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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-FOURTH SESSION

H. F. No. 3584

02/23/2026 Authored by Altendorf, Jacob and Allen
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; transferring aquaculture duties to commissioner of
1.3 agriculture; clarifying authority of commissioner of natural resources; recodifying
1.4 private fish hatcheries; appropriating money; amending Minnesota Statutes 2024,
1.5 sections 17.4981; 17.4982, subdivisions 1, 7; 17.4984, subdivision 6; 17.4985,
1.6 subdivision 2; 17.4991, subdivision 3; 17.4992, subdivisions 3, 4, 6, by adding a
1.7 subdivision; 17.4995; 17.4997; repealing Minnesota Statutes 2024, section 97C.211,
1.8 subdivision 5; Minnesota Rules, part 6250.0101.

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

1.10 Section 1. Minnesota Statutes 2024, section 17.4981, is amended to read:

1.11 17.4981 GENERAL CONDITIONS FOR REGULATION OF AQUATIC FARMS.

1.12 (a) Aquatic farms are licensed to culture private aquatic life. Cultured aquatic life is not
1.13 wildlife. Aquatic farms must be licensed and given classifications to prevent or minimize
1.14 impacts on natural resources. The purpose of sections 17.4981 to 17.4997 is to:

- 1.15 (1) prevent public aquatic life from entering an aquatic farm;
1.16 (2) prevent release of nonindigenous or exotic species into public waters without approval
1.17 of the commissioner;
1.18 (3) protect against release of disease pathogens to public waters;
1.19 (4) protect existing natural aquatic habitats and the wildlife dependent on them; and
1.20 (5) protect private aquatic life from unauthorized taking or harvest.

1.21 (b) Private aquatic life that is legally acquired and possessed is an article of interstate
1.22 commerce and may be restricted only as necessary to protect state fish and water resources.

2.1 (c) The commissioner of ~~natural resources~~ shall establish license and other fees as
 2.2 provided in section 16A.1285, subdivision 2, that would make aquaculture licensing and
 2.3 enforcement self-sustaining. Notwithstanding section 16A.1283, the commissioner may,
 2.4 by written order published in the State Register, establish the fees required by this section.
 2.5 The fees are not subject to the rulemaking provisions of chapter 14, and section 14.386 does
 2.6 not apply. The commissioner shall develop best management practices for aquaculture to
 2.7 ensure the long-term sustainability of aquaculture and wetlands used for aquaculture,
 2.8 including, but not limited to, fish farming in man-made ponds.

2.9 Sec. 2. Minnesota Statutes 2024, section 17.4982, subdivision 1, is amended to read:

2.10 Subdivision 1. **Scope.** The definitions in this section apply to sections ~~17.4981~~ 17.4975
 2.11 to 17.4998.

2.12 Sec. 3. Minnesota Statutes 2024, section 17.4982, subdivision 7, is amended to read:

2.13 Subd. 7. **Commissioner.** "Commissioner" means the commissioner of ~~natural resources~~
 2.14 agriculture.

2.15 Sec. 4. Minnesota Statutes 2024, section 17.4984, subdivision 6, is amended to read:

2.16 Subd. 6. **Inspections and enforcement.** ~~(a)~~ The premises, property, vehicles, private
 2.17 aquatic life, and equipment where private aquatic farm operations are being conducted are
 2.18 subject to reasonable and necessary inspections at reasonable times by ~~conservation officers~~
 2.19 the commissioner. The reason for the inspection must be provided in writing. The owner,
 2.20 operator, or designee may be present when inspections are conducted.

2.21 ~~(b) Conservation officers may enforce sections 17.4981 to 17.4997 under section 97A.205.~~

2.22 Sec. 5. Minnesota Statutes 2024, section 17.4985, subdivision 2, is amended to read:

2.23 Subd. 2. **Bill of lading.** (a) A state-issued bill of lading is required for:

2.24 (1) intrastate transportation of aquatic life other than salmonids, catfish, or species on
 2.25 the VHS-susceptible-species list between licensed private fish hatcheries, aquatic farms, or
 2.26 aquarium facilities licensed for the species being transported if the aquatic life is being
 2.27 transported into a watershed where it is not currently present, if walleyes whose original
 2.28 source is south of marked State Highway 210 are being transported to a facility north of
 2.29 marked State Highway 210, or if the original source of the aquatic life is outside Minnesota
 2.30 and contiguous states; and

3.1 (2) stocking waters other than public waters with aquatic life other than salmonids,
3.2 catfish, or species on the VHS-susceptible-species list.

