to an article that is usable as human food while the article is being
26.30 transported in intrastate commerce or held for sale after transportation, which is intended
26.31 to cause or has the effect of causing the article to be adulterated or misbranded; or

27.1 (4) sell, offer for sale, or possess with intent to sell meat derived from custom processing,
 27.2 except wild game and fowl products may be donated under sections 17.035; 97A.505,
 27.3 subdivision 5; 97A.510; and 97B.303.

27.4 Sec. 23. Minnesota Statutes 2018, section 31A.15, subdivision 1, is amended to read:

27.5 Subdivision 1. **Inspection.** The provisions of sections 31A.01 to 31A.16 requiring
 27.6 inspection of the slaughter of animals and the preparation of the carcasses, parts of carcasses,
 27.7 meat, poultry, poultry food products, and meat food products at establishments conducting
 27.8 slaughter and preparation do not apply:

27.9 (1) to the processing by a person of the person's own animals and the owner's preparation
 27.10 and transportation in intrastate commerce of the carcasses, parts of carcasses, meat, poultry,
 27.11 poultry food products, and meat food products of those animals exclusively for use by the
 27.12 owner and members of the owner's household, nonpaying guests, and employees; or

27.13 (2) to the custom processing by a person of ~~cattle, sheep, swine, poultry, or goats~~ animals,
 27.14 wild game, or fowl delivered by the owner for processing, and the preparation or
 27.15 transportation in intrastate commerce of the carcasses, parts of carcasses, meat, poultry,
 27.16 poultry food products, and meat food products of animals, exclusively for use in the
 27.17 household of the owner by the owner and members of the owner's household, nonpaying
 27.18 guests, and employees. Meat from custom processing ~~of cattle, sheep, swine, poultry, or~~
 27.19 ~~goats~~ must be identified and handled as required by the commissioner, during all phases of
 27.20 processing, chilling, cooling, freezing, preparation, storage, and transportation. The custom
 27.21 processor may not engage in the business of buying or selling carcasses, parts of carcasses,
 27.22 meat, poultry, poultry food products, or meat food products of animals usable as human
 27.23 food unless the carcasses, parts of carcasses, meat, poultry, poultry food products, or meat
 27.24 food products have been inspected and passed and are identified as inspected and passed
 27.25 by the Minnesota Department of Agriculture or the United States Department of Agriculture.

27.26 Sec. 24. Minnesota Statutes 2018, section 41B.056, subdivision 4, is amended to read:

27.27 Subd. 4. **Loans.** (a) The authority may disburse loans through an intermediary to farmers
 27.28 who are eligible under subdivision 3. The total accumulative loan principal must not exceed
 27.29 ~~\$10,000~~ \$20,000 per loan.

27.30 (b) Refinancing an existing debt is not an eligible purpose.

27.31 (c) The loan may be disbursed over a period not to exceed six years.

28.1 (d) A borrower may receive loans, depending on the availability of funds, up to 70
 28.2 percent of the estimated value of the crop or livestock.

28.3 (e) Security for the loan must be a personal note executed by the borrower and any other
 28.4 security required by the intermediary or the authority.

28.5 (f) The authority may prescribe forms and establish an application process for applicants
 28.6 to apply for a loan.

28.7 (g) The interest payable on loans for the pilot agricultural microloan program must be
 28.8 at a rate determined by the authority.

28.9 (h) Loans under this program will be made using money in the revolving loan account
 28.10 established under section 41B.06.

28.11 (i) Repayments of financial assistance under this section, including principal and interest,
 28.12 must be deposited into the revolving loan account established under section 41B.06.

28.13 Sec. 25. Minnesota Statutes 2018, section 41D.01, is amended to read:

28.14 **41D.01 MINNESOTA ~~AGRICULTURE~~ AGRICULTURAL EDUCATION**
 28.15 **LEADERSHIP COUNCIL.**

28.16 Subdivision 1. **Establishment; membership.** (a) The Minnesota ~~Agriculture~~ Agricultural
 28.17 Education Leadership Council is established. The council is composed of ~~17~~ 16 members
 28.18 as follows:

28.19 (1) ~~the chair of the University of Minnesota agricultural education program a~~
 28.20 representative of an agricultural education program at a higher education institution that
 28.21 prepares agriculture teachers for licensure;

