

**SENATE
STATE OF MINNESOTA
NINETY-FOURTH SESSION**

S.F. No. 5073

(SENATE AUTHORS: PUTNAM)

DATE	D-PG	OFFICIAL STATUS
04/13/2026	7995	Introduction and first reading Referred to Agriculture, Veterans, Broadband, and Rural Development
04/20/2026	8231a	Comm report: To pass as amended and re-refer to Finance
05/11/2026		Comm report: To pass as amended Second reading

1.1 A bill for an act

1.2 relating to agriculture; modifying agriculture policy provisions; modifying farm

1.3 down payment assistance provisions; modifying seed potato provisions; modifying

1.4 fees; allowing eggs to be donated past their quality assurance date; requiring

1.5 reports; modifying prior appropriations; appropriating money; amending Minnesota

1.6 Statutes 2024, sections 17.458, subdivision 1; 18J.01; 18J.02; 18J.03; 18J.04,

1.7 subdivisions 1, 2, 3, 4; 18J.05, subdivisions 1, 2, 6; 18J.06; 18J.07, subdivisions

1.8 3, 4, 5; 18J.09; 18K.02, subdivisions 5, 6; 18K.04, subdivision 1; 21.111; 21.112,

1.9 by adding a subdivision; 21.113; 21.115; 21.117; 21.119; 21.1195; 21.891,

1.10 subdivision 2; 28A.0752; 29.21, by adding a subdivision; 29.26; 32D.30,

1.11 subdivision 5; 41A.19; 41B.048, subdivisions 2, 4, 5, by adding subdivisions;

1.12 583.215; Minnesota Statutes 2025 Supplement, sections 17.1017, subdivision 9;

1.13 17.133, subdivisions 1, 2; 28A.04, subdivision 1; 28A.08, subdivision 3; Laws

1.14 2023, chapter 43, article 1, section 2, subdivisions 4, as amended, 5, as amended;

1.15 Laws 2025, chapter 34, article 1, section 2, subdivisions 2, 3, as amended, 4, as

1.16 amended; proposing coding for new law in Minnesota Statutes, chapter 21;

1.17 repealing Minnesota Statutes 2024, sections 18K.02, subdivision 7; 18K.03,

1.18 subdivision 2; 28A.075.

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

1.20 **ARTICLE 1**

1.21 **AGRICULTURE APPROPRIATIONS**

1.22 Section 1. **APPROPRIATION; AGRICULTURAL UTILIZATION RESEARCH**

1.23 **INSTITUTE.**

1.24 \$80,000 in fiscal year 2026 is appropriated from the general fund to the Agricultural

1.25 Utilization Research Institute for legal costs. This is a onetime appropriation and is available

1.26 until June 30, 2029.

1.27 **EFFECTIVE DATE.** This section is effective the day following final enactment.

2.1 Sec. 2. Laws 2023, chapter 43, article 1, section 2, subdivision 4, as amended by Laws
 2.2 2024, chapter 126, article 1, section 1, and Laws 2025, chapter 34, article 1, section 9, is
 2.3 amended to read:

2.4	Subd. 4. Agriculture, Bioenergy, and Bioproduct	34,034,000	38,159,000
2.5	Advancement		

2.6 (a) \$10,702,000 the first year and \$10,702,000
 2.7 the second year are for the agriculture
 2.8 research, education, extension, and technology
 2.9 transfer program under Minnesota Statutes,
 2.10 section 41A.14. Except as provided below,
 2.11 the appropriation each year is for transfer to
 2.12 the agriculture research, education, extension,
 2.13 and technology transfer account under
 2.14 Minnesota Statutes, section 41A.14,
 2.15 subdivision 3, and the commissioner shall
 2.16 transfer funds each year to the Board of
 2.17 Regents of the University of Minnesota for
 2.18 purposes of Minnesota Statutes, section
 2.19 41A.14. To the extent practicable, money
 2.20 expended under Minnesota Statutes, section
 2.21 41A.14, subdivision 1, clauses (1) and (2),
 2.22 must supplement and not supplant existing
 2.23 sources and levels of funding. The
 2.24 commissioner may use up to one percent of
 2.25 this appropriation for costs incurred to
 2.26 administer the program.

2.27 Of the amount appropriated for the agriculture
 2.28 research, education, extension, and technology
 2.29 transfer grant program under Minnesota
 2.30 Statutes, section 41A.14:

2.31 (1) \$600,000 the first year and \$600,000 the
 2.32 second year are for the Minnesota Agricultural
 2.33 Experiment Station's agriculture rapid
 2.34 response fund under Minnesota Statutes,
 2.35 section 41A.14, subdivision 1, clause (2);

3.1 (2) up to \$1,000,000 the first year and up to
3.2 \$1,000,000 the second year are for research
3.3 on avian influenza, salmonella, and other
3.4 turkey-related diseases and disease prevention
3.5 measures;

3.6 (3) \$2,250,000 the first year and \$2,250,000
3.7 the second year are for grants to the Minnesota
3.8 Agricultural Education Leadership Council to
3.9 enhance agricultural education with priority
3.10 given to Farm Business Management
3.11 challenge grants;

3.12 (4) \$450,000 the first year is for the cultivated
3.13 wild rice breeding project at the North Central
3.14 Research and Outreach Center to include a
3.15 tenure track/research associate plant breeder;

3.16 (5) \$350,000 the first year and \$350,000 the
3.17 second year are for potato breeding;

3.18 (6) \$802,000 the first year and \$802,000 the
3.19 second year are to fund the Forever Green
3.20 Initiative and protect the state's natural
3.21 resources while increasing the efficiency,
3.22 profitability, and productivity of Minnesota
3.23 farmers by incorporating perennial and
3.24 winter-annual crops into existing agricultural
3.25 practices. The base for the allocation under
3.26 this clause is \$802,000 in fiscal year 2026 and
3.27 each year thereafter. By February 1 each year,
3.28 the dean of the College of Food, Agricultural
3.29 and Natural Resource Sciences must submit
3.30 a report to the chairs and ranking minority
3.31 members of the legislative committees with
3.32 jurisdiction over agriculture finance and policy
3.33 and higher education detailing uses of the
3.34 funds in this paragraph, including

4.1 administrative costs, and the achievements
4.2 these funds contributed to;

4.3 (7) \$350,000 each year is for farm-scale winter
4.4 greenhouse research and development
4.5 coordinated by University of Minnesota
4.6 Extension Regional Sustainable Development
4.7 Partnerships. The allocation in this clause is
4.8 onetime;

4.9 (8) \$200,000 the second year is for research
4.10 on natural stands of wild rice; and

4.11 (9) \$250,000 the second year is for the
4.12 cultivated wild rice forward selection project
4.13 at the North Central Research and Outreach
4.14 Center, including a tenure track or research
4.15 associate plant scientist.

4.16 (b) The base for the agriculture research,
4.17 education, extension, and technology transfer
4.18 program is \$10,352,000 in fiscal year 2026
4.19 and \$10,352,000 in fiscal year 2027.

4.20 (c) \$23,332,000 the first year is for the
4.21 agricultural growth, research, and innovation
4.22 program under Minnesota Statutes, section
4.23 41A.12. Except as provided below, the
4.24 commissioner may allocate this appropriation
4.25 among the following areas: facilitating the
4.26 start-up, modernization, improvement, or
4.27 expansion of livestock operations, including
4.28 beginning and transitioning livestock
4.29 operations with preference given to robotic
4.30 dairy-milking equipment; assisting
4.31 value-added agricultural businesses to begin
4.32 or expand, to access new markets, or to
4.33 diversify, including aquaponics systems, with
4.34 preference given to hemp fiber processing

5.1 equipment; facilitating the start-up,
5.2 modernization, or expansion of other
5.3 beginning and transitioning farms, including
5.4 by providing loans under Minnesota Statutes,
5.5 section 41B.056; sustainable agriculture
5.6 on-farm research and demonstration; the
5.7 development or expansion of food hubs and
5.8 other alternative community-based food
5.9 distribution systems; enhancing renewable
5.10 energy infrastructure and use; crop research,
5.11 including basic and applied turf seed research;
5.12 Farm Business Management tuition assistance;
5.13 and good agricultural practices and good
5.14 handling practices certification assistance. The
5.15 commissioner may use up to 6.5 percent of
5.16 this appropriation for costs incurred to
5.17 administer the program.

5.18 Of the amount appropriated for the agricultural
5.19 growth, research, and innovation program
5.20 under Minnesota Statutes, section 41A.12:

5.21 (1) \$1,000,000 the first year is for distribution
5.22 in equal amounts to each of the state's county
5.23 fairs to preserve and promote Minnesota
5.24 agriculture;

5.25 (2) \$5,750,000 the first year is for incentive
5.26 payments under Minnesota Statutes, sections
5.27 41A.16, 41A.17, 41A.18, and 41A.20.

5.28 Notwithstanding Minnesota Statutes, section
5.29 16A.28, the first year appropriation is
5.30 available until June 30, 2025. If this
5.31 appropriation exceeds the total amount for
5.32 which all producers are eligible in a fiscal
5.33 year, the balance of the appropriation is
5.34 available for other purposes under this
5.35 paragraph;

6.1 (3) \$3,375,000 the first year is for grants that
6.2 enable retail petroleum dispensers, fuel storage
6.3 tanks, and other equipment to dispense
6.4 biofuels to the public in accordance with the
6.5 biofuel replacement goals established under
6.6 Minnesota Statutes, section 239.7911. A retail
6.7 petroleum dispenser selling petroleum for use
6.8 in spark ignition engines for vehicle model
6.9 years after 2000 is eligible for grant money
6.10 under this clause if the retail petroleum
6.11 dispenser has no more than 10 retail petroleum
6.12 dispensing sites and each site is located in
6.13 Minnesota. The grant money must be used to
6.14 replace or upgrade equipment that does not
6.15 have the ability to be certified for E25. A grant
6.16 award must not exceed 65 percent of the cost
6.17 of the appropriate technology. A grant award
6.18 must not exceed \$200,000 per station. The
6.19 commissioner must cooperate with biofuel
6.20 stakeholders in the implementation of the grant
6.21 program. The commissioner, in cooperation
6.22 with any economic or community development
6.23 financial institution and any other entity with
6.24 which the commissioner contracts, must
6.25 submit a report on the biofuels infrastructure
6.26 financial assistance program by January 15 of
6.27 each year to the chairs and ranking minority
6.28 members of the legislative committees and
6.29 divisions with jurisdiction over agriculture
6.30 policy and finance. The annual report must
6.31 include but not be limited to a summary of the
6.32 following metrics: (i) the number and types
6.33 of projects financed; (ii) the amount of dollars
6.34 leveraged or matched per project; (iii) the
6.35 geographic distribution of financed projects;
6.36 (iv) any market expansion associated with

7.1 upgraded infrastructure; (v) the demographics
7.2 of the areas served; (vi) the costs of the
7.3 program; and (vii) the number of grants to
7.4 minority-owned or female-owned businesses;

7.5 (4) \$1,250,000 the first year is for grants to
7.6 facilitate the start-up, modernization, or
7.7 expansion of meat, poultry, egg, and milk
7.8 processing facilities. A grant award under this
7.9 clause must not exceed \$200,000. Any
7.10 unencumbered balance at the end of the second
7.11 year does not cancel until June 30, 2026, and
7.12 may be used for other purposes under this
7.13 paragraph;

7.14 (5) \$1,150,000 the first year is for providing
7.15 more fruits, vegetables, meat, poultry, grain,
7.16 and dairy for children in school and early
7.17 childhood education settings, including, at the
7.18 commissioner's discretion, providing grants
7.19 to reimburse schools and early childhood
7.20 education and child care providers for
7.21 purchasing equipment and agricultural
7.22 products. Organizations must participate in
7.23 the National School Lunch Program or the
7.24 Child and Adult Care Food Program to be
7.25 eligible. Of the amount appropriated, \$150,000
7.26 is for a statewide coordinator of
7.27 farm-to-institution strategy and programming.
7.28 The coordinator must consult with relevant
7.29 stakeholders and provide technical assistance
7.30 and training for participating farmers and
7.31 eligible grant recipients;

7.32 (6) \$2,000,000 the first year is for urban youth
7.33 agricultural education or urban agriculture
7.34 community development;

8.1 (7) \$1,000,000 the first year is for the good
8.2 food access program under Minnesota
8.3 Statutes, section 17.1017; and

8.4 (8) \$225,000 the first year is to provide grants
8.5 to secondary career and technical education
8.6 programs for the purpose of offering
8.7 instruction in meat cutting and butchery.

8.8 Notwithstanding Minnesota Statutes, section
8.9 16B.98, subdivision 14, the commissioner may
8.10 use up to 6.5 percent of this appropriation for
8.11 administrative costs. This is a onetime
8.12 appropriation. Grants may be used for costs,
8.13 including but not limited to:

8.14 (i) equipment required for a meat cutting
8.15 program;

8.16 (ii) facility renovation to accommodate meat
8.17 cutting; and

8.18 (iii) training faculty to teach the fundamentals
8.19 of meat processing.

8.20 A grant recipient may be awarded a grant of
8.21 up to \$75,000 and may use up to ten percent
8.22 of the grant for faculty training. Priority may
8.23 be given to applicants who are coordinating
8.24 with meat cutting and butchery programs at
8.25 Minnesota State Colleges and Universities
8.26 institutions or with local industry partners.

8.27 By January 15, 2025, the commissioner must
8.28 report to the chairs and ranking minority
8.29 members of the legislative committees with
8.30 jurisdiction over agriculture finance and
8.31 education finance by listing the grants made
8.32 under this paragraph by county and noting the
8.33 number and amount of grant requests not
8.34 fulfilled. The report may include additional

9.1 information as determined by the
9.2 commissioner, including but not limited to
9.3 information regarding the outcomes produced
9.4 by these grants. If additional grants are
9.5 awarded under this paragraph that were not
9.6 covered in the report due by January 15, 2025,
9.7 the commissioner must submit an additional
9.8 report to the chairs and ranking minority
9.9 members of the legislative committees with
9.10 jurisdiction over agriculture finance and
9.11 education finance regarding all grants issued
9.12 under this paragraph by November 1, 2025.

9.13 Notwithstanding Minnesota Statutes, section
9.14 16A.28, any unencumbered balance does not
9.15 cancel at the end of the first year and is
9.16 available for the second year, and
9.17 appropriations encumbered under contract on
9.18 or before June 30, 2025, for agricultural
9.19 growth, research, and innovation grants are
9.20 available until June 30, 2028.