3.3 (b) When aquatic life is transported under paragraph (a), a copy of the bill of lading
3.4 must be submitted to the regional fisheries manager at least 72 hours before the transportation.

3.5 (c) For transportation and stocking of waters that are not public waters:

3.6 (1) a bill of lading must be submitted to the regional fisheries manager 72 hours before
3.7 transporting fish for stocking;

3.8 (2) a bill of lading must be submitted to the regional fisheries manager within five days
3.9 after stocking if the waters to be stocked are confirmed by telecopy or telephone prior to
3.10 stocking by the regional fisheries office not to be public waters; or

3.11 (3) a completed bill of lading may be submitted to the regional fisheries office by telecopy
3.12 prior to transporting fish for stocking. Confirmation that the waters to be stocked are not
3.13 public waters may be made by returning the bill of lading by telecopy or in writing, in which
3.14 cases additional copies need not be submitted to the Department of ~~Natural Resources~~
3.15 Agriculture.

3.16 (d) Bill of lading forms may only be issued by the Department of ~~Natural Resources~~
3.17 Agriculture in St. Paul, and new bill of lading forms may not be issued until all previously
3.18 issued forms have been returned.

3.19 Sec. 6. Minnesota Statutes 2024, section 17.4991, subdivision 3, is amended to read:

3.20 Subd. 3. **Fish health inspection.** (a) An aquatic farm propagating salmonids, catfish,
3.21 or species on the VHS-susceptible-species list and having an effluent discharge from the
3.22 aquatic farm into public waters must have a fish health inspection conducted at least once
3.23 every 12 months by a certified fish health inspector. Testing must be conducted according
3.24 to laboratory methods of the Fish Health Blue Book or the Diagnostic Manual for Aquatic
3.25 Animal Diseases, published by the International Office of Epizootics (OIE).

3.26 (b) An aquatic farm propagating any species on the VHS susceptible list and having an
3.27 effluent discharge from the aquatic farm into public waters must test for VHS virus using
3.28 the guidelines of the Fish Health Blue Book or the Diagnostic Manual for Aquatic Animal
3.29 Diseases. The commissioner may, by written order published in the State Register, prescribe
3.30 alternative testing time periods and methods from those prescribed in the Fish Health Blue
3.31 Book or the OIE Diagnostic Manual if the commissioner determines that biosecurity measures
3.32 will not be compromised. These alternatives are not subject to the rulemaking provisions

4.1 of chapter 14 and section 14.386 does not apply. The commissioner must provide reasonable
4.2 notice to affected parties of any changes in testing requirements.

4.3 (c) Results of fish health inspections must be provided to the commissioner for all fish
4.4 that remain in the state. All data used to prepare and issue a fish health certificate must be
4.5 maintained for three years by the issuing fish health inspector, approved laboratory, or
4.6 accredited veterinarian.

4.7 (d) A health inspection fee must be charged based on each lot of fish sampled. The fee
4.8 by check or money order payable to the Department of ~~Natural Resources~~ Agriculture must
4.9 be prepaid or paid at the time a bill or notice is received from the commissioner that the
4.10 inspection and processing of samples is completed.

4.11 (e) Upon receipt of payment and completion of inspection, the commissioner shall notify
4.12 the operator and issue a fish health certificate. The certification must be made according to
4.13 the Fish Health Blue Book or the Diagnostic Manual for Aquatic Animal Diseases by a
4.14 person certified as a fish health inspector.

4.15 (f) All aquatic life in transit or held at transfer stations within the state may be inspected
4.16 by the commissioner. This inspection may include the collection of stock for purposes of
4.17 pathological analysis. Sample size necessary for analysis will follow guidelines listed in
4.18 the Fish Health Blue Book or the Diagnostic Manual for Aquatic Animal Diseases.

4.19 (g) Salmonids, catfish, or species on the VHS susceptible list must have a fish health
4.20 inspection before being transported from a containment facility, unless the fish are being
4.21 transported directly to an outlet for processing or other food purposes or unless the
4.22 commissioner determines that an inspection is not needed. A fish health inspection conducted
4.23 for this purpose need only be done on the lot or lots of fish that will be transported. The
4.24 commissioner must conduct a fish health inspection requested for this purpose within five
4.25 working days of receiving written notice. Salmonids and catfish may be immediately
4.26 transported from a containment facility to another containment facility once a sample has
4.27 been obtained for a health inspection or once the five-day notice period has expired.