28.22 (2) a representative of the commissioner of education;

28.23 (3) a representative of the Minnesota State Colleges and Universities recommended by
 28.24 the chancellor;

28.25 (4) the president and the president-elect of the Minnesota Association of ~~Agriculture~~
 28.26 Agricultural Educators;

28.27 (5) a representative of the ~~Future Farmers of America~~ Minnesota FFA Foundation;

28.28 (6) a representative of the commissioner of agriculture;

28.29 (7) the dean of the College of ~~Agriculture, Food, Agricultural and Environmental~~ Natural
 28.30 Resource Sciences at the University of Minnesota;

- 29.1 ~~(8) a representative of the Minnesota Private Colleges Council;~~
- 29.2 ~~(9)~~ (8) two members representing ~~agriculture~~ agricultural education and agriculture
- 29.3 business appointed by the governor;
- 29.4 ~~(10)~~ (9) the chair and ranking minority member of ~~the~~ a senate ~~Committee on Agriculture,~~
- 29.5 ~~General Legislation and Veterans Affairs~~ committee with jurisdiction over agriculture;
- 29.6 ~~(11)~~ (10) the chair and ranking minority member of ~~the~~ a house of representatives
- 29.7 ~~Committee on Agriculture~~ committee with jurisdiction over agriculture;
- 29.8 ~~(12) the ranking minority member of the senate Committee on Agriculture, General~~
- 29.9 ~~Legislation and Veterans Affairs, and~~ (11) a member of ~~the~~ a senate ~~Education Committee~~
- 29.10 committee with jurisdiction over education designated by the Subcommittee on Committees
- 29.11 of the Committee on Rules and Administration; and
- 29.12 ~~(13) the ranking minority member of the house of representatives Agriculture Committee,~~
- 29.13 ~~and~~ (12) a member of ~~the~~ a house of representatives ~~Education Committee~~ committee with
- 29.14 jurisdiction over education designated by the speaker.
- 29.15 (b) An ex officio member of the council under paragraph (a), clause ~~(1)~~, (4), (7), ~~(10)~~
- 29.16 ~~(9)~~, ~~(11)~~ (10), ~~(12)~~ (11), or ~~(13)~~ (12), may designate a permanent or temporary replacement
- 29.17 member representing the same constituency.
- 29.18 Subd. 2. **Powers and duties.** Specific powers and duties of the council are to:
- 29.19 (1) develop recommendations to the legislature and the governor and provide review
- 29.20 for ~~agriculture~~ agricultural education programs in Minnesota;
- 29.21 (2) establish a grant program to foster and encourage the development of secondary and
- 29.22 postsecondary ~~agriculture~~ agricultural education programs;
- 29.23 (3) coordinate and articulate Minnesota's ~~agriculture~~ agricultural education policy across
- 29.24 all programs and institutions;
- 29.25 (4) identify the critical needs for ~~agriculture~~ agricultural educators;
- 29.26 (5) serve as a link between the agribusiness sector and the ~~agriculture~~ agricultural
- 29.27 education system to communicate mutual concerns, needs, and projections;
- 29.28 (6) establish and maintain an increased awareness of ~~agriculture~~ agricultural education
- 29.29 and its continued need to all citizens of Minnesota;
- 29.30 (7) operate the Minnesota Center for ~~Agriculture~~ Agricultural Education created in
- 29.31 section 41D.03;

30.1 (8) gain broad public support for ~~agriculture~~ agricultural education in Minnesota; and

30.2 (9) report annually on its activities to the ~~senate Agriculture and Rural Development~~

30.3 ~~Committee and the house of representatives Agriculture Committee~~ legislative committees

30.4 with jurisdiction over agriculture policy.

30.5 Subd. 3. **Council officers; terms and compensation of appointees; staff.** (a) The ~~chair~~

30.6 chairs of the ~~senate Agriculture, General Legislation and Veterans Affairs Committee and~~

30.7 ~~the chair of the house of representatives Agriculture Committee~~ legislative committees with

30.8 jurisdiction over agriculture policy, or their designees, are the cochairs of the council.

30.9 (b) The council's membership terms, compensation, filling of vacancies, and removal

30.10 of members are as provided in section 15.0575.

30.11 (c) The council may employ an executive director and any other staff to carry out its

30.12 functions.