9.21 (d) \$27,457,000 the second year is for the
9.22 agricultural growth, research, and innovation
9.23 program under Minnesota Statutes, section
9.24 41A.12. Except as provided below, the
9.25 commissioner may allocate this appropriation
9.26 among the following areas: facilitating the
9.27 start-up, modernization, improvement, or
9.28 expansion of livestock operations, including
9.29 beginning and transitioning livestock
9.30 operations with preference given to robotic
9.31 dairy-milking equipment; assisting
9.32 value-added agricultural businesses to begin
9.33 or expand, to access new markets, or to
9.34 diversify, including aquaponics systems, with
9.35 preference given to hemp fiber processing

10.1 equipment; facilitating the start-up,
10.2 modernization, or expansion of other
10.3 beginning and transitioning farms, including
10.4 by providing loans under Minnesota Statutes,
10.5 section 41B.056; sustainable agriculture
10.6 on-farm research and demonstration; the
10.7 development or expansion of food hubs and
10.8 other alternative community-based food
10.9 distribution systems; enhancing renewable
10.10 energy infrastructure and use; crop research,
10.11 including basic and applied turf seed research;
10.12 Farm Business Management tuition assistance;
10.13 and good agricultural practices and good
10.14 handling practices certification assistance. The
10.15 commissioner may use up to 6.5 percent of
10.16 this appropriation for costs incurred to
10.17 administer the program.

10.18 Of the amount appropriated for the agricultural
10.19 growth, research, and innovation program
10.20 under Minnesota Statutes, section 41A.12:

10.21 (1) \$1,000,000 the second year is for
10.22 distribution in equal amounts to each of the
10.23 state's county fairs to preserve and promote
10.24 Minnesota agriculture;

10.25 (2) \$5,750,000 the second year is for incentive
10.26 payments under Minnesota Statutes, sections
10.27 41A.16, 41A.17, 41A.18, and 41A.20.

10.28 Notwithstanding Minnesota Statutes, section
10.29 16A.28, this appropriation is available until
10.30 June 30, 2027. If this appropriation exceeds
10.31 the total amount for which all producers are
10.32 eligible in a fiscal year, the balance of the
10.33 appropriation is available for other purposes
10.34 under this paragraph. The base under this

11.1 clause is \$3,000,000 in fiscal year 2026 and
11.2 each year thereafter;

11.3 (3) \$3,375,000 the second year is for grants
11.4 that enable retail petroleum dispensers, fuel
11.5 storage tanks, and other equipment to dispense
11.6 biofuels to the public in accordance with the
11.7 biofuel replacement goals established under
11.8 Minnesota Statutes, section 239.7911. A retail
11.9 petroleum dispenser selling petroleum for use
11.10 in spark ignition engines for vehicle model
11.11 years after 2000 is eligible for grant money
11.12 under this clause if the retail petroleum
11.13 dispenser has no more than ten retail
11.14 petroleum dispensing sites and each site is
11.15 located in Minnesota. The grant money must
11.16 be used to replace or upgrade equipment that
11.17 does not have the ability to be certified for
11.18 E25. A grant award must not exceed 65
11.19 percent of the cost of the appropriate
11.20 technology. A grant award must not exceed
11.21 \$200,000 per station. The commissioner must
11.22 cooperate with biofuel stakeholders in the
11.23 implementation of the grant program. The
11.24 commissioner, in cooperation with any
11.25 economic or community development
11.26 financial institution and any other entity with
11.27 which the commissioner contracts, must
11.28 submit a report on the biofuels infrastructure
11.29 financial assistance program by January 15 of
11.30 each year to the chairs and ranking minority
11.31 members of the legislative committees and
11.32 divisions with jurisdiction over agriculture
11.33 policy and finance. The annual report must
11.34 include but not be limited to a summary of the
11.35 following metrics: (i) the number and types
11.36 of projects financed; (ii) the amount of money

12.1 leveraged or matched per project; (iii) the
12.2 geographic distribution of financed projects;
12.3 (iv) any market expansion associated with
12.4 upgraded infrastructure; (v) the demographics
12.5 of the areas served; (vi) the costs of the
12.6 program; and (vii) the number of grants to
12.7 minority-owned or female-owned businesses.
12.8 The base under this clause is \$3,000,000 for
12.9 fiscal year 2026 and each year thereafter;

12.10 (4) \$1,250,000 the second year is for grants
12.11 to facilitate the start-up, modernization, or
12.12 expansion of meat, poultry, egg, and milk
12.13 processing facilities. A grant award under this
12.14 clause must not exceed \$200,000. Any
12.15 unencumbered balance at the end of the second
12.16 year does not cancel until June 30, 2027, and
12.17 may be used for other purposes under this
12.18 paragraph. The base under this clause is
12.19 \$250,000 in fiscal year 2026 and each year
12.20 thereafter;

12.21 (5) \$1,275,000 the second year is for providing
12.22 more fruits, vegetables, meat, poultry, grain,
12.23 and dairy for children in school and early
12.24 childhood education settings, including, at the
12.25 commissioner's discretion, providing grants
12.26 to reimburse schools and early childhood
12.27 education and child care providers for
12.28 purchasing equipment and agricultural
12.29 products. Organizations must participate in
12.30 the National School Lunch Program or the
12.31 Child and Adult Care Food Program to be
12.32 eligible. Of the amount appropriated, \$150,000
12.33 is for a statewide coordinator of
12.34 farm-to-institution strategy and programming.
12.35 The coordinator must consult with relevant

13.1 stakeholders and provide technical assistance
13.2 and training for participating farmers and
13.3 eligible grant recipients. The base under this
13.4 clause is \$1,294,000 in fiscal year 2026 and
13.5 each year thereafter;

13.6 (6) \$4,000,000 the second year is for Dairy
13.7 Assistance, Investment, Relief Initiative
13.8 (DAIRI) grants and other forms of financial
13.9 assistance to Minnesota dairy farms that enroll
13.10 in coverage under a federal dairy risk
13.11 protection program and produced no more
13.12 than 16,000,000 pounds of milk in 2022. New
13.13 dairy farms that did not market milk during
13.14 2022 or for only a portion of 2022 are eligible.
13.15 The commissioner must make DAIRI
13.16 payments based on the amount of milk
13.17 produced in 2022, up to 5,000,000 pounds per
13.18 participating farm, at a rate determined by the
13.19 commissioner within the limits of available
13.20 funding. For new dairy farms that did not
13.21 market milk during 2022 or for only a portion
13.22 of 2022, the commissioner must make DAIRI
13.23 payments based on the farm's production
13.24 history as established in its dairy risk
13.25 protection program enrollment. Any
13.26 unencumbered balance ~~on~~ after June 30, 2026,
13.27 may be used for other purposes under this
13.28 paragraph. The allocation in this clause is
13.29 onetime;

13.30 (7) \$2,000,000 the second year is for urban
13.31 youth agricultural education or urban
13.32 agriculture community development;

13.33 (8) \$1,000,000 the second year is for the good
13.34 food access program under Minnesota
13.35 Statutes, section 17.1017; and

14.1 (9) \$225,000 the second year is for the
14.2 protecting livestock grant program for
14.3 producers to support the installation of
14.4 measures to prevent the transmission of avian
14.5 influenza. For the appropriation in this
14.6 paragraph, a grant applicant must document
14.7 a cost-share of 20 percent. An applicant's
14.8 cost-share amount may be reduced up to
14.9 \$2,000 to cover time and labor costs.

14.10 Notwithstanding Minnesota Statutes, section
14.11 16B.98, subdivision 14, the commissioner may
14.12 use up to 6.5 percent of this appropriation for
14.13 administrative costs. This appropriation is
14.14 available until June 30, 2027. This is a onetime
14.15 appropriation.

14.16 (e) Notwithstanding Minnesota Statutes,
14.17 section 16A.28, the appropriation in paragraph
14.18 (d) does not cancel at the end of the second
14.19 year and is available until June 30, 2027.

14.20 Appropriations encumbered under contract on
14.21 or before June 30, 2027, for agricultural
14.22 growth, research, and innovation grants are
14.23 available until June 30, 2030.

14.24 (f) The base for the agricultural growth,
14.25 research, and innovation program is
14.26 \$17,582,000 in fiscal year 2026 and each year
14.27 thereafter and includes \$200,000 each year for
14.28 cooperative development grants.

14.29 **EFFECTIVE DATE.** This section is effective the day following final enactment.

15.1 Sec. 3. Laws 2023, chapter 43, article 1, section 2, subdivision 5, as amended by Laws
 15.2 2024, chapter 126, article 1, section 1, subdivision 5, is amended to read:

15.3 **Subd. 5. Administration and Financial**
 15.4 **Assistance**

16,643,000

14,587,000

15.5 (a) \$474,000 the first year and \$474,000 the
 15.6 second year are for payments to county and
 15.7 district agricultural societies and associations
 15.8 under Minnesota Statutes, section 38.02,
 15.9 subdivision 1. Aid payments to county and
 15.10 district agricultural societies and associations
 15.11 must be disbursed no later than July 15 of each
 15.12 year. These payments are the amount of aid
 15.13 from the state for an annual fair held in the
 15.14 previous calendar year.

15.15 (b) \$350,000 the first year and \$350,000 the
 15.16 second year are for grants to the Minnesota
 15.17 Agricultural Education and Leadership
 15.18 Council for programs of the council under
 15.19 Minnesota Statutes, chapter 41D. The base for
 15.20 this appropriation is \$250,000 in fiscal year
 15.21 2026 and each year thereafter.

15.22 (c) \$2,000 the first year is for a grant to the
 15.23 Minnesota State Poultry Association. This is
 15.24 a onetime appropriation. Notwithstanding
 15.25 Minnesota Statutes, section 16A.28, any
 15.26 unencumbered balance does not cancel at the
 15.27 end of the first year and is available for the
 15.28 second year.

15.29 (d) \$18,000 the first year and \$18,000 the
 15.30 second year are for grants to the Minnesota
 15.31 Livestock Breeders Association. This is a
 15.32 onetime appropriation.

15.33 (e) \$60,000 the first year and \$60,000 the
 15.34 second year are for grants to the Northern

16.1 Crops Institute that may be used to purchase
16.2 equipment. This is a onetime appropriation.

16.3 (f) \$34,000 the first year and \$34,000 the
16.4 second year are for grants to the Minnesota
16.5 State Horticultural Society. This is a onetime
16.6 appropriation.

16.7 (g) \$25,000 the first year and \$25,000 the
16.8 second year are for grants to the Center for
16.9 Rural Policy and Development. This is a
16.10 onetime appropriation.

16.11 (h) \$75,000 the first year and \$75,000 the
16.12 second year are appropriated from the general
16.13 fund to the commissioner of agriculture for
16.14 grants to the Minnesota Turf Seed Council for
16.15 basic and applied research on: (1) the
16.16 improved production of forage and turf seed
16.17 related to new and improved varieties; and (2)
16.18 native plants, including plant breeding,
16.19 nutrient management, pest management,
16.20 disease management, yield, and viability. The
16.21 Minnesota Turf Seed Council may subcontract
16.22 with a qualified third party for some or all of
16.23 the basic or applied research. Any
16.24 unencumbered balance does not cancel at the
16.25 end of the first year and is available in the
16.26 second year. The Minnesota Turf Seed Council
16.27 must prepare a report outlining the use of the
16.28 grant money and related accomplishments. No
16.29 later than January 15, 2025, the council must
16.30 submit the report to the chairs and ranking
16.31 minority members of the legislative
16.32 committees and divisions with jurisdiction
16.33 over agriculture finance and policy. This is a
16.34 onetime appropriation.

17.1 (i) \$100,000 the first year and \$100,000 the
17.2 second year are for grants to GreenSeam for
17.3 assistance to agriculture-related businesses to
17.4 support business retention and development,
17.5 business attraction and creation, talent
17.6 development and attraction, and regional
17.7 branding and promotion. These are onetime
17.8 appropriations. No later than December 1,
17.9 2024, and December 1, 2025, GreenSeam
17.10 must report to the chairs and ranking minority
17.11 members of the legislative committees with
17.12 jurisdiction over agriculture and rural
17.13 development with information on new and
17.14 existing businesses supported, number of new
17.15 jobs created in the region, new educational
17.16 partnerships and programs supported, and
17.17 regional branding and promotional efforts.

17.18 (j) \$1,950,000 the first year and \$1,950,000
17.19 the second year are for grants to Second
17.20 Harvest Heartland on behalf of Minnesota's
17.21 six Feeding America food banks for the
17.22 following purposes:

17.23 (1) at least \$850,000 each year must be
17.24 allocated to purchase milk for distribution to
17.25 Minnesota's food shelves and other charitable
17.26 organizations that are eligible to receive food
17.27 from the food banks. Milk purchased under
17.28 the grants must be acquired from Minnesota
17.29 milk processors and based on low-cost bids.
17.30 The milk must be allocated to each Feeding
17.31 America food bank serving Minnesota
17.32 according to the formula used in the
17.33 distribution of United States Department of
17.34 Agriculture commodities under The
17.35 Emergency Food Assistance Program. Second

18.1 Harvest Heartland may enter into contracts or
18.2 agreements with food banks for shared funding
18.3 or reimbursement of the direct purchase of
18.4 milk. Each food bank that receives funding
18.5 under this clause may use up to two percent
18.6 for administrative expenses. Notwithstanding
18.7 Minnesota Statutes, section 16A.28, any
18.8 unencumbered balance the first year does not
18.9 cancel and is available the second year;

18.10 (2) to compensate agricultural producers and
18.11 processors for costs incurred to harvest and
18.12 package for transfer surplus fruits, vegetables,
18.13 and other agricultural commodities that would
18.14 otherwise go unharvested, be discarded, or be
18.15 sold in a secondary market. Surplus
18.16 commodities must be distributed statewide to
18.17 food shelves and other charitable organizations
18.18 that are eligible to receive food from the food
18.19 banks. Surplus food acquired under this clause
18.20 must be from Minnesota producers and
18.21 processors. Second Harvest Heartland may
18.22 use up to 15 percent of each grant awarded
18.23 under this clause for administrative and
18.24 transportation expenses; and

18.25 (3) to purchase and distribute protein products,
18.26 including but not limited to pork, poultry, beef,
18.27 dry legumes, cheese, and eggs to Minnesota's
18.28 food shelves and other charitable organizations
18.29 that are eligible to receive food from the food
18.30 banks. Second Harvest Heartland may use up
18.31 to two percent of each grant awarded under
18.32 this clause for administrative expenses. Protein
18.33 products purchased under the grants must be
18.34 acquired from Minnesota processors and
18.35 producers.

19.1 Second Harvest Heartland must submit
19.2 quarterly reports to the commissioner and the
19.3 chairs and ranking minority members of the
19.4 legislative committees with jurisdiction over
19.5 agriculture finance in the form prescribed by
19.6 the commissioner. The reports must include
19.7 but are not limited to information on the
19.8 expenditure of funds, the amount of milk or
19.9 other commodities purchased, and the
19.10 organizations to which this food was
19.11 distributed. The base for this appropriation is
19.12 \$1,700,000 for fiscal year 2026 and each year
19.13 thereafter.

19.14 (k) \$25,000 the first year and \$25,000 the
19.15 second year are for grants to the Southern
19.16 Minnesota Initiative Foundation to promote
19.17 local foods through an annual event that raises
19.18 public awareness of local foods and connects
19.19 local food producers and processors with
19.20 potential buyers.