4.28 Sec. 7. Minnesota Statutes 2024, section 17.4992, subdivision 3, is amended to read:

4.29 Subd. 3. **Acquisition of fish for brood stock.** (a) Game fish brood stock and native
4.30 rough fish brood stock may be sold to private fish hatcheries or aquatic farms by the state
4.31 at fair wholesale market value. For brood stock development, up to 20 pair of adults of each
4.32 species requested may be provided to a licensee once every three years, if available, by the
4.33 state through normal operations.

5.1 (b) If brood stock is not available by the June 1 following the request under paragraph
 5.2 (a) and a permit to take brood stock by angling is requested by the licensee, within 30 days
 5.3 of the request, the commissioner of natural resources may issue a permit to the licensee to
 5.4 take, by angling, up to 20 pairs of each species requested. Game and fish laws and rules
 5.5 relating to daily limits, seasons, and methods apply to the taking of fish by angling pursuant
 5.6 to a permit issued under this paragraph.

5.7 Sec. 8. Minnesota Statutes 2024, section 17.4992, subdivision 4, is amended to read:

5.8 Subd. 4. **Sale of eggs by the state.** The commissioner of natural resources may offer
 5.9 for sale or barter as eggs or fry from the ~~department's~~ Department of Natural Resources'
 5.10 annual game fish egg harvest.

5.11 Sec. 9. Minnesota Statutes 2024, section 17.4992, subdivision 6, is amended to read:

5.12 Subd. 6. **Stocking walleyes north of marked State Highway 210.** Walleyes from
 5.13 outside of the area of the state north of marked State Highway 210 may not be stocked in
 5.14 waters of the state north of marked State Highway 210 without approval by the commissioner
 5.15 of natural resources.

5.16 Sec. 10. Minnesota Statutes 2024, section 17.4992, is amended by adding a subdivision
 5.17 to read:

5.18 Subd. 7. **Price of game fish fry and eggs.** The commissioner of natural resources may
 5.19 sell or barter game fish or native rough fish fry or eggs for not less than the cost associated
 5.20 with the production of fry or eggs.

5.21 Sec. 11. Minnesota Statutes 2024, section 17.4995, is amended to read:

5.22 **17.4995 RECEIPTS TO THE GAME AND FISH FUND AQUACULTURE**
 5.23 **ACCOUNT.**

5.24 An aquaculture account is established in the agricultural fund. Money in the account,
 5.25 including interest, is appropriated to the commissioner of agriculture to administer sections
 5.26 17.4975 to 17.4997. Money received by the state under sections ~~17.4981~~ 17.4975 to 17.4997
 5.27 must be deposited in the ~~state treasury~~ agricultural fund and credited to the ~~game and fish~~
 5.28 fund aquaculture account.

6.1 Sec. 12. Minnesota Statutes 2024, section 17.4997, is amended to read:

6.2 **17.4997 RULES.**

6.3 The commissioner may adopt rules that are consistent with sections 17.4981 to 17.4996.
6.4 The commissioner must notify the Minnesota Aquaculture Commission and the commissioner
6.5 of ~~agriculture~~ natural resources prior to publication of the proposed rules.

6.6 Sec. 13. **TRANSFER OF DUTIES; AQUACULTURE.**

6.7 (a) Responsibility for administering and enforcing Minnesota Statutes, section 97C.211,
6.8 subdivisions 1 to 4 and 6, is, except as provided in paragraph (b), transferred pursuant to
6.9 Minnesota Statutes, section 15.039, from the commissioner of natural resources to the
6.10 commissioner of agriculture.

6.11 (b) Notwithstanding Minnesota Statutes, section 15.039, subdivision 7, the transfer of
6.12 personnel will not take place.

6.13 Sec. 14. **REVISOR INSTRUCTION.**

6.14 The revisor of statutes must renumber Minnesota Statutes, section 97C.211, subdivisions
6.15 1 to 4 and 6, as section 17.4975, subdivisions 1 to 6. The revisor must make necessary
6.16 cross-reference changes consistent with the renumbering.

6.17 Sec. 15. **REPEALER.**

6.18 Minnesota Statutes 2024, section 97C.211, subdivision 5, and Minnesota Rules, part
6.19 6250.0101, are repealed.

6.20 Sec. 16. **EFFECTIVE DATE.**

6.21 This act is effective July 1, 2028.

97C.211 PRIVATE FISH HATCHERIES.

Subd. 5. **Price of game fish fry and eggs.** The commissioner may sell or barter game fish or native rough fish fry or eggs for not less than the cost associated with the production of eggs or fry.

6250.0101 PRIVATE FISH HATCHERY OPERATIONS.

Private fish hatcheries are subject to the provisions for aquatic farms in Minnesota Statutes, chapter 17, to the extent they are now and in the future consistent with statutes pertaining specifically to private fish hatcheries.