30.13 Sec. 26. Minnesota Statutes 2018, section 41D.02, is amended to read:

30.14 **41D.02 ~~AGRICULTURE~~ AGRICULTURAL EDUCATION GRANT PROGRAM.**

30.15 Subdivision 1. **Establishment.** The Minnesota ~~Agriculture~~ Agricultural Education

30.16 Leadership Council shall establish a program to provide grants under subdivisions 2 and 3

30.17 to educational institutions and other appropriate entities for secondary and postsecondary

30.18 ~~agriculture~~ agricultural education programs.

30.19 Subd. 2. **Elementary and secondary agricultural education.** The council may provide

30.20 grants for:

30.21 (1) planning and establishment costs for elementary and secondary ~~agriculture~~ agricultural

30.22 education programs;

30.23 (2) new instructional and communication technologies; and

30.24 (3) curriculum updates.

30.25 Subd. 3. **Postsecondary education.** The council may provide grants for:

30.26 (1) new instructional and communication technologies; and

30.27 (2) special project funding, including programming, in-service training, and support

30.28 staff.

31.1 Sec. 27. Minnesota Statutes 2018, section 41D.03, is amended to read:

31.2 **41D.03 MINNESOTA CENTER FOR ~~AGRICULTURE~~ AGRICULTURAL**
31.3 **EDUCATION.**

31.4 Subdivision 1. **Governance.** The Minnesota Center for ~~Agriculture~~ Agricultural Education
31.5 is governed by the Minnesota ~~Agriculture~~ Agricultural Education Leadership Council.

31.6 Subd. 2. **Powers and duties of council.** (a) The council has the powers necessary for
31.7 the care, management, and control of the Minnesota Center for ~~Agriculture~~ Agricultural
31.8 Education and all its real and personal property. The powers shall include, but are not limited
31.9 to, those listed in this subdivision.

31.10 (b) The council may employ necessary employees, and contract for other services to
31.11 ensure the efficient operation of the Center for ~~Agriculture~~ Agricultural Education.

31.12 (c) The council may receive and award grants. The council may establish a charitable
31.13 foundation and accept, in trust or otherwise, any gift, grant, bequest, or devise for educational
31.14 purposes and hold, manage, invest, and dispose of them and the proceeds and income of
31.15 them according to the terms and conditions of the gift, grant, bequest, or devise and its
31.16 acceptance. The council shall adopt internal procedures to administer and monitor aids and
31.17 grants.

31.18 (d) The council may establish or coordinate evening, continuing education, and summer
31.19 programs for teachers and pupils.

31.20 (e) The council may determine the location for the Minnesota Center for ~~Agriculture~~
31.21 Agricultural Education and any additional facilities related to the center, including the
31.22 authority to lease a temporary facility.

31.23 (f) The council may enter into contracts with other public and private agencies and
31.24 institutions for building maintenance services if it determines that these services could be
31.25 provided more efficiently and less expensively by a contractor than by the council itself.
31.26 The council may also enter into contracts with public or private agencies and institutions,
31.27 school districts or combinations of school districts, or educational cooperative service units
31.28 to provide supplemental educational instruction and services.

31.29 Subd. 3. **Center account.** There is established in the state treasury a center for ~~agriculture~~
31.30 agricultural education account in the special revenue fund. All money collected by the
31.31 council, including rental income, shall be deposited in the account. Money in the account,
31.32 including interest earned, is appropriated to the council for the operation of its services and
31.33 programs.

32.1 Subd. 4. **Employees.** The employees hired under this subdivision and any other necessary
 32.2 employees hired by the council shall be employees of the University of Minnesota.

32.3 Subd. 5. **Policies.** The council may adopt administrative policies about the operation of
 32.4 the center.

32.5 Subd. 6. **Public postsecondary institutions; providing space.** Public postsecondary
 32.6 institutions shall provide space for the Minnesota Center for ~~Agriculture~~ Agricultural
 32.7 Education at a reasonable cost to the center to the extent that space is available at the public
 32.8 postsecondary institutions.

32.9 Subd. 7. **Purchasing instructional items.** Technical educational equipment may be
 32.10 procured for programs of the Minnesota Center for ~~Agriculture~~ Agricultural Education by
 32.11 the council either by brand designation or in accordance with standards and specifications
 32.12 the council may adopt, notwithstanding chapter 16C.