19.21 (l) \$300,000 the first year and \$300,000 the
19.22 second year are for grants to The Good Acre
19.23 for the Local Emergency Assistance Farmer
19.24 Fund (LEAFF) program to compensate
19.25 emerging farmers for crops donated to hunger
19.26 relief organizations in Minnesota. This is a
19.27 onetime appropriation.

19.28 (m) \$750,000 the first year and \$750,000 the
19.29 second year are to expand the Emerging
19.30 Farmers Office and provide services to
19.31 beginning and emerging farmers to increase
19.32 connections between farmers and market
19.33 opportunities throughout the state. This
19.34 appropriation may be used for grants,
19.35 translation services, training programs, or

20.1 other purposes in line with the
20.2 recommendations of the Emerging Farmer
20.3 Working Group established under Minnesota
20.4 Statutes, section 17.055, subdivision 1. The
20.5 base for this appropriation is \$1,000,000 in
20.6 fiscal year 2026 and each year thereafter.

20.7 (n) \$50,000 the first year is to provide
20.8 technical assistance and leadership in the
20.9 development of a comprehensive and
20.10 well-documented state aquaculture plan. The
20.11 commissioner must provide the state
20.12 aquaculture plan to the legislative committees
20.13 with jurisdiction over agriculture finance and
20.14 policy by February 15, 2025.

20.15 (o) \$337,000 the first year and \$337,000 the
20.16 second year are for farm advocate services.
20.17 Of these amounts, \$50,000 the first year and
20.18 \$50,000 the second year are for the
20.19 continuation of the farmland transition
20.20 programs and may be used for grants to
20.21 farmland access teams to provide technical
20.22 assistance to potential beginning farmers.
20.23 Farmland access teams must assist existing
20.24 farmers and beginning farmers with
20.25 transitioning farm ownership and farm
20.26 operation. Services provided by teams may
20.27 include but are not limited to mediation
20.28 assistance, designing contracts, financial
20.29 planning, tax preparation, estate planning, and
20.30 housing assistance.

20.31 (p) \$260,000 the first year and \$260,000 the
20.32 second year are for a pass-through grant to
20.33 Region Five Development Commission to
20.34 provide, in collaboration with Farm Business
20.35 Management, statewide mental health

21.1 counseling support to Minnesota farm
21.2 operators, families, and employees, and
21.3 individuals who work with Minnesota farmers
21.4 in a professional capacity. Region Five
21.5 Development Commission may use up to 6.5
21.6 percent of the grant awarded under this
21.7 paragraph for administration.

21.8 (q) \$1,000,000 the first year is for transfer to
21.9 the agricultural emergency account established
21.10 under Minnesota Statutes, section 17.041.

21.11 (r) \$1,084,000 the first year and \$500,000 the
21.12 second year are to support IT modernization
21.13 efforts, including laying the technology
21.14 foundations needed for improving customer
21.15 interactions with the department for licensing
21.16 and payments. This is a onetime appropriation.

21.17 (s) \$275,000 the first year is for technical
21.18 assistance grants to certified community
21.19 development financial institutions that
21.20 participate in United States Department of
21.21 Agriculture loan or grant programs for small
21.22 or emerging farmers, including but not limited
21.23 to the Increasing Land, Capital, and Market
21.24 Access Program. For purposes of this
21.25 paragraph, "emerging farmer" has the meaning
21.26 given in Minnesota Statutes, section 17.055,
21.27 subdivision 1. The commissioner may use up
21.28 to 6.5 percent of this appropriation for costs
21.29 incurred to administer the program.

21.30 Notwithstanding Minnesota Statutes, section
21.31 16A.28, any unencumbered balance does not
21.32 cancel at the end of the first year and is
21.33 available in the second year. This is a onetime
21.34 appropriation.

- 22.1 (t) \$1,425,000 the first year and \$1,425,000
22.2 the second year are for transfer to the
22.3 agricultural and environmental revolving loan
22.4 account established under Minnesota Statutes,
22.5 section 17.117, subdivision 5a, for low-interest
22.6 loans under Minnesota Statutes, section
22.7 17.117.
- 22.8 (u) \$150,000 the first year and \$150,000 the
22.9 second year are for administrative support for
22.10 the Rural Finance Authority.
- 22.11 (v) The base in fiscal years 2026 and 2027 is
22.12 \$150,000 each year to coordinate
22.13 climate-related activities and services within
22.14 the Department of Agriculture and
22.15 counterparts in local, state, and federal
22.16 agencies and to hire a full-time climate
22.17 implementation coordinator. The climate
22.18 implementation coordinator must coordinate
22.19 efforts seeking federal funding for Minnesota's
22.20 agricultural climate adaptation and mitigation
22.21 efforts and develop strategic partnerships with
22.22 the private sector and nongovernment
22.23 organizations.
- 22.24 (w) \$1,200,000 the first year and \$930,000 the
22.25 second year are to maintain the current level
22.26 of service delivery. The base for this
22.27 appropriation is \$1,065,000 in fiscal year 2026
22.28 and \$1,065,000 in fiscal year 2027 and each
22.29 year thereafter.
- 22.30 (x) \$250,000 the first year is for a grant to the
22.31 Board of Regents of the University of
22.32 Minnesota to purchase equipment for the
22.33 Veterinary Diagnostic Laboratory to test for
22.34 chronic wasting disease, African swine fever,
22.35 avian influenza, and other animal diseases.

23.1 The Veterinary Diagnostic Laboratory must
23.2 report expenditures under this paragraph to
23.3 the legislative committees with jurisdiction
23.4 over agriculture finance and higher education
23.5 with a report submitted by January 3, 2024,
23.6 and a final report submitted by December 31,
23.7 2024. The reports must include a list of
23.8 equipment purchased, including the cost of
23.9 each item.

23.10 (y) \$1,000,000 the first year and \$1,000,000
23.11 the second year are to award and administer
23.12 down payment assistance grants under
23.13 Minnesota Statutes, section 17.133, with
23.14 priority given to eligible applicants with no
23.15 more than \$100,000 in annual gross farm
23.16 product sales and eligible applicants who are
23.17 producers of industrial hemp, cannabis, or one
23.18 or more of the following specialty crops as
23.19 defined by the United States Department of
23.20 Agriculture for purposes of the specialty crop
23.21 block grant program: fruits and vegetables,
23.22 tree nuts, dried fruits, medicinal plants,
23.23 culinary herbs and spices, horticulture crops,
23.24 floriculture crops, and nursery crops.

23.25 Notwithstanding Minnesota Statutes, section
23.26 16A.28, any unencumbered balance at the end
23.27 of the first year does not cancel and is
23.28 available in the second year and appropriations
23.29 encumbered under contract by June 30, 2025,
23.30 are available until June 30, 2027.

23.31 (z) \$222,000 the first year and \$322,000 the
23.32 second year are for meat processing training
23.33 and retention incentive grants under section
23.34 5. By December 1 each year in 2026, 2027,
23.35 and 2028, the commissioner must submit a

24.1 report to the chairs and ranking minority
24.2 members of the legislative committees with
24.3 jurisdiction over agriculture finance and policy
24.4 detailing uses of the funds in this paragraph,
24.5 including award amounts to each partner
24.6 organization, how much of each award was
24.7 used, the types of expenses paid for with the
24.8 funds, and the number of employees served.
24.9 The commissioner may use up to 6.5 percent
24.10 of this appropriation for costs incurred to
24.11 administer the program. Notwithstanding
24.12 Minnesota Statutes, section 16A.28, any
24.13 unencumbered balance does not cancel at the
24.14 end of the first year and is available in the
24.15 second year. This is a onetime appropriation
24.16 and is available until June 30, 2028.
24.17 (aa) \$300,000 the first year and \$300,000 the
24.18 second year are for transfer to the Board of
24.19 Regents of the University of Minnesota to
24.20 evaluate, propagate, and maintain the genetic
24.21 diversity of oilseeds, grains, grasses, legumes,
24.22 and other plants including flax, timothy,
24.23 barley, rye, triticale, alfalfa, orchard grass,
24.24 clover, and other species and varieties that
24.25 were in commercial distribution and use in
24.26 Minnesota before 1970, excluding wild rice.
24.27 This effort must also protect traditional seeds
24.28 brought to Minnesota by immigrant
24.29 communities. This appropriation includes
24.30 funding for associated extension and outreach
24.31 to small and Black, Indigenous, and People of
24.32 Color (BIPOC) farmers. This is a onetime
24.33 appropriation.
24.34 (bb) \$300,000 the second year is to award and
24.35 administer beginning farmer equipment and

25.1 infrastructure grants under Minnesota Statutes,
 25.2 section 17.055. This is a onetime
 25.3 appropriation.

25.4 (cc) \$25,000 the first year is for the credit
 25.5 market report. Notwithstanding Minnesota
 25.6 Statutes, section 16A.28, any unencumbered
 25.7 balance does not cancel at the end of the first
 25.8 year and is available in the second year. This
 25.9 is a onetime appropriation.

25.10 (dd) The commissioner shall continue to
 25.11 increase connections with ethnic minority and
 25.12 immigrant farmers to farming opportunities
 25.13 and farming programs throughout the state.

25.14 **EFFECTIVE DATE.** This section is effective the day following final enactment.

25.15 Sec. 4. Laws 2025, chapter 34, article 1, section 2, subdivision 2, is amended to read:

25.16 Subd. 2. **Protection Services**

Appropriations by Fund		
		21,207,000
25.18 General	20,828,000	<u>21,457,000</u>
25.19 Remediation	399,000	399,000

25.21 (a) \$399,000 the first year and \$399,000 the
 25.22 second year are from the remediation fund for
 25.23 administrative funding of the voluntary
 25.24 cleanup program.

25.25 (b) \$639,000 the first year and \$639,000 the
 25.26 second year are for the soil health financial
 25.27 assistance program under Minnesota Statutes,
 25.28 section 17.134. The commissioner may award
 25.29 no more than \$50,000 of the appropriation
 25.30 each year to a single recipient.
 25.31 Notwithstanding Minnesota Statutes, section
 25.32 16B.98, subdivision 14, the commissioner may
 25.33 use up to 6.5 percent of this appropriation for

26.1 costs incurred to administer the program. Any
26.2 unencumbered balance does not cancel at the
26.3 end of the first year and is available in the
26.4 second year. Appropriations encumbered
26.5 under contract on or before June 30, 2027, for
26.6 soil health financial assistance grants are
26.7 available until June 30, 2029.

26.8 (c) \$275,000 the first year and \$250,000 the
26.9 second year are for compensation for livestock
26.10 destroyed or crippled by a wolf under
26.11 Minnesota Statutes, section 3.737. The first
26.12 year appropriation may be spent to compensate
26.13 for livestock that were destroyed or crippled
26.14 during fiscal year 2025. If the amount in the
26.15 first year is insufficient, the amount in the
26.16 second year is available in the first year. The
26.17 commissioner may use up to \$5,000 each year
26.18 to reimburse expenses incurred by university
26.19 extension educators to provide fair market
26.20 values of destroyed or crippled livestock. If
26.21 the commissioner receives federal money to
26.22 pay claims for destroyed or crippled livestock,
26.23 an equivalent amount of this appropriation
26.24 may be used to reimburse nonlethal prevention
26.25 methods performed by federal wildlife services
26.26 staff. The base for this appropriation is
26.27 \$175,000 in fiscal year 2028 and each year
26.28 thereafter.

26.29 (d) \$255,000 the first year and \$230,000 the
26.30 second year are for compensation for crop or
26.31 fence damage caused by elk under Minnesota
26.32 Statutes, section 3.7371. If the amount in the
26.33 first year is insufficient, the amount in the
26.34 second year is available in the first year. The
26.35 commissioner may use up to \$10,000 of the

27.1 appropriation each year to reimburse expenses
27.2 incurred by the commissioner or the
27.3 commissioner's approved agent to investigate
27.4 and resolve claims, as well as for costs
27.5 associated with training for approved agents.
27.6 The commissioner may use up to \$40,000 of
27.7 the appropriation each year for grants to
27.8 producers for measures to protect stored crops
27.9 from elk damage. If the commissioner
27.10 determines that claims made under Minnesota
27.11 Statutes, section 3.737 or 3.7371, are
27.12 unusually high, amounts appropriated for
27.13 either program may be transferred to the
27.14 appropriation for the other program. The base
27.15 for this appropriation is \$155,000 in fiscal year
27.16 2028 and each year thereafter.

27.17 (e) \$825,000 the first year and \$825,000 the
27.18 second year are to replace capital equipment
27.19 in the Department of Agriculture's analytical
27.20 laboratory.

27.21 (f) \$750,000 the first year and \$750,000 the
27.22 second year are for additional meat and poultry
27.23 inspection services. The commissioner is
27.24 encouraged to seek inspection waivers, match
27.25 federal money, and offer more online
27.26 inspections for the purposes of this paragraph.
27.27 This is a onetime appropriation.

27.28 (g) \$500,000 the first year and \$500,000 the
27.29 second year are for grants to counties to
27.30 support county agricultural inspectors. The
27.31 commissioner may use up to three percent of
27.32 the appropriation each year for administration.
27.33 This is a onetime appropriation. County
27.34 agricultural inspectors and county-designated
27.35 employees must annually submit an

28.1 application, on a form approved by the
28.2 commissioner, to be eligible for funding
28.3 during a given year. The commissioner must
28.4 equally divide available grant money among
28.5 eligible counties. To be eligible for grants
28.6 under this section, a county must employ a
28.7 county agricultural inspector or a
28.8 county-designated employee who:

28.9 (1) has attended training for new county
28.10 agricultural inspectors offered by the
28.11 commissioner;

28.12 (2) coordinates with the commissioner to
28.13 review applicable laws and enforcement
28.14 procedures;

28.15 (3) compiles and submits to the commissioner
28.16 local weed inspector annual report data;

28.17 (4) conducts an annual meeting and training
28.18 for local weed inspectors; and

28.19 (5) assists the commissioner with control
28.20 programs and other agricultural programs
28.21 when requested under Minnesota Statutes,
28.22 section 18.81, subdivision 1b, as directed by
28.23 the county board.

28.24 (h) \$250,000 the first year and \$250,000 the
28.25 second year are appropriated to establish and
28.26 administer the biofertilizer innovation and
28.27 efficiency program ~~under Minnesota Statutes,~~
28.28 ~~section 18C.113.~~ The commissioner may use
28.29 up to 6.5 percent of this appropriation for costs
28.30 incurred to administer the program.

28.31 Notwithstanding Minnesota Statutes, section
28.32 16A.28, any unencumbered balance at the end
28.33 of fiscal year 2026 does not cancel and is

29.1 available until June 30, 2027. This is a onetime
29.2 appropriation.

29.3 ~~(f)~~ (i) \$75,000 the first year is to conduct an
29.4 evaluation of the practice performance and
29.5 economic performance of the Olmsted County
29.6 groundwater protection and soil health
29.7 initiative, including the cover crop program,
29.8 alternative crops program, and haying,
29.9 grazing, and pasture enhancement program.

