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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-SECOND SESSION

H. F. No. 2638

05/14/2021 Authored by Petersburg The bill was read for the first time and referred to the Committee on Agriculture Finance and Policy

1.1 A bill for an act
1.2 relating to agriculture; making changes to the agricultural land preservation
1.3 program; amending Minnesota Statutes 2020, sections 40A.11, subdivision 1;
1.4 40A.18, subdivision 2.

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

1.6 Section 1. Minnesota Statutes 2020, section 40A.11, subdivision 1, is amended to read:

1.7 Subdivision 1. General. An agricultural preserve continues in existence until either the
1.8 owner or the county initiates expiration as provided in this section. The date of expiration
1.9 by the owner or the county must be at least ~~eight~~ three years from the date of notice under
1.10 this section.

1.11 Sec. 2. Minnesota Statutes 2020, section 40A.18, subdivision 2, is amended to read:

1.12 Subd. 2. Allowed commercial and industrial operations. (a) Commercial and industrial
1.13 operations are not allowed on land within an agricultural preserve except:

1.14 (1) small on-farm commercial or industrial operations normally associated with and
1.15 important to farming in the agricultural preserve area;

1.16 (2) storage use of existing farm buildings that does not disrupt the integrity of the
1.17 agricultural preserve;

1.18 (3) small commercial use of existing farm buildings for trades not disruptive to the
1.19 integrity of the agricultural preserve such as a carpentry shop, small scale mechanics shop,
1.20 and similar activities that a farm operator might conduct; ~~and~~

2.1 (4) wireless communication installments and related equipment and structure capable  
2.2 of providing technology potentially beneficial to farming activities. A property owner who  
2.3 installs wireless communication equipment does not violate a covenant made prior to January  
2.4 1, 2018, under section 40A.10, subdivision 1; and

2.5 (5) solar energy generating systems with an output capacity of one megawatt or less.

2.6 (b) For purposes of paragraph (a), clauses (2) and (3), "existing" means existing on  
2.7 August 1, 1989.