32.13 Sec. 28. Minnesota Statutes 2018, section 41D.04, is amended to read:

32.14 **41D.04 RESOURCE, MAGNET, AND OUTREACH PROGRAMS.**

32.15 Subdivision 1. **Resource and outreach.** The center shall offer resource and outreach
 32.16 programs and services statewide aimed at the enhancement of ~~agriculture~~ agricultural
 32.17 education opportunities for pupils in elementary and secondary school.

32.18 Subd. 2. **Center responsibilities.** The center shall:

32.19 (1) provide information and technical services to agriculture teachers, professional
 32.20 agriculture organizations, school districts, and the Department of Education;

32.21 (2) gather and conduct research in ~~agriculture~~ agricultural education;

32.22 (3) design and promote ~~agriculture~~ agricultural education opportunities for all Minnesota
 32.23 pupils in elementary and secondary schools; and

32.24 (4) serve as liaison for the Department of Education to national organizations for
 32.25 ~~agriculture~~ agricultural education.

32.26 Sec. 29. Minnesota Statutes 2019 Supplement, section 223.16, subdivision 4, is amended
 32.27 to read:

32.28 Subd. 4. **Grain.** "Grain" means ~~any cereal grain, coarse grain, or oilseed in unprocessed~~
 32.29 ~~form for which a standard has been established by the United States Secretary of Agriculture,~~
 32.30 ~~dry edible beans, or other agricultural crops designated by the commissioner by rule~~ all
 32.31 products commonly referred to as grain, including wheat, corn, oats, barley, rye, rice,

33.1 soybeans, emmer, sorghum, triticale, millet, pulses, dry edible beans, sunflower seed,
33.2 rapeseed, canola, safflower, flaxseed, mustard seed, crambe, sesame seed, and other products
33.3 ordinarily stored in grain warehouses.

33.4 Sec. 30. Minnesota Statutes 2019 Supplement, section 223.177, subdivision 2, is amended
33.5 to read:

33.6 Subd. 2. **Oral contracts.** Any grain buyer entering into a voluntary extension of credit
33.7 contract orally or by phone shall give or mail to the seller a written confirmation conforming
33.8 to the requirements of section 223.175 within ~~ten~~ 30 days of entering the voluntary extension
33.9 of credit contract. Written confirmation of oral contracts must meet the requirements of
33.10 subdivision 3.

33.11 Sec. 31. Minnesota Statutes 2019 Supplement, section 223.177, subdivision 3, is amended
33.12 to read:

33.13 Subd. 3. **Contracts reduced to writing.** A voluntary extension of credit contract must
33.14 be reduced to writing by the grain buyer, mailed or given to the seller, and signed by both
33.15 buyer and seller within ~~ten~~ 30 days of the date of delivery of the grain. The form of the
33.16 contract shall comply with the requirements of section 223.175. A grain buyer may use an
33.17 electronic version of a voluntary extension of credit contract that contains the same
33.18 information as a written document and that conforms to the requirements of this chapter to
33.19 which a seller has applied an electronic signature in place of a written document. There
33.20 must not at any time be an electronic and paper voluntary extension of credit contract
33.21 representing the same lot of grain.

33.22 Sec. 32. **[343.215] VETERINARIAN IMMUNITY.**

33.23 A licensed veterinarian acting in good faith and in the normal course of business is
33.24 immune from civil and criminal liability in any action arising in connection with the report
33.25 of a suspected incident of animal cruelty.

33.26 **EFFECTIVE DATE.** This section is effective August 1, 2020, and applies to actions
33.27 committed on or after that date.