29.10 The evaluation must look at environmental
29.11 outcomes, include a cost-benefit analysis, and
29.12 be submitted to the chairs and ranking
29.13 minority members of the legislative
29.14 committees and divisions with jurisdiction
29.15 over agriculture policy and finance by June 1,
29.16 2027. The commissioner may contract with
29.17 an independent third party to conduct the
29.18 evaluation.

29.19 ~~(k)~~ (j) \$420,000 the first year and \$924,000
29.20 the second year are to support current services.

29.21 Sec. 5. Laws 2025, chapter 34, article 1, section 2, subdivision 3, as amended by Laws
29.22 2025, First Special Session chapter 11, section 11, is amended to read:

29.23	Subd. 3. Agricultural Marketing and		<u>23,301,000</u>
29.24	Development	23,551,000	<u>24,301,000</u>

29.25 (a) \$634,000 the first year and \$634,000 the
29.26 second year are for the continuation of the
29.27 dairy development and profitability
29.28 enhancement program, including dairy
29.29 profitability teams and dairy business planning
29.30 grants under Minnesota Statutes, section
29.31 32D.30.

29.32 (b) The commissioner may use funds
29.33 appropriated in this subdivision for annual
29.34 cost-share payments to resident farmers or

30.1 entities that sell, process, or package
30.2 agricultural products in this state for the costs
30.3 of organic certification. The commissioner
30.4 may allocate these funds for assistance to
30.5 persons transitioning from conventional to
30.6 organic agriculture.

30.7 (c) \$100,000 the first year and \$100,000 the
30.8 second year are for mental health outreach and
30.9 support to farmers, ranchers, farm workers
30.10 and employees, and others in the agricultural
30.11 community and profession and for farm and
30.12 farm worker safety grant and outreach
30.13 programs under Minnesota Statutes, section
30.14 17.1195. Mental health outreach and support
30.15 may include a 24-hour hotline, stigma
30.16 reduction, and education. Notwithstanding
30.17 Minnesota Statutes, section 16A.28, any
30.18 unencumbered balance does not cancel at the
30.19 end of the first year and is available in the
30.20 second year. The base for this appropriation
30.21 is \$50,000 in fiscal year 2028 and each year
30.22 thereafter.

30.23 (d) \$700,000 the first year and \$700,000 the
30.24 second year are for the local food purchasing
30.25 assistance grant program under article 3,
30.26 section 35. Notwithstanding Minnesota
30.27 Statutes, section 16A.28, any unencumbered
30.28 balance does not cancel at the end of the first
30.29 year and is available in the second year.

30.30 (e) \$1,000,000 the second year is to expand
30.31 the Emerging Farmers Office and provide
30.32 services to beginning and emerging farmers
30.33 to increase connections between farmers and
30.34 market opportunities throughout the state. This
30.35 appropriation may be used for grants,

31.1 translation services, training programs, or
 31.2 other purposes in line with the
 31.3 recommendations of the emerging farmer
 31.4 working group established under Minnesota
 31.5 Statutes, section 17.055, subdivision 1.

31.6 ~~(e)~~ (f) \$18,257,000 the first year and
 31.7 \$18,007,000 the second year are for the
 31.8 agricultural growth, research, and innovation
 31.9 program under Minnesota Statutes, section
 31.10 41A.12. The base for this appropriation is
 31.11 \$17,449,000 in fiscal year 2028 and each year
 31.12 thereafter.

31.13 ~~(f)~~ (g) Except as provided in paragraph ~~(g)~~ (h),
 31.14 the commissioner may allocate the
 31.15 appropriation in paragraph ~~(e)~~ (f) each year
 31.16 among the following areas: facilitating the
 31.17 startup, modernization, improvement, or
 31.18 expansion of livestock operations, including
 31.19 beginning and transitioning livestock
 31.20 operations with preference given to robotic
 31.21 dairy-milking equipment; assisting
 31.22 value-added agricultural businesses to begin
 31.23 or expand, to access new markets, or to
 31.24 diversify, including aquaponics systems, with
 31.25 preference given to hemp fiber processing
 31.26 equipment; facilitating the startup,
 31.27 modernization, or expansion of other
 31.28 beginning and transitioning farms, including
 31.29 by providing loans under Minnesota Statutes,
 31.30 section 41B.056; sustainable agriculture
 31.31 on-farm research and demonstration; the
 31.32 development or expansion of food hubs and
 31.33 other alternative community-based food
 31.34 distribution systems; enhancing renewable
 31.35 energy infrastructure and use; crop research,

32.1 including basic and applied turf seed research;
32.2 Farm Business Management tuition assistance;
32.3 supporting the commercialization of an
32.4 innovative material additive utilizing
32.5 agricultural coproducts or waste streams to
32.6 produce fiber-based barrier packaging to
32.7 reduce perfluoroalkyl and polyfluoroalkyl
32.8 substances (PFAS) and plastics in packaging
32.9 products; and good agricultural practices and
32.10 good handling practices certification
32.11 assistance. Notwithstanding Minnesota
32.12 Statutes, section 16B.98, subdivision 14, the
32.13 commissioner may use up to 7.5 percent of
32.14 the appropriation in paragraph ~~(e)~~ (f) for costs
32.15 incurred to administer the program.

32.16 ~~(g)~~ (h) Of the amount appropriated for the
32.17 agricultural growth, research, and innovation
32.18 program under Minnesota Statutes, section
32.19 41A.12:

32.20 (1) \$1,000,000 the first year and \$1,000,000
32.21 the second year are for distribution in equal
32.22 amounts to each of the state's county fairs to
32.23 preserve and promote Minnesota agriculture;

32.24 (2) \$3,000,000 the first year and \$3,000,000
32.25 the second year are for incentive payments
32.26 under Minnesota Statutes, sections 41A.16,
32.27 41A.17, 41A.18, and 41A.20. If this
32.28 appropriation exceeds the total amount for
32.29 which all producers are eligible in a fiscal
32.30 year, the balance of the appropriation is
32.31 available for other purposes under this
32.32 paragraph;

32.33 (3) \$2,750,000 the first year and \$2,750,000
32.34 the second year are for grants that enable retail
32.35 petroleum dispensers, fuel storage tanks, and

33.1 other equipment to dispense biofuels to the
33.2 public in accordance with the biofuel
33.3 replacement goals established under
33.4 Minnesota Statutes, section 239.7911. A retail
33.5 petroleum dispenser selling petroleum for use
33.6 in spark ignition engines for vehicle model
33.7 years after 2000 is eligible for grant money
33.8 under this clause if the retail petroleum
33.9 dispenser has no more than 20 retail petroleum
33.10 dispensing sites and each site is located in
33.11 Minnesota. The grant money must be used to
33.12 replace or upgrade equipment that does not
33.13 have the ability to be certified for E25. A grant
33.14 award must not exceed 65 percent of the cost
33.15 of the appropriate technology. A grant award
33.16 must not exceed \$200,000 per station. The
33.17 commissioner must cooperate with biofuel
33.18 stakeholders in the implementation of the grant
33.19 program. The commissioner, in cooperation
33.20 with any economic or community development
33.21 financial institution and any other entity with
33.22 which the commissioner contracts, must
33.23 submit a the report on under Minnesota
33.24 Statutes, section 41A.12, subdivision 3, that
33.25 includes metrics of the biofuels infrastructure
33.26 financial assistance program by January 15
33.27 each year to the chairs and ranking minority
33.28 members of the legislative committees and
33.29 divisions with jurisdiction over agriculture
33.30 policy and finance. The annual report must
33.31 include but not be limited to a summary of the
33.32 following metrics: (i) the number and types
33.33 of projects financed; (ii) the amount of dollars
33.34 leveraged or matched per project; (iii) the
33.35 geographic distribution of financed projects;
33.36 (iv) any market expansion associated with

34.1 upgraded infrastructure; (v) the demographics
34.2 of the areas served; (vi) the costs of the
34.3 program; and (vii) the number of grants to
34.4 minority-owned or female-owned businesses;

34.5 (4) \$350,000 the first year and \$250,000 the
34.6 second year are for grants to facilitate the
34.7 startup, modernization, or expansion of meat,
34.8 poultry, egg, and milk processing facilities. A
34.9 grant award under this clause must not exceed
34.10 \$200,000;

34.11 (5) \$1,594,000 the first year and \$1,544,000
34.12 the second year are for providing more fruits,
34.13 vegetables, meat, poultry, grain, and dairy for
34.14 children in school and early childhood
34.15 education settings, including, at the
34.16 commissioner's discretion, providing grants
34.17 to reimburse schools and early childhood
34.18 education and child care providers for
34.19 purchasing equipment and agricultural
34.20 products. Of the amount appropriated,
34.21 \$150,000 each year is for a statewide
34.22 coordinator of farm-to-institution strategy and
34.23 programming. The coordinator must consult
34.24 with relevant stakeholders and provide
34.25 technical assistance and training for
34.26 participating farmers and eligible grant
34.27 recipients. The base for this appropriation is
34.28 \$1,636,000 in fiscal year 2028 and each year
34.29 thereafter. At the commissioner's discretion,
34.30 for state administration of federal cooperative
34.31 agreements for purchasing Minnesota grown
34.32 and raised foods for schools, child care
34.33 providers, food banks, and other institutions,
34.34 the commissioner may use an amount of state
34.35 funds equal to no more than 7.5 percent of the

35.1 total federal funds awarded to the state. The
35.2 commissioner shall expend any available
35.3 federal administrative funds awarded for this
35.4 purpose before using state funds;

35.5 (6) up to \$1,750,000 the first year and up to
35.6 \$1,750,000 the second year are for grants to
35.7 facilitate the development of urban agriculture,
35.8 including projects related to youth education,
35.9 community and economic development,
35.10 value-added processing, and vocational
35.11 training;

35.12 (7) \$1,000,000 the first year and \$1,000,000
35.13 the second year are for the food retail
35.14 improvement and development program under
35.15 Minnesota Statutes, section 17.1017;

35.16 (8) up to \$200,000 the first year and up to
35.17 \$200,000 the second year are for cooperative
35.18 development grants under Minnesota Statutes,
35.19 section 17.1016;

35.20 (9) \$250,000 the first year and \$150,000 the
35.21 second year are for the protecting livestock
35.22 grant program for producers to support the
35.23 installation of measures to prevent the
35.24 transmission of avian influenza. For the
35.25 appropriation in this clause, a grant applicant
35.26 must document a cost-share of 20 percent. An
35.27 applicant's cost-share amount may be reduced
35.28 up to \$2,000 to cover time and labor costs.
35.29 This is a onetime appropriation; and

35.30 (10) up to \$525,000 the first year and up to
35.31 \$525,000 the second year are to award AGRI
35.32 Works grants to institutions and organizations
35.33 to provide regional and statewide services.
35.34 Preference shall be given to legislatively

36.1 created entities and organizations that enhance
 36.2 agricultural, horticultural, or rural community
 36.3 and economic development, marketing, and
 36.4 promotion, and research and education. A
 36.5 grant award under this clause must not exceed
 36.6 \$200,000. Grants made under this paragraph
 36.7 are subject to the requirements in Minnesota
 36.8 Statutes, sections 16B.98 and 16B.981. This
 36.9 is a onetime appropriation.

36.10 ~~(h)~~ (i) Notwithstanding Minnesota Statutes,
 36.11 section 16A.28, the appropriation in paragraph
 36.12 ~~(e)~~ (f) does not cancel at the end of the second
 36.13 year and is available until June 30, 2029.

36.14 Appropriations encumbered under contract on
 36.15 or before June 30, 2029, for agricultural
 36.16 growth, research, and innovation grants are
 36.17 available until June 30, 2032. At the end of
 36.18 fiscal year 2027, the commissioner must
 36.19 prioritize any money resulting from canceled
 36.20 contracts to be used for AGRI Works grants
 36.21 under paragraph ~~(g)~~ (h), clause (10).

36.22 Sec. 6. Laws 2025, chapter 34, article 1, section 2, subdivision 4, as amended by Laws
 36.23 2025, First Special Session chapter 11, section 12, is amended to read:

36.24	Subd. 4. Administration and Financial		11,145,000
36.25	Assistance	14,179,000	<u>9,895,000</u>

36.26 (a) \$474,000 the first year and \$474,000 the
 36.27 second year are for payments to county and
 36.28 district agricultural societies and associations
 36.29 under Minnesota Statutes, section 38.02,
 36.30 subdivision 1. Aid payments to county and
 36.31 district agricultural societies and associations
 36.32 must be disbursed no later than July 15 each
 36.33 year. These payments are the amount of aid
 36.34 from the state for an annual fair held in the
 36.35 previous calendar year.

37.1 (b) \$300,000 the first year and \$300,000 the
37.2 second year are for grants to the Minnesota
37.3 Agricultural Education and Leadership
37.4 Council for programs of the council under
37.5 Minnesota Statutes, chapter 41D. The base for
37.6 this appropriation is \$250,000 in fiscal year
37.7 2028 and each year thereafter.

37.8 (c) \$1,250,000 the first year ~~and \$1,250,000~~
37.9 ~~the second year are~~ is to award and administer
37.10 farm down payment assistance grants under
37.11 Minnesota Statutes, section 17.133, with
37.12 priority given to eligible applicants with no
37.13 more than \$100,000 in annual gross farm
37.14 product sales and eligible applicants who are
37.15 producers of industrial hemp, cannabis, or one
37.16 or more of the following specialty crops as
37.17 defined by the United States Department of
37.18 Agriculture for purposes of the specialty crop
37.19 block grant program: fruits and vegetables,
37.20 tree nuts, dried fruits, medicinal plants,
37.21 culinary herbs and spices, horticulture crops,
37.22 floriculture crops, and nursery crops.
37.23 Notwithstanding Minnesota Statutes, section
37.24 16A.28, any unencumbered balance at the end
37.25 of the first year does not cancel and is
37.26 available in the second year ~~and appropriations~~
37.27 ~~encumbered under contract by June 30, 2027,~~
37.28 ~~are available~~ and any unencumbered balance
37.29 at the end of the second year does not cancel
37.30 and is available until June 30, 2029. ~~The base~~
37.31 ~~for this appropriation is \$1,000,000 in fiscal~~
37.32 ~~year 2028 and each year thereafter.~~

37.33 (d) \$1,000,000 the first year and \$1,000,000
37.34 the second year are for the purchase of milk
37.35 for distribution to Minnesota's food shelves

38.1 and other charitable organizations that are
38.2 eligible to receive food from the food banks.
38.3 Milk purchased with grant money must be
38.4 acquired from Minnesota milk processors and
38.5 based on low-cost bids. The milk must be
38.6 allocated to each Feeding America food bank
38.7 serving Minnesota according to the formula
38.8 used in the distribution of United States
38.9 Department of Agriculture commodities under
38.10 The Emergency Food Assistance Program.
38.11 The commissioner may enter into contracts or
38.12 agreements with food banks for shared funding
38.13 or reimbursement of the direct purchase of
38.14 milk. Each food bank that receives funding
38.15 under this paragraph may use up to two
38.16 percent for administrative expenses.
38.17 Notwithstanding Minnesota Statutes, section
38.18 16A.28, any unencumbered balance the first
38.19 year does not cancel and is available the
38.20 second year.
38.21 (e) \$260,000 the first year and \$260,000 the
38.22 second year are for a pass-through grant to
38.23 Region Five Development Commission to
38.24 provide, in collaboration with Farm Business
38.25 Management, statewide mental health
38.26 counseling support to Minnesota farm
38.27 operators, families, and employees, and
38.28 individuals who work with Minnesota farmers
38.29 in a professional capacity. Region Five
38.30 Development Commission may use up to 7.5
38.31 percent of the grant awarded under this
38.32 paragraph for administration.
38.33 (f) \$1,000,000 the first year ~~and \$1,000,000~~
38.34 ~~the second year are~~ is to expand the Emerging
38.35 Farmers Office and provide services to

39.1 beginning and emerging farmers to increase
39.2 connections between farmers and market
39.3 opportunities throughout the state. This
39.4 appropriation may be used for grants,
39.5 translation services, training programs, or
39.6 other purposes in line with the
39.7 recommendations of the emerging farmer
39.8 working group established under Minnesota
39.9 Statutes, section 17.055, subdivision 1.

39.10 (g) \$137,000 the first year and \$203,000 the
39.11 second year are to support current services.

39.12 (h) \$337,000 the first year and \$337,000 the
39.13 second year are for farm advocate services.
39.14 Of these amounts, \$50,000 the first year and
39.15 \$50,000 the second year are for the
39.16 continuation of the farmland transition
39.17 programs and may be used for grants to
39.18 farmland access teams to provide technical
39.19 assistance to potential beginning farmers.
39.20 Farmland access teams must assist existing
39.21 farmers and beginning farmers with
39.22 transitioning farm ownership and farm
39.23 operation. Services provided by teams may
39.24 include but are not limited to mediation
39.25 assistance, designing contracts, financial
39.26 planning, tax preparation, estate planning, and
39.27 housing assistance.

39.28 (i) \$3,000,000 the first year is for transfer to
39.29 the Public Facilities Authority for a grant to
39.30 First District Association to acquire land for
39.31 and to design, engineer, construct, equip, and
39.32 furnish a wastewater treatment project. This
39.33 appropriation is in addition to the
39.34 appropriation in Laws 2023, chapter 71, article
39.35 1, section 15, subdivision 7. This appropriation

40.1 is available until the project is completed or
40.2 abandoned, subject to Minnesota Statutes,
40.3 section 16A.642.

40.4 ~~(k)~~ (j) \$50,000 the first year is to be awarded
40.5 as a grant in a competitive bid process to an
40.6 entity that is not a for-profit entity to conduct
40.7 a study of market and workforce factors that
40.8 may contribute to the incorrect marking for
40.9 the installation of underground
40.10 telecommunications infrastructure that is
40.11 located within ten feet of existing underground
40.12 utilities or that crosses the existing
40.13 underground utilities. The study must include
40.14 recommendations to the legislature and be
40.15 submitted to the chairs and ranking minority
40.16 members of the legislative committees and
40.17 divisions with jurisdiction over agriculture
40.18 policy and finance by June 1, 2027.

40.19 ~~(j)~~ (k) \$50,000 the first year is to conduct a
40.20 study and develop recommendations for
40.21 establishing an incentive-based program to
40.22 support and encourage agricultural retailers
40.23 in promoting 4R nutrient management
40.24 practices. The 4R nutrient management
40.25 practices include: the right source of nutrients,
40.26 at the right rate and right time, in the right
40.27 place.

40.28 (1) As part of the study, the department must
40.29 evaluate strategies for leveraging cost-share
40.30 programs, including the feasibility of
40.31 coordinating with the Agricultural Water
40.32 Quality Certification Program and other efforts
40.33 related to the state's Nutrient Reduction
40.34 Strategy.

41.1 (2) The commissioner must submit a report
41.2 detailing its findings, including potential
41.3 funding sources and proposal outlines for
41.4 funding requests where appropriate. The
41.5 commissioner must submit the report to the
41.6 chairs and ranking minority members of the
41.7 legislative committees with jurisdiction over
41.8 agriculture and environment by March 15,
41.9 2026.

41.10 (l) \$1,250,000 the second year is to award and
41.11 administer farm down payment assistance
41.12 grants under Minnesota Statutes, section
41.13 17.133, with priority given to eligible
41.14 applicants with annual gross farm product
41.15 sales between \$1,000 and \$100,000. Of this
41.16 appropriation, up to 50 percent may be
41.17 awarded by lottery to priority applicants who
41.18 possess a purchase agreement as of June 30,
41.19 2026. Notwithstanding Minnesota Statutes,
41.20 section 16A.28, any unencumbered balance
41.21 at the end of the second year does not cancel
41.22 and is available until June 30, 2030. The base
41.23 for this appropriation is \$1,000,000 in fiscal
41.24 year 2028 and each year thereafter.

41.25 ~~(s)~~ (m) The commissioner shall continue to
41.26 increase connections with ethnic minority and
41.27 immigrant farmers to farming opportunities
41.28 and farming programs throughout the state.

41.29 **EFFECTIVE DATE.** This section is effective July 1, 2026.

ARTICLE 2

AGRICULTURE POLICY

42.1
42.2
42.3 Section 1. Minnesota Statutes 2025 Supplement, section 17.1017, subdivision 9, is amended
42.4 to read:

42.5 Subd. 9. **Legislative report.** The commissioner, in cooperation with any economic or
42.6 community development financial institution and any other entity with which it contracts,
42.7 shall submit ~~an annual~~ the report on under section 41A.12, subdivision 3, that includes
42.8 metrics of the food retail improvement and development program ~~by January 15~~ of each
42.9 year to the chairs and ranking minority members of the house of representatives and senate
42.10 committees and divisions with jurisdiction over agriculture policy and finance. The ~~annual~~
42.11 report shall include, ~~but not be limited to~~, a summary of the following metrics:

- 42.12 (1) the number and types of projects financed;
- 42.13 (2) the amount of dollars leveraged or matched per project;
- 42.14 (3) the geographic distribution of financed projects;
- 42.15 (4) the number and types of technical assistance recipients;
- 42.16 (5) the demographics of the areas served;
- 42.17 (6) the costs of the program;
- 42.18 (7) the number of SNAP dollars spent;
- 42.19 (8) any increase in retail square footage;
- 42.20 (9) the number of loans or grants to businesses owned by women and Black, Indigenous,
42.21 or Persons of Color; and
- 42.22 (10) measurable economic and health outcomes, including, but not limited to, increases
42.23 in sales and consumption of locally sourced and other fresh fruits and vegetables, the number
42.24 of construction and retail jobs retained or created, and any health initiatives associated with
42.25 the program.

42.26 Sec. 2. Minnesota Statutes 2025 Supplement, section 17.133, subdivision 1, is amended
42.27 to read:

42.28 Subdivision 1. **Definitions.** (a) For purposes of this section, the following terms have
42.29 the meanings given.

42.30 (b) "Eligible farmer" means an individual who at the time that the grant is awarded:

43.1 (1) is a resident of Minnesota who intends to acquire farmland located within the state
43.2 and provide the majority of the day-to-day physical labor and management of the farm;

43.3 (2) grosses no more than \$250,000 per year from the sale of farm products;

43.4 (3) has earned at least \$1,000 in farm income or has evidence of farming experience;

43.5 (4) has a net worth that does not exceed the limit under section 41B.03, subdivision 3,
43.6 paragraph (a), clause (2);

43.7 ~~(3)~~ (5) has not, and whose spouse has not, at any time had a direct or indirect ownership
43.8 interest in farmland; and

43.9 ~~(4)~~ (6) is not, and whose spouse is not, a family member of the owner of the farmland
43.10 that the individual intends to acquire. "Family member" has the meaning given in section
43.11 267(c)(4) of the Internal Revenue Code.

43.12 (c) "Evidence of farming experience" means that an individual has:

43.13 (1) completed an approved farm business management program;

43.14 (2) a four-year degree in an agriculture-related field; or

43.15 (3) at least three years of experience managing a comparable farm.

43.16 ~~(e)~~ (d) "Farm down payment" means an initial, partial payment required by a lender or
43.17 seller to purchase farmland.

43.18 ~~(d)~~ (e) "Incubator farm" means a farm where:

43.19 (1) individuals are given temporary, exclusive, and affordable access to small parcels
43.20 of land, infrastructure, and often training, for the purpose of honing skills and launching a
43.21 farm business; and

43.22 (2) a majority of the individuals farming the small parcels of land grow industrial hemp,
43.23 cannabis, or one or more of the following specialty crops as defined by the United States
43.24 Department of Agriculture for purposes of the specialty crop block grant program: fruits
43.25 and vegetables, tree nuts, dried fruits, medicinal plants, culinary herbs and spices, horticulture
43.26 crops, floriculture crops, and nursery crops.

43.27 ~~(e)~~ (f) "Limited land access" means farming without ownership of land and:

43.28 (1) the individual or the individual's child rents or leases the land, with the term of each
43.29 rental or lease agreement not exceeding three years in duration, from a person who is not
43.30 related to the individual or the individual's spouse by blood or marriage; or

43.31 (2) the individual rents the land from an incubator farm.

44.1 ~~(f)~~ (g) "Limited market access" means the individual has gross sales of no more than
 44.2 \$100,000 per year from the sale of farm products.

44.3 **EFFECTIVE DATE.** This section is effective July 1, 2026.

44.4 Sec. 3. Minnesota Statutes 2025 Supplement, section 17.133, subdivision 2, is amended
 44.5 to read:

44.6 Subd. 2. **Grants.** The commissioner may award farm down payment assistance grants
 44.7 of up to 30 percent of the purchase price of a farm, with a maximum grant of \$20,000 per
 44.8 eligible farmer. Each award must be matched with at least \$8,000 of other funding. Grants
 44.9 under this subdivision may be awarded by a randomized selection process after applications
 44.10 are collected over a period of no less than 30 calendar days. An eligible farmer must commit
 44.11 to own and farm the land purchased with assistance provided under this section for at least
 44.12 five years. For the first five years, each recipient must verify gross farm income of at least
 44.13 \$1,000 or demonstrate investment of at least \$1,000 in farm business infrastructure,
 44.14 equipment, perennial crops, or livestock. For each year that a grant recipient does not own
 44.15 and farm the land during the five-year period, the grant recipient must pay a penalty to the
 44.16 commissioner equal to 20 percent of the grant amount.

44.17 **EFFECTIVE DATE.** This section is effective July 1, 2026.

44.18 Sec. 4. Minnesota Statutes 2024, section 17.458, subdivision 1, is amended to read:

44.19 Subdivision 1. **Definition.** "Agroforestry" means the intentional integration of trees and
 44.20 shrubs into crop and animal farming systems to create a more sustainable, diverse, and
 44.21 productive land-use system. Agroforestry includes the cultivation of short-rotation woody
 44.22 crops using agricultural practices to produce timber or forest products.

44.23 Sec. 5. Minnesota Statutes 2024, section 18J.01, is amended to read:

44.24 **18J.01 DEFINITIONS.**

44.25 (a) The definitions in this section; chapters 18G, 18H, 18K, 27, 223, 231, and 232; and
 44.26 sections ~~18G.02, 18H.02, 18K.02, 27.01, 223.16, 231.01, and 232.21~~ 21.111 to 21.125 and
 44.27 21.80 to 21.92 apply to this chapter.

44.28 (b) For purposes of this chapter, "associated rules" means rules adopted under this
 44.29 chapter, chapter 18G, 18H, 18K, 27, 223, 231, or 232, or sections 21.111 to 21.125 and
 44.30 21.80 to 21.92.

45.1 Sec. 6. Minnesota Statutes 2024, section 18J.02, is amended to read:

45.2 **18J.02 DUTIES OF COMMISSIONER.**

45.3 The commissioner shall administer and enforce this chapter, chapters 18G, 18H, 18K,
45.4 27, 223, 231, and 232; sections 21.111 to 21.125, and 21.80 to 21.92; and associated rules.

45.5 Sec. 7. Minnesota Statutes 2024, section 18J.03, is amended to read:

45.6 **18J.03 CIVIL LIABILITY.**

45.7 A person regulated by this chapter, chapter 18G, 18H, 18K, 27, 223, 231, or 232, or
45.8 sections 21.111 to 21.125 or 21.80 to 21.92, is civilly liable for any violation of one of those
45.9 statutes or associated rules by the person's employee or agent.

45.10 Sec. 8. Minnesota Statutes 2024, section 18J.04, subdivision 1, is amended to read:

45.11 Subdivision 1. **Access and entry.** The commissioner, upon presentation of official
45.12 department credentials, must be granted immediate access at reasonable times to sites where
45.13 a person manufactures, distributes, uses, handles, disposes of, stores, or transports seeds,
45.14 plants, grain, household goods, general merchandise, produce, or other living or nonliving
45.15 products or other objects regulated under chapter 18G, 18H, 18K, 27, 223, 231, or 232;
45.16 sections 21.111 to 21.125 or 21.80 to 21.92; or associated rules.

45.17 Sec. 9. Minnesota Statutes 2024, section 18J.04, subdivision 2, is amended to read:

45.18 Subd. 2. **Purpose of entry.** (a) The commissioner may enter sites for:

45.19 (1) inspection of inventory and equipment for the manufacture, storage, handling,
45.20 distribution, disposal, or any other process regulated under chapter 18G, 18H, 18K, 27, 223,
45.21 231, or 232; sections 21.111 to 21.125 or 21.80 to 21.92; or associated rules;

45.22 (2) sampling of sites, seeds, plants, products, grain, household goods, general
45.23 merchandise, produce, or other living or nonliving objects that are manufactured, stored,
45.24 distributed, handled, or disposed of at those sites and regulated under chapter 18G, 18H,
45.25 18K, 27, 223, 231, or 232; sections 21.111 to 21.125 or 21.80 to 21.92; or associated rules;

45.26 (3) inspection of records related to the manufacture, distribution, storage, handling, or
45.27 disposal of seeds, plants, products, grain, household goods, general merchandise, produce,
45.28 or other living or nonliving objects regulated under chapter 18G, 18H, 18K, 27, 223, 231,
45.29 or 232; sections 21.111 to 21.125 or 21.80 to 21.92; or associated rules;

46.1 (4) investigating compliance with chapter 18G, 18H, 18K, 27, 223, 231, or 232; sections
46.2 21.111 to 21.125 or 21.80 to 21.92; or associated rules; or

46.3 (5) other purposes necessary to implement chapter 18G, 18H, 18K, 27, 223, 231, or 232;
46.4 sections 21.111 to 21.125 or 21.80 to 21.92; or associated rules.

46.5 (b) The commissioner may enter any public or private premises during or after regular
46.6 business hours without notice of inspection when a suspected violation of chapter 18G,
46.7 18H, 18K, 27, 223, 231, or 232; sections 21.111 to 21.125 or 21.80 to 21.92; or associated
46.8 rules may threaten public health or the environment.

46.9 Sec. 10. Minnesota Statutes 2024, section 18J.04, subdivision 3, is amended to read:

46.10 Subd. 3. **Notice of inspection samples and analyses.** (a) The commissioner shall provide
46.11 the owner, operator, or agent in charge with a receipt describing any samples obtained. If
46.12 requested, the commissioner shall split any samples obtained and provide them to the owner,
46.13 operator, or agent in charge. If an analysis is made of the samples, a copy of the results of
46.14 the analysis must be furnished to the owner, operator, or agent in charge within 30 days
46.15 after an analysis has been performed. If an analysis is not performed, the commissioner
46.16 must notify the owner, operator, or agent in charge within 30 days of the decision not to
46.17 perform the analysis.

46.18 (b) The sampling and analysis must be done according to methods provided for under
46.19 applicable provisions of chapter 18G, 18H, 18K, 27, 223, 231, or 232; sections 21.111 to
46.20 21.125 or 21.80 to 21.92; or associated rules. In cases not covered by those sections and
46.21 methods or in cases where methods are available in which improved applicability has been
46.22 demonstrated the commissioner may adopt appropriate methods from other sources.

46.23 Sec. 11. Minnesota Statutes 2024, section 18J.04, subdivision 4, is amended to read:

46.24 Subd. 4. **Inspection requests by others.** (a) A person who believes that a violation of
46.25 chapter 18G, 18H, 18K, 27, 223, 231, or 232; sections 21.111 to 21.125 or 21.80 to 21.92;
46.26 or associated rules has occurred may request an inspection by giving notice to the
46.27 commissioner of the violation. The notice must be in writing, state with reasonable
46.28 particularity the grounds for the notice, and be signed by the person making the request.

46.29 (b) If after receiving a notice of violation the commissioner reasonably believes that a
46.30 violation has occurred, the commissioner shall make a special inspection in accordance with
46.31 the provisions of this section as soon as practicable, to determine if a violation has occurred.

47.1 (c) An inspection conducted pursuant to a notice under this subdivision may cover an
47.2 entire site and is not limited to the portion of the site specified in the notice. If the
47.3 commissioner determines that reasonable grounds to believe that a violation occurred do
47.4 not exist, the commissioner must notify the person making the request in writing of the
47.5 determination.

47.6 Sec. 12. Minnesota Statutes 2024, section 18J.05, subdivision 1, is amended to read:

47.7 Subdivision 1. **Enforcement required.** (a) A violation of chapter 18G, 18H, 18K, 27,
47.8 223, 231, or 232; sections 21.111 to 21.125 or 21.80 to 21.92; or an associated rule is a
47.9 violation of this chapter.

47.10 (b) Upon the request of the commissioner, county attorneys, sheriffs, and other officers
47.11 having authority in the enforcement of the general criminal laws must take action to the
47.12 extent of their authority necessary or proper for the enforcement of chapter 18G, 18H, 18K,
47.13 27, 223, 231, or 232; sections 21.111 to 21.125 or 21.80 to 21.92; or associated rules or
47.14 valid orders, standards, stipulations, and agreements of the commissioner.

47.15 Sec. 13. Minnesota Statutes 2024, section 18J.05, subdivision 2, is amended to read:

47.16 Subd. 2. **Commissioner's discretion.** If minor violations of chapter 18G, 18H, 18K,
47.17 27, 223, 231, or 232; sections 21.111 to 21.125 or 21.80 to 21.92; or associated rules occur
47.18 or the commissioner believes the public interest will be best served by a suitable notice of
47.19 warning in writing, this section does not require the commissioner to:

47.20 (1) report the violation for prosecution;

47.21 (2) institute seizure proceedings; or

47.22 (3) issue a withdrawal from distribution, stop-sale, or other order.

47.23 Sec. 14. Minnesota Statutes 2024, section 18J.05, subdivision 6, is amended to read:

47.24 Subd. 6. **Agent for service of process.** All persons licensed, permitted, registered, or
47.25 certified under chapter 18G, 18H, 18K, 27, 223, 231, or 232; sections 21.111 to 21.125 or
47.26 21.80 to 21.92; or associated rules must appoint the commissioner as the agent upon whom
47.27 all legal process may be served and service upon the commissioner is deemed to be service
47.28 on the licensee, permittee, registrant, or certified person.

48.1 Sec. 15. Minnesota Statutes 2024, section 18J.06, is amended to read:

48.2 **18J.06 FALSE STATEMENT OR RECORD.**

48.3 A person must not knowingly make or offer a false statement, record, or other information
48.4 as part of:

48.5 (1) an application for registration, license, certification, or permit under chapter 18G,
48.6 18H, 18K, 27, 223, 231, or 232; sections 21.111 to 21.125 or 21.80 to 21.92; or associated
48.7 rules;

48.8 (2) records or reports required under chapter 18G, 18H, 18K, 27, 223, 231, or 232;
48.9 sections 21.111 to 21.125 or 21.80 to 21.92; or associated rules; or

48.10 (3) an investigation of a violation of chapter 18G, 18H, 18K, 27, 223, 231, or 232;
48.11 sections 21.111 to 21.125 or 21.80 to 21.92; or associated rules.

48.12 Sec. 16. Minnesota Statutes 2024, section 18J.07, subdivision 3, is amended to read:

48.13 Subd. 3. **Cancellation of registration, permit, license, certification.** The commissioner
48.14 may cancel or revoke a registration, permit, license, or certification provided for under
48.15 chapter 18G, 18H, 18K, 27, 223, 231, or 232; sections 21.111 to 21.125 or 21.80 to 21.92;
48.16 or associated rules or refuse to register, permit, license, or certify under provisions of chapter
48.17 18G, 18H, 18K, 27, 223, 231, or 232; sections 21.111 to 21.125 or 21.80 to 21.92; or
48.18 associated rules if the registrant, permittee, licensee, or certified person has used fraudulent
48.19 or deceptive practices in the evasion or attempted evasion of a provision of chapter 18G,
48.20 18H, 18K, 27, 223, 231, or 232; sections 21.111 to 21.125 or 21.80 to 21.92; or associated
48.21 rules.

48.22 Sec. 17. Minnesota Statutes 2024, section 18J.07, subdivision 4, is amended to read:

48.23 Subd. 4. **Service of order or notice.** (a) If a person is not available for service of an
48.24 order, the commissioner may attach the order to the facility, site, seed or seed container,
48.25 plant or other living or nonliving object regulated under chapter 18G, 18H, 18K, 27, 223,
48.26 231, or 232; sections 21.111 to 21.125 or 21.80 to 21.92; or associated rules and notify the
48.27 owner, custodian, other responsible party, or registrant.

48.28 (b) The seed, seed container, plant, or other living or nonliving object regulated under
48.29 chapter 18G, 18H, 18K, 27, 223, 231, or 232; sections 21.111 to 21.125 or 21.80 to 21.92;
48.30 or associated rules may not be sold, used, tampered with, or removed until released under
48.31 conditions specified by the commissioner, by an administrative law judge, or by a court.

49.1 Sec. 18. Minnesota Statutes 2024, section 18J.07, subdivision 5, is amended to read:

49.2 Subd. 5. **Unsatisfied judgments.** (a) An applicant for a license, permit, registration, or
 49.3 certification under provisions of this chapter, chapter 18G, 18H, 18K, 27, 223, 231, or 232;
 49.4 sections 21.111 to 21.125 or 21.80 to 21.92; or associated rules may not allow a final
 49.5 judgment against the applicant for damages arising from a violation of those statutes or
 49.6 rules to remain unsatisfied for a period of more than 30 days.

49.7 (b) Failure to satisfy, within 30 days, a final judgment resulting from a violation of this
 49.8 chapter results in automatic suspension of the license, permit, registration, or certification.

49.9 Sec. 19. Minnesota Statutes 2024, section 18J.09, is amended to read:

49.10 **18J.09 CREDITING OF PENALTIES, FEES, AND COSTS.**

49.11 Penalties, cost reimbursements, fees, and other money collected under this chapter must
 49.12 be deposited into the state treasury and credited to the appropriate nursery and phytosanitary
 49.13 account under section 18H.17, industrial hemp account under section 18K.07, ~~or~~ seed potato
 49.14 inspection account under section 21.115, seed inspection account under section 21.92, or
 49.15 grain buyers and storage account under sections 223.17 and 232.22.

49.16 Sec. 20. Minnesota Statutes 2024, section 18K.02, subdivision 5, is amended to read:

49.17 Subd. 5. **Processing.** "Processing" means rendering by refinement hemp plants or hemp
 49.18 plant parts from their natural or original state after harvest. Processing includes but is not
 49.19 limited to decortication, devitalization, chopping, crushing, extraction of plant substances
 49.20 other than cannabinoids, and ~~packaging~~ pressing. Processing does not include typical farm
 49.21 operations such as sorting, grading, baling, and harvesting. Processing does not include
 49.22 extraction of cannabinoids or the production of artificially derived cannabinoids as defined
 49.23 in section 342.01, subdivision 6.

49.24 Sec. 21. Minnesota Statutes 2024, section 18K.02, subdivision 6, is amended to read:

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

50.1 Sec. 22. Minnesota Statutes 2024, section 18K.04, subdivision 1, is amended to read:

50.2 Subdivision 1. **Requirement; issuance; presumption.** (a) A person must obtain a license
50.3 from the commissioner before (1) growing industrial hemp, (2) processing industrial hemp,
50.4 or (3) researching industrial hemp.

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

50.9 (c) For a license to grow or process industrial hemp, the license application must include
50.10 the name and address of the applicant and the legal description of the land area or areas
50.11 where industrial hemp will be grown or processed by the applicant and any other information
50.12 required under Code of Federal Regulations, title 7, part 990.

50.13 ~~(d) For a license to process industrial hemp, the license application must include the~~
50.14 ~~name and address of the applicant, the legal description of the processing location, and any~~
50.15 ~~other information required by the commissioner.~~

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

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

50.21 ~~(g)~~ (f) A person licensed under paragraph (a) to grow industrial hemp is presumed to be
50.22 growing industrial hemp for commercial or research purposes.

50.23 Sec. 23. Minnesota Statutes 2024, section 21.111, is amended to read:

50.24 **21.111 DEFINITIONS.**

50.25 Subdivision 1. **Scope.** When used in sections 21.111 to ~~21.122~~ 21.125 the terms defined
50.26 in this section shall have the meanings ascribed to them.

50.27 ~~Subd. 2. **Inspected.** "Inspected" means that the potato plants are examined in the field~~
50.28 ~~and that the harvested potatoes produced by the potato plants are examined by or under the~~
50.29 ~~authority of the commissioner. For seed potatoes produced in a lab, inspected means that~~
50.30 ~~the lab's records, including records related to the lab's procedures and protocols, as well as~~
50.31 ~~the seed potatoes, have been examined under the authority of the commissioner.~~

51.1 Subd. 3. **Certified.** "Certified" means that the potatoes ~~were~~ have been inspected while
 51.2 growing in the field and, when possible, again after being harvested, and ~~were thereafter~~
 51.3 ~~duly certified by or under the authority of the commissioner, as provided~~ the potatoes meet
 51.4 the requirements in sections 21.111 to 21.122, ~~and as provided by rules adopted and published~~
 51.5 ~~by the commissioner~~ 21.125. For seed potatoes produced in a ~~lab~~ an indoor facility or
 51.6 greenhouse, certified means that:

51.7 (1) the seed potato ~~lab~~ facilities, ~~and the lab's~~ procedures, and protocols have been
 51.8 examined under the authority of the commissioner; ~~and.~~

51.9 (2) ~~the seed potatoes have been inspected after they have been harvested, removed, or~~
 51.10 ~~released from the lab, and were duly certified by or under the authority of the commissioner,~~
 51.11 ~~as provided in sections 21.111 to 21.122.~~

51.12 Subd. 3a. **Interstate cooperation.** ~~In order to best use state resources, the commissioner~~
 51.13 ~~may enter into agreements with other seed potato certification entities to carry out the~~
 51.14 ~~purposes of sections 21.111 to 21.122. Any agreement may provide for field inspections,~~
 51.15 ~~shipping point inspections, winter tests, and other certification functions to be carried out~~
 51.16 ~~by personnel employed by either entity according to methods determined by the certification~~
 51.17 ~~entities of the respective areas. The commissioner may extend seed potato certification~~
 51.18 ~~services to states where growers wish to grow certified seed potatoes and the state does not~~
 51.19 ~~have a seed potato certification program. Any agreement must be reported to the chairs of~~
 51.20 ~~the legislative committees responsible for the budget or policy of the seed potato inspection~~
 51.21 ~~program and to the commissioner of management and budget.~~

51.22 Subd. 3b. **Certified seed potatoes.** "Certified seed potatoes" means potatoes that have
 51.23 been produced, graded, sacked or placed in bulk, inspected, and certified in accordance with
 51.24 this chapter.

51.25 Subd. 3c. **Class.** "Class" means the seed quality level related to compliance with
 51.26 tolerances for diseases and varietal purity.

51.27 Subd. 3d. **Clone.** "Clone" means a unit of seed potatoes that is the progeny of one plant,
 51.28 which has been tested to become eligible to produce Generation 1 class seed potatoes.

51.29 Subd. 3e. **Commissioner.** "Commissioner" means the commissioner of agriculture or
 51.30 the commissioner's designee.

51.31 Subd. 3f. **Crop.** "Crop" means all lots produced on a farm in one year.

51.32 Subd. 3g. **Department.** "Department" means the Department of Agriculture.

52.1 Subd. 3h. **Explant.** "Explant" means an in vitro potato plant or a plantlet that is produced
 52.2 by rooting an excised tip of a tuber sprout or an axillary bud from a growing plant and that
 52.3 serves as a parent for a whole clone or accession of micropropagated plants or plantlets.

52.4 Subd. 3i. **Farm.** "Farm" means a potato-growing enterprise. Farm includes all land,
 52.5 equipment, storage facilities, and laborers used to produce potatoes.

52.6 Subd. 3j. **Field.** "Field" means a plot of land on a farm where potatoes are grown.

52.7 Subd. 3k. **Inspected.** (a) For plants growing in a field, "inspected" means that the
 52.8 commissioner has examined the plants in the field where the plants are grown and has
 52.9 visually assessed the plants for disease and factors impacting quality.

52.10 (b) For harvested potatoes, inspected means that the commissioner has observed the
 52.11 tubers and, when requested, the commissioner has evaluated the tubers for quality and
 52.12 conditions described in section 21.125.

52.13 (c) For seed potatoes produced in a facility or greenhouse, inspected means that the
 52.14 commissioner has examined the seed potatoes and the facility's records, including records
 52.15 related to the facility's procedures and protocols.

52.16 Subd. 3l. **Lot.** "Lot" means a group of seed potatoes of one variety, planted in one
 52.17 continuous plot, grown on the same farm, and physically separated from other lots while
 52.18 being grown and stored.

52.19 Subd. 3m. **Material in maintenance.** "Material in maintenance" means propagative
 52.20 material, plantlets, or tubers that are maintained, not multiplied, under controlled laboratory
 52.21 conditions.

52.22 Subd. 3n. **Roguing.** "Roguing" is the process of removing infected plants from a field
 52.23 of certified seed potatoes.

52.24 Subd. 3o. **Stand.** "Stand" is the live plant population in a certified seed potato lot.

52.25 Subd. 5. **Seed potatoes.** "Seed potatoes" means potatoes used, sold, offered or exposed
 52.26 for sale, or held with intent to sell or as a sample representing any lot or stock of potatoes
 52.27 offered or exposed for sale or held with intent to sell within this state, for the purpose of
 52.28 planting.

52.29 Subd. 6. **Person.** "Person" includes an individual, a partnership, a corporation, a company,
 52.30 a society, an association, and ~~firm~~ a firm.

52.31 Subd. 7. **Physically separated.** "Physically separated" means separated by at least the
 52.32 width of one row and markings such as flags at every corner of the lot.

53.1 Subd. 8. **Rejected.** "Rejected" means that a field or lot fails to meet the certification
 53.2 standards in this chapter.

53.3 Subd. 9. **Tuber units.** "Tuber units" means the separate pieces of one tuber that are
 53.4 planted consecutively in two or more hills in a row.

53.5 Subd. 10. **Winter testing.** "Winter testing" means growing out and visually inspecting
 53.6 a representative sample of tubers from each seed lot for stand, vigor, varietal purity, and
 53.7 disease.

53.8 Sec. 24. Minnesota Statutes 2024, section 21.112, is amended by adding a subdivision to
 53.9 read:

53.10 Subd. 1a. **Interstate cooperation.** In order to best use state resources, the commissioner
 53.11 may enter into agreements with other seed potato certification entities to carry out the
 53.12 purposes of sections 21.111 to 21.125. An agreement under this subdivision may provide
 53.13 for field inspections, shipping point inspections, winter testing, and other certification
 53.14 functions to be carried out by personnel employed by either the commissioner or other seed
 53.15 potato certification entities according to methods determined by the seed potato certification
 53.16 entities. The commissioner may extend seed potato certification services to a state where
 53.17 growers wish to grow certified seed potatoes and where the state does not have a seed potato
 53.18 certification program. Any agreement under this subdivision must be reported to the chairs
 53.19 and ranking minority members of the legislative committees responsible for the budget or
 53.20 policy of the seed potato inspection program and to the commissioner of management and
 53.21 budget.

53.22 Sec. 25. Minnesota Statutes 2024, section 21.113, is amended to read:

53.23 **21.113 SHIPPING POINT CERTIFICATES ~~OF INSPECTION~~; CERTIFICATES**
 53.24 **OF ORIGIN; AND BULK CERTIFICATES.**

53.25 Subdivision 1. **Shipping point inspections.** (a) The commissioner shall issue shipping
 53.26 point certificates of inspection only when seed potatoes have been inspected while growing
 53.27 in the field and again after being harvested.

53.28 ~~(b) For seed potatoes produced in a lab, the commissioner shall issue certificates of~~
 53.29 ~~inspection only after:~~

53.30 ~~(1) the seed potato lab facility and the lab's records have been inspected; and~~

53.31 ~~(2) the seed potatoes have been inspected after they have been harvested, removed, or~~
 53.32 ~~released from the lab.~~

54.1 (e) (b) Certificates of inspection under this section shall show the varietal purity and the
 54.2 freedom from disease and physical injury of such potatoes and any other information as
 54.3 may be prescribed by ~~rules adopted and published under~~ sections 21.111 to ~~21.122~~ 21.125.

54.4 Subd. 2. Other certificates. (a) The use of a certificate of origin requires the approval
 54.5 of the seller and the purchaser and must only be used for intrastate shipments between
 54.6 certified seed potato producers. The certificate of origin must contain information considered
 54.7 necessary by the commissioner and must at a minimum identify the producer, receiver,
 54.8 variety, classification, quantity, date of shipment, and lot of the seed potatoes. The limitation
 54.9 of warranty as described in paragraph (c) must not include any representation of the condition
 54.10 of the potatoes at the time of shipment. A certificate of origin must only be used for intrastate
 54.11 shipment if a shipping point inspection is not available. Use of a certificate of origin must
 54.12 be approved by the commissioner prior to shipment.

54.13 (b) A bulk certificate must include the date of issuance, class, grade, lot number, and
 54.14 approximate weight of the load.

54.15 (c) A certification does not represent a warranty of any kind, express or implied, including
 54.16 merchantability, as to the quality of the crop produced from the certified seed potatoes. A
 54.17 certification must only represent that the seed potatoes were produced, graded, sacked or
 54.18 placed in bulk, and inspected in accordance with this chapter. A certification under this
 54.19 subdivision must not include any representation of the condition of the potatoes at the time
 54.20 of shipment.

54.21 Sec. 26. Minnesota Statutes 2024, section 21.115, is amended to read:

54.22 **21.115 FEES; SEED POTATO INSPECTION ACCOUNT.**

54.23 The commissioner shall fix the fees for all inspections and certifications in such amounts
 54.24 as from time to time may be found necessary to pay the expenses of carrying out and
 54.25 enforcing the purposes of sections 21.111 to ~~21.122~~ 21.125, with a reasonable reserve, and
 54.26 shall require the same to be paid before such inspections or certifications are made. All
 54.27 moneys collected as fees or as penalties for violations of any of the provisions of such
 54.28 sections shall be paid into the agricultural fund and credited to the seed potato inspection
 54.29 account of the commissioner, which account is hereby created and appropriated for carrying
 54.30 out the purposes of sections 21.111 to ~~21.122~~ 21.125. Interest, if any, received on deposits
 54.31 of these moneys shall be credited to the account, and there shall be paid into this fund any
 54.32 sum provided by the legislature for the purpose of carrying out the provisions of such
 54.33 sections.

55.1 Sec. 27. Minnesota Statutes 2024, section 21.117, is amended to read:

55.2 **21.117 APPLICATIONS FOR INSPECTIONS; WITHDRAWALS;**
 55.3 **AMENDMENTS.**

55.4 (a) Any person may make application to the commissioner for inspection or certification
 55.5 of seed potatoes growing or to be grown. Upon receiving such application and the required
 55.6 fee and such other information as may be required, the commissioner shall cause such
 55.7 potatoes to be inspected or certified in accordance with the provisions of sections 21.111
 55.8 to ~~21.122~~ and the rules adopted and published thereunder 21.125.

55.9 (b) If a grower wishes to withdraw ~~a field or lab~~ an application after having made a
 55.10 timely application for inspection and such withdrawal is requested before the field or ~~lab~~
 55.11 facility inspection has been made, the fee paid shall be refunded to said grower. A grower
 55.12 must submit a withdrawal request in writing and include a reason for withdrawal. A grower
 55.13 must remove withdrawn acres from production before the first field inspection.

55.14 (c) If a grower wishes to amend an application after submitting a timely application for
 55.15 inspection, the grower must submit the request in writing, including a reason for the
 55.16 amendment.

55.17 Sec. 28. Minnesota Statutes 2024, section 21.119, is amended to read:

55.18 **21.119 USE OF CERTAIN TERMS FORBIDDEN; EXCEPTIONS.**

55.19 It shall be unlawful to use or employ the term "certified" or the term "inspected," or any
 55.20 term or terms conveying a meaning substantially equivalent to the meaning of either of
 55.21 these terms, either orally or in writing, printing, marking, or otherwise in reference to or in
 55.22 connection with, or in advertising or characterizing or labeling seed potatoes or the containers
 55.23 thereof, unless such potatoes shall have been duly inspected and certified pursuant to the
 55.24 provisions of sections 21.111 to ~~21.122~~ 21.125.

55.25 Sec. 29. Minnesota Statutes 2024, section 21.1195, is amended to read:

55.26 **21.1195 MINIMUM STANDARDS FOR PLANTING.**

55.27 (a) Seed potatoes may not be planted in the state in lots of totaling ten or more acres
 55.28 unless the seed meets the minimum disease standards prescribed by the commissioner. Seed
 55.29 potatoes may meet the standards by being certified in accordance with this chapter and rules
 55.30 adopted by the commissioner, or under the certification program of another state or province
 55.31 which, in the judgment of the commissioner, provides equivalent assurances of seed potato
 55.32 quality. Seed potatoes may be planted without certification if they have had at least field

56.1 inspection as required for certified seed potatoes, have passed the field inspection standards
 56.2 of disease tolerance, and are free from ring rot. ~~A person that plants seed potatoes in violation~~
 56.3 ~~of this section is subject to a civil penalty of \$20 per acre for each acre or part of an acre~~
 56.4 ~~planted in violation of this section.~~ Failure to maintain complete and accurate records in
 56.5 accordance with this section ~~or rules adopted by the commissioner is an additional violation~~
 56.6 ~~resulting in a separate civil penalty of \$200 for each failure~~ is a violation and subject to
 56.7 enforcement under chapter 18J.

56.8 (b) If there is not available to be planted in this state, in any year, a sufficient volume
 56.9 of potato seed meeting certified seed potato disease standards, in any or all varieties, the
 56.10 commissioner may, upon application by one or more growers, permit seed that does not
 56.11 comply with this section to be planted for that growing season if the seed does not pose a
 56.12 serious disease threat.

56.13 (c) Each grower shall keep records of each lot of seed potatoes planted. For each growing
 56.14 season, the records must include, by field, the variety, planting location, number of acres
 56.15 planted, and source of the seed potatoes. Each grower shall register fields and file records
 56.16 as prescribed by the commissioner. All records must be made available for inspection by
 56.17 the commissioner or the commissioner's agents during normal business hours.

56.18 (d) In addition to the enforcement powers and penalties in this section, the commissioner
 56.19 may issue a subpoena to a grower in order to compel delivery of records which are required
 56.20 under this section. These subpoenas are enforceable by any court of competent jurisdiction.

56.21 Sec. 30. **[21.123] SEED POTATO CERTIFICATION.**

56.22 Subdivision 1. Eligibility. In order to produce certified seed potatoes, a grower must
 56.23 comply with the following requirements:

56.24 (1) a grower must ensure that potatoes meet the tolerances prescribed by this chapter
 56.25 and the potatoes have been inspected by the commissioner while growing in a field;

56.26 (2) a grower must ensure that all potatoes planted on the grower's farm have been entered
 56.27 for certification by the commissioner;

56.28 (3) a grower must ensure that each lot is grown while physically separated from other
 56.29 lots. Markers must be visible to a person from any position in the field;

56.30 (4) a grower must submit an application for certification before June 16 each year on
 56.31 forms provided by the commissioner. The commissioner must charge a ten percent late
 56.32 registration fee to a grower who submitted an application postmarked after June 15 and
 56.33 before July 1. The commissioner may extend the deadline due to special circumstances,

57.1 such as a natural disaster, that make it impractical or impossible for planting to be completed
57.2 by the deadline and that affect an area or large number of growers. A grower must make a
57.3 request for an extension in writing before June 16;

57.4 (5) an application for certification must include a North American Health Certificate
57.5 and a shipping point certificate, bulk seed certificate, or certificate of origin. The
57.6 commissioner may accept an incomplete application for certification;

57.7 (6) an application for certification must demonstrate that the seed potatoes being entered
57.8 for certification originated from a class system in Minnesota or another state or province
57.9 under the supervision of another certifying agency; and

57.10 (7) a grower must comply with sections 21.111 to 21.125. A grower's violation of sections
57.11 21.111 to 21.125 is cause for the commissioner to reject the grower's field or lot. A grower
57.12 must not sell or label potatoes as certified seed potatoes when the potatoes were grown in
57.13 a rejected field or lot.

57.14 Subd. 2. **Certification process.** (a) As part of the certification process, the commissioner
57.15 must visually inspect sample plants from each field and lot belonging to the grower, except
57.16 that the commissioner is not required to visually inspect sample plants and tubers when
57.17 certifying prenuclear class potatoes.

57.18 (b) For seed potato varieties that do not exhibit visible symptoms of a specific pathogen,
57.19 the commissioner must subject the seed potatoes to laboratory tests to determine the level
57.20 of a pathogen in a seed lot. Testing under this paragraph may occur during the growing
57.21 season, the storage season, or winter testing.

57.22 (c) The commissioner may not accept an application for certification from a grower in
57.23 a community or county without sufficient acreage for total inspection fee charges to cover
57.24 the cost of wages and expenses of the commissioner to complete an inspection. The
57.25 commissioner may make a determination of sufficient acreage under this paragraph before
57.26 conducting an inspection as part of the certification process.

57.27 (d) The commissioner must not inspect a field for certification unless both the planted
57.28 seed potato variety and the particular planted lot have been authorized by the commissioner.
57.29 When considering the authorization of a particular seed potato variety for planting as certified
57.30 seed potatoes, the commissioner must consider scientific evidence and the expert opinions
57.31 of inspectors.

57.32 (e) The following classes of seed potatoes are eligible for planting as certified seed
57.33 potatoes: Prenuclear (PN), Generation 1 (G1), Generation 2 (G2), Generation 3 (G3),

58.1 Generation 4 (G4), Generation 5 (G5), and experimental class seed potatoes. The
58.2 commissioner may authorize the planting of Certified (C) class or Generation 6 (G6) class
58.3 seed potatoes if the commissioner determines that the seeds do not pose a serious threat of
58.4 disease to the public.

58.5 Subd. 3. **Bacterial ring rot or potato spindle tuber viroid.** If the commissioner finds
58.6 the presence of bacterial ring rot or potato spindle tuber viroid in a field or lot, the
58.7 commissioner must reject the entire field or lot. If the commissioner discovers a single plant
58.8 in a field or a tuber in storage that is infected with bacterial ring rot or potato spindle tuber
58.9 viroid, the commissioner must reject the entire field or lot where the plant was grown. If
58.10 the commissioner has not found bacterial ring rot or potato spindle tuber viroid in a field
58.11 or lot, the field or lot is not necessarily free from either disease.

58.12 Subd. 4. **Winter testing.** (a) In order to detect certain virus diseases, the commissioner
58.13 must conduct winter testing of a sample from each class seeking eligibility for recertification,
58.14 except PN and experimental classes. The commissioner must grow out and visually inspect
58.15 a representative sample of tubers from each seed lot for stand, vigor, varietal purity, and
58.16 disease. If, during a visual inspection, a plant shows signs of potato virus Y or potato leafroll
58.17 virus, or if the plant is of a variety that does not express visual symptoms of infection, the
58.18 commissioner must ensure that a sample of the plant is lab tested for potato virus Y and
58.19 potato leafroll virus. The commissioner must determine whether a field or lot contains the
58.20 threshold amount of disease permitted under section 21.124, subdivision 9. The commissioner
58.21 must include any lot that passes winter testing in the approved list of certified seed lots
58.22 eligible for recertification.

58.23 (b) If the commissioner determines that a winter test of a lot or field has a serious
58.24 malfunction, the commissioner must base classification of the lot or field on summer field
58.25 readings from the previous year or lab testing.

58.26 (c) Instead of winter testing a sample, the commissioner may accept comprehensive lab
58.27 testing if the commissioner determines that special circumstances exist, such as a natural
58.28 disaster, that would make submission of samples for inclusion in winter testing impractical
58.29 or impossible.

58.30 (d) The commissioner must reject a field or lot if the commissioner determines that a
58.31 large number of plants are missing from the field or lot due to disease.

58.32 (e) The commissioner must reject a field or lot if the commissioner determines that the
58.33 field or lot contains a large number of weak plants.

59.1 (f) The commissioner may reject a field or lot if the field or lot contains a large number
59.2 of plants that have a mixture of variety.

59.3 Subd. 5. **Seed potato certification classes.** Seed potato certification classes must be
59.4 differentiated by the potatoes' compliance with disease tolerances, varietal purity, and seed
59.5 origin. Seed potato certification classes are: Prenuclear (PN), Generation 1 (G1), Generation
59.6 2 (G2), Generation 3 (G3), Generation 4 (G4), Generation 5 (G5), Generation 6 (G6), and
59.7 Certified (C).

59.8 Subd. 6. **Experimental status.** (a) Lots from a breeder's seed that have not been tested
59.9 and have not been determined to be virus-free are considered experimental. The commissioner
59.10 must designate seedlings or numbered selections in experimental status as a class and
59.11 determine requirements of that class.

59.12 (b) To obtain experimental status under this subdivision, an applicant must submit a
59.13 written statement from the seedlings' or numbered selections' breeder, originator, or
59.14 originator's designee verifying that the applicant has full and unrestricted rights to introduce
59.15 the seedlings or numbered selections into the commercial market and that the applicant may
59.16 apply to enter the seedlings or numbered selections into the certification system. The written
59.17 statement must accompany the certification application submitted by the applicant.

59.18 (c) After reviewing the applicant's written statement and certification application, the
59.19 commissioner may designate seedlings or numbered selections described in the application
59.20 as having experimental status.

59.21 (d) After an applicant is notified by the commissioner that the seedlings or numbered
59.22 selections have experimental status, the applicant must ensure that the seedlings or numbered
59.23 selections are tagged with the word "EXPERIMENTAL."

59.24 Subd. 7. **Protected varieties.** If an applicant seeks to enter a seed potato variety protected
59.25 under the Plant Variety Protection Act Amendments of 1994 into the certification system,
59.26 the applicant must submit a written statement from the breeder, originator, or originator's
59.27 designee that the applicant has full and unrestricted rights to introduce the protected variety
59.28 into the certification system. The applicant must ensure that the written statement
59.29 accompanies the certification application for any protected seed potato variety.

59.30 Subd. 8. **Certification factors; field inspection.** (a) The commissioner must consider
59.31 the following factors when conducting a field inspection pursuant to a certification
59.32 application:

60.1 (1) the commissioner must reject a field or lot if a large number of plants are missing
60.2 due to disease;

60.3 (2) the commissioner must reject a field or lot if the field or lot contains a large number
60.4 of weak plants;

60.5 (3) the commissioner must inspect a field or lot for bacterial ring rot. The commissioner
60.6 must reject a field or lot if the commissioner finds the presence of bacterial ring rot. If
60.7 bacterial ring rot is present in a field or lot, the remaining crop is not eligible for certification
60.8 planting;

60.9 (4) the commissioner must reject a field or lot if the field or lot contains potatoes with
60.10 a level of disease higher than the acceptable tolerance for the disease for the potatoes' seed
60.11 potato certification class according to section 21.124, subdivision 9;

60.12 (5) the commissioner must reject a field or lot if the field or lot contains a percentage
60.13 of diseased plants that exceeds the acceptable percentage of disease listed in section 21.124
60.14 for the seed potato certification class;

60.15 (6) the commissioner must reject a field or lot if any of the following are present in the
60.16 field or lot to such an extent that the commissioner is unable to complete a satisfactory
60.17 inspection for diseases: early or late blight, blackleg or wilt of any kind, weeds, plant injury
60.18 from insects, or chemical damage; and

60.19 (7) the commissioner must reject a field or lot if any other conditions are present to such
60.20 an extent that the commissioner is unable to make a satisfactory inspection for diseases.

60.21 (b) The commissioner must determine that a field is ineligible for certification if cull
60.22 piles are in such close vicinity to the field that it is likely that the field is contaminated.

60.23 (c) The commissioner must make at least two field inspections of a field during the
60.24 growing season. The commissioner must conduct a final inspection of a field for bacterial
60.25 ring rot during the time of year that symptoms of bacterial ring rot are most likely to be
60.26 observed. If the commissioner is unable to conduct a final inspection under this paragraph
60.27 due to management practices of the grower or for a reason that is out of the grower's control,
60.28 such as a natural disaster, the grower must ensure that laboratory testing is conducted to
60.29 maintain eligibility for certification. An additional inspection or additional laboratory testing
60.30 may be necessary to meet phytosanitary requirements in established markets in another state
60.31 or in a Canadian province.

60.32 Subd. 9. Roguing. If any of the diseases listed in section 21.124, subdivision 1, are
60.33 present in a field in amounts greater than the maximum disease tolerance level, the grower

61.1 must rogue the field and remove the infected plants before the final inspection by the
61.2 commissioner. If a grower has completed roguing a field after tubers have formed, the
61.3 grower must remove and destroy all tubers from rogued plants.

61.4 Subd. 10. **Storage.** (a) A grower must ensure that a lot is stored under conditions that
61.5 prevent disease contamination. A grower must not store a lot in any warehouse where other
61.6 potatoes are stored, unless the grower labels the lot according to paragraph (b).

61.7 (b) If more than one grower stores lots in the same warehouse, each grower must identify
61.8 the grower's lots by labeling the bin containing the lot with the grower's name, the grower's
61.9 address, the variety of potatoes in the bin, and the number of potatoes in the bin.

61.10 (c) If a grower plans to store a lot in a public warehouse or storage unit that is not directly
61.11 under the grower's control, the grower must send a complete record of storage to the
61.12 commissioner prior to storing the lot. The record must include the address and location of
61.13 the public warehouse or storage unit, the variety of potatoes in each bin, and the number of
61.14 potatoes in each bin. If a warehouse receipt for the lot is available, the grower must submit
61.15 a copy of the warehouse receipt to the commissioner. If more than one grower stores lots
61.16 in the same public warehouse or storage unit, the grower must label each lot according to
61.17 paragraph (b).

61.18 (d) A grower must not use the same equipment for grading and handling lots of certified
61.19 seed potatoes and other potatoes. If a grower has used the same equipment for grading and
61.20 handling certified seed potatoes and other potatoes, the commissioner must reject the grower's
61.21 lots.

61.22 (e) A firm that handles lots under contract must label each bin containing a lot with the
61.23 name of the grower whose lots are being stored. A firm handling lots under contract must
61.24 properly label and handle bins containing lots. A certification tag or bulk certificate must
61.25 not be issued unless all bins are properly labeled according to this paragraph.

61.26 (f) By November 1 of each crop year, a grower must submit to the commissioner a
61.27 completed storage and yield report for each lot on a form prescribed by the commissioner.
61.28 The commissioner may extend the deadline after November 1 due to special circumstances,
61.29 such as a natural disaster, that would make it impractical or impossible for a grower to
61.30 complete harvesting and storage by November 1 and that affect an area or a large number
61.31 of growers. A grower must submit a written request for an extension to the commissioner
61.32 before November 1 of the crop year for which the extension is sought.

61.33 Subd. 11. **Tags; bulk certificates.** (a) Once the commissioner has informed a grower
61.34 that the grower's potatoes meet the certification requirements in sections 21.111 to 21.125,

62.1 a grower may tag the potatoes using an approved tag indicating the grade of potatoes as
62.2 blue-tag-certified seed potato grade, yellow-tag-certified seed potato grade, or
62.3 white-tag-certified seed potato grade. A grower's name, the city where the farm is located,
62.4 the potato variety, and the crop year must be printed on a tag under this subdivision.

62.5 (b) When fastening a tag to a potato sack, a grower must fasten the tag to the sack to
62.6 form a seal at the time that the lot or shipment is prepared.

62.7 (c) A bulk certificate must include the date that the certificate was issued, class, grade,
62.8 lot number, shipping point certificate number, and approximate weight of the lot.

62.9 (d) Only the person who grew the potatoes may order or print tags for the potatoes once
62.10 the commissioner has informed the person that the potatoes meet certification requirements
62.11 under sections 21.111 to 21.125.

62.12 (e) A grower may print a tag for potatoes if the grower has provided proof of each lot
62.13 to the commissioner for review before using the tag. A tag printed by a grower must contain
62.14 the following statement: "The quality and condition of each lot is only confirmed through
62.15 a shipping point inspection certificate. This tag, without an accompanying shipping point
62.16 inspection certificate, is not proof that the potatoes contained within have been duly
62.17 inspected."

62.18 Subd. 12. **Certified seed potato grades.** Certified seed potatoes must be classified by
62.19 certified seed potato grades based on the number of physical defects of tubers. A grower
62.20 must only use a certified seed potato grade for potatoes after a shipping point inspection of
62.21 the potatoes has been completed. The following three grades of certified seed potatoes must
62.22 be used for Minnesota-certified seed potatoes:

62.23 (1) the blue-tag-certified seed potato grade is the first grade of certified seed potatoes.
62.24 The blue-tag-certified seed potato grade is stricter than other grades. The blue-tag-certified
62.25 seed potato grade does not allow as many physical defects of tubers as other grades. A
62.26 grower may use the blue-tag-certified seed potato grade for intrastate and interstate shipments
62.27 of certified seed potatoes;

62.28 (2) the yellow-tag-certified seed potato grade is the second grade of certified seed
62.29 potatoes. The yellow-tag-certified seed potato grade allows more physical defects of tubers
62.30 than the blue-tag-certified seed potato grade. A grower may use the yellow-tag-certified
62.31 seed potato grade for intrastate and interstate shipments of certified seed potatoes; and

62.32 (3) the white-tag-certified seed potato grade is the third grade of certified seed potatoes.
62.33 The number of physical defects that the white-tag-certified seed potato grade allows is

63.1 determined by an agreement between the purchaser and seller of the certified seed potatoes.

63.2 A grower may use the white-tag-certified seed potato grade for intrastate and interstate
 63.3 shipments of certified seed potatoes.

63.4 Subd. 13. Grading. (a) A grower must ensure that a lot is inspected at the shipping point
 63.5 if the lot requires a grade statement.

63.6 (b) If an inspection at the shipping point is impossible, a grower must request a grading
 63.7 inspection in transit.

63.8 (c) A grower must ensure that a bagged lot or shipment offered for sale and tagged with
 63.9 approved certification tags is contained in new even-weight sacks.

63.10 (d) A grower must ensure that a bulk shipment is identified with a bulk certificate.

63.11 (e) A grower must ensure that a bagged lot and bulk lot or shipment meets grade standards
 63.12 in section 21.125.

63.13 (f) A grower must recondition a lot or shipment that fails to meet the grade standards in
 63.14 section 21.125.

63.15 (g) If a lot or shipment fails to meet grade standards and is contained in sacks, a grower
 63.16 must remove approved certification tags from the lot or shipment before the lot or shipment
 63.17 may proceed to its destination.

63.18 (h) If a shipment is in bulk and fails to meet grade standards in section 21.125, a bulk
 63.19 certificate must not be issued.

63.20 (i) If a lot or shipment fails to meet grade standards, the shipper must bear the costs of
 63.21 reconditioning potatoes to meet the grade standards in section 21.125.

63.22 Sec. 31. [21.124] REQUIREMENTS FOR PRODUCTION OF DIFFERENT
 63.23 CLASSES OF CERTIFIED SEED POTATOES.

63.24 Subdivision 1. Prenuclear class certified seed potatoes. (a) A lot grown as and intended
 63.25 to be prenuclear class certified seed potatoes must be grown from plants tested and shown
 63.26 to be free from the following pathogens:

63.27 (1) *Clavibacter michiganensis* ssp. *sepedonicus* (ring rot);

63.28 (2) *Pectobacterium atrosepticum* ssp. *Atrosepticum*, *carotovora* (blackleg);

63.29 (3) potato virus X;

63.30 (4) potato virus S;

64.1 (5) potato virus A;

64.2 (6) potato virus M;

64.3 (7) potato virus Y;

64.4 (8) potato spindle tuber viroid; and

64.5 (9) potato leafroll virus.

64.6 (b) When growing prenuclear class seed potatoes, a grower must ensure that each explant
64.7 or tuber is tested for organisms for which testing is required by the state or province of
64.8 destination. A grower must ensure that material in maintenance is tested during the year of
64.9 producing prenuclear class seed potatoes.

64.10 (c) A grower must produce prenuclear class seed potatoes in a greenhouse, facility, or
64.11 screenhouse under sanitary conditions, free from insects and weeds that can harbor or
64.12 transmit potato diseases or other conditions that would allow possible disease contamination.
64.13 A grower must ensure that a facility used for growing prenuclear seed potatoes is sufficiently
64.14 insulated from insects by screens and double doors. The commissioner may inspect any
64.15 facility or equipment used for growing, handling, and storing prenuclear class seed potatoes
64.16 to verify that the facility or equipment complies with this paragraph.

64.17 (d) A grower must ensure that one percent of each lot or ten plants or tubers from each
64.18 lot, whichever is greater, is tested during the growing season to verify that the crop is free
64.19 from potato virus X, potato virus Y, potato leafroll virus, *C. michiganensis*, and *P.*
64.20 *atrosepticum*.

64.21 (e) Prenuclear tubers may originate from greenhouse tubers for one year only if the
64.22 greenhouse tubers have remained at the same growing operation and have remained isolated
64.23 from field-grown tubers.

64.24 (f) Prenuclear class certified seed potatoes must not contain more than the allowable
64.25 tolerances for disease and varietal mixture in subdivision 9.

64.26 Subd. 2. **Generation 1 class certified seed potatoes.** (a) Generation 1 class seed potatoes
64.27 must meet the following requirements:

64.28 (1) the seed source must be either prenuclear tubers, clones, or plantlets; and

64.29 (2) tuber units or plantlets must be planted in identifiable family units.

64.30 (b) Subject to the commissioner's approval, lots in Generation 1 class may be exempt
64.31 from winter testing requirements if leaves collected during the growing season are laboratory

65.1 tested and shown to be within the allowable tolerance of potato virus X, potato virus Y, and
65.2 other pathogens identified by the commissioner.

65.3 (c) Each lot must be stored in an individual identifiable unit.

65.4 (d) Generation 1 seed potatoes must not contain more than the allowable tolerances for
65.5 disease and varietal mixture for seed potatoes in subdivision 9.

65.6 Subd. 3. **Generation 2 class certified seed potatoes.** Generation 2 class seed potatoes
65.7 must originate from Generation 1 class seed potatoes. Generation 2 class seed potatoes must
65.8 not contain more than the allowable tolerances of disease and varietal mixture in subdivision
65.9 9.

65.10 Subd. 4. **Generation 3 class certified seed potatoes.** Generation 3 class seed potatoes
65.11 must originate from Generation 2