34.1 Sec. 33. Laws 2019, First Special Session chapter 1, article 1, section 2, subdivision 4, is
 34.2 amended to read:

34.3 **Subd. 4. Agriculture, Bioenergy, and Bioproduct**
 34.4 **Advancement**

23,653,000

23,654,000

34.5 (a) \$9,300,000 the first year and \$9,300,000
 34.6 the second year are for transfer to the
 34.7 agriculture research, education, extension, and
 34.8 technology transfer account under Minnesota
 34.9 Statutes, section 41A.14, subdivision 3. Of
 34.10 these amounts: at least \$600,000 the first year
 34.11 and \$600,000 the second year are for the
 34.12 Minnesota Agricultural Experiment Station's
 34.13 agriculture rapid response fund under
 34.14 Minnesota Statutes, section 41A.14,
 34.15 subdivision 1, clause (2); \$2,000,000 the first
 34.16 year and \$2,000,000 the second year are for
 34.17 grants to the Minnesota Agriculture Education
 34.18 Leadership Council to enhance agricultural
 34.19 education with priority given to Farm Business
 34.20 Management challenge grants; \$350,000 the
 34.21 first year and \$350,000 the second year are
 34.22 for potato breeding; and \$450,000 the first
 34.23 year and \$450,000 the second year are for the
 34.24 cultivated wild rice breeding project at the
 34.25 North Central Research and Outreach Center
 34.26 to include a tenure track/research associate
 34.27 plant breeder. The commissioner shall transfer
 34.28 the remaining funds in this appropriation each
 34.29 year to the Board of Regents of the University
 34.30 of Minnesota for purposes of Minnesota
 34.31 Statutes, section 41A.14. Of the amount
 34.32 transferred to the Board of Regents, up to
 34.33 \$1,000,000 each year is for research on avian
 34.34 influenza.

35.1 To the extent practicable, money expended
35.2 under Minnesota Statutes, section 41A.14,
35.3 subdivision 1, clauses (1) and (2), must
35.4 supplement and not supplant existing sources
35.5 and levels of funding. The commissioner may
35.6 use up to one percent of this appropriation for
35.7 costs incurred to administer the program.

35.8 (b) \$14,353,000 the first year and \$14,354,000
35.9 the second year are for the agricultural growth,
35.10 research, and innovation program in
35.11 Minnesota Statutes, section 41A.12. Except
35.12 as provided below, the commissioner may
35.13 allocate the appropriation each year among
35.14 the following areas: facilitating the start-up,
35.15 modernization, improvement, or expansion of
35.16 livestock operations including beginning and
35.17 transitioning livestock operations with
35.18 preference given to robotic dairy-milking
35.19 equipment; providing funding not to exceed
35.20 \$400,000 each year to develop and enhance
35.21 farm-to-school markets for Minnesota farmers
35.22 by providing more fruits, vegetables, meat,
35.23 grain, and dairy for Minnesota children in
35.24 school and child care settings including, at the
35.25 commissioner's discretion, reimbursing
35.26 schools for purchases from local farmers;
35.27 assisting value-added agricultural businesses
35.28 to begin or expand, to access new markets, or
35.29 to diversify, including aquaponics systems;
35.30 providing funding not to exceed \$300,000
35.31 each year for urban youth agricultural
35.32 education or urban agriculture community
35.33 development; providing funding not to exceed
35.34 \$300,000 each year for the good food access
35.35 program under Minnesota Statutes, section
35.36 17.1017; facilitating the start-up,

36.1 modernization, or expansion of other
36.2 beginning and transitioning farms including
36.3 by providing loans under Minnesota Statutes,
36.4 section 41B.056; sustainable agriculture
36.5 on-farm research and demonstration;
36.6 development or expansion of food hubs and
36.7 other alternative community-based food
36.8 distribution systems; enhancing renewable
36.9 energy infrastructure and use; crop research
36.10 including basic and applied turf seed research;
36.11 Farm Business Management tuition assistance;
36.12 and good agricultural practices/good handling
36.13 practices certification assistance. The
36.14 commissioner may use up to 6.5 percent of
36.15 this appropriation for costs incurred to
36.16 administer the program.

36.17 Of the amount appropriated for the agricultural
36.18 growth, research, and innovation program in
36.19 Minnesota Statutes, section 41A.12:

36.20 (1) \$1,000,000 the first year and \$1,000,000
36.21 the second year are for distribution in equal
36.22 amounts to each of the state's county fairs to
36.23 preserve and promote Minnesota agriculture;

36.24 (2) \$2,500,000 the first year and \$2,500,000
36.25 the second year are for incentive payments
36.26 under Minnesota Statutes, sections 41A.16,
36.27 41A.17, and 41A.18. Notwithstanding
36.28 Minnesota Statutes, section 16A.28, the first
36.29 year appropriation is available until June 30,
36.30 2021, and the second year appropriation is
36.31 available until June 30, 2022. If this
36.32 appropriation exceeds the total amount for
36.33 which all producers are eligible in a fiscal
36.34 year, the balance of the appropriation is
36.35 available for the agricultural growth, research,

37.1 and innovation program. The base amount for
37.2 the allocation under this clause is \$3,000,000
37.3 in fiscal year 2022 and later;

37.4 (3) up to \$5,000,000 the first year is for Dairy
37.5 Assistance, Investment, Relief Initiative
37.6 (DAIRI) grants to Minnesota dairy farmers
37.7 who enroll for five years of coverage under
37.8 the federal dairy margin coverage program
37.9 and produced no more than 16,000,000 pounds
37.10 of milk in 2018. The commissioner must
37.11 award DAIRI grants based on participating
37.12 producers' amount of 2018 milk, up to
37.13 5,000,000 pounds per participating producer,
37.14 at a rate determined by the commissioner
37.15 within the limits of available funding;

37.16 (4) up to \$5,000,000 the second year is for an
37.17 innovative soybean processing and research
37.18 facility at the Ag Innovation Campus;

37.19 (5) \$75,000 the first year is for a grant to
37.20 Greater Mankato Growth, Inc. for assistance
37.21 to agricultural-related businesses to promote
37.22 jobs, innovation, and synergy development;
37.23 and

37.24 (6) \$75,000 the first year and \$75,000 the
37.25 second year are for grants to the Minnesota
37.26 Turf Seed Council for basic and applied
37.27 research.

37.28 The amounts in clauses (3) to (6) are onetime.
37.29 Notwithstanding Minnesota Statutes, section
37.30 16A.28, any unencumbered balance does not
37.31 cancel at the end of the first year and is
37.32 available for the second year and
37.33 appropriations encumbered under contract on
37.34 or before June 30, 2021, for agricultural

38.1 growth, research, and innovation grants are
38.2 available until June 30, 2024.

38.3 The base amount for the agricultural growth,
38.4 research, and innovation program is
38.5 \$14,693,000 in fiscal year 2022 and
38.6 \$14,693,000 in fiscal year 2023, and includes
38.7 funding for incentive payments under
38.8 Minnesota Statutes, sections 41A.16, 41A.17,
38.9 41A.18, and 41A.20.

38.10 The commissioner must consult with the
38.11 commissioner of transportation, the
38.12 commissioner of administration, and local
38.13 units of government to identify at least ten
38.14 parcels of publicly owned land that are suitable
38.15 for urban agriculture.

38.16 Sec. 34. **BIOFUELS REPORT.**

38.17 The commissioner of agriculture must prepare a report outlining Minnesota's ability to
38.18 meet the petroleum replacement goal in Minnesota Statutes, section 239.7911, and utilize
38.19 biofuels to achieve the greenhouse gas reductions under Minnesota Statutes, chapter 216H.
38.20 No later than January 15, 2021, the commissioner of agriculture must submit the report to
38.21 the chairs and ranking members of the legislative committees and divisions with jurisdiction
38.22 over agriculture policy and finance. The report must:

38.23 (1) recommend specific policies that would utilize biofuels to accelerate achievement
38.24 of the petroleum replacement goal and the greenhouse gas reduction goals;

38.25 (2) identify the biofuels infrastructure required to achieve the petroleum replacement
38.26 goal; and

38.27 (3) recommend cost-effective incentives necessary to expedite the use of greater biofuel
38.28 blends in this state, including but not limited to incentives for retailers to install equipment
38.29 necessary to dispense renewable liquid fuels to the public.

38.30 Sec. 35. **FARM SAFETY RECOMMENDATIONS.**

38.31 The commissioner of agriculture, in consultation with the Farm Safety Advisory
38.32 Committee, must develop recommendations regarding how best to provide financial and

- 39.1 technical workplace safety assistance to Minnesota farmers. No later than January 15, 2021,
- 39.2 the commissioner of agriculture must report to the legislative committees and divisions with
- 39.3 jurisdiction over agriculture.

APPENDIX
Repealed Minnesota Statutes: S4223-1

21.81 DEFINITIONS.

Subd. 12. **Initial labeler.** "Initial labeler" means a person who is the first to label for sale within this state an agricultural, vegetable, flower, tree, or shrub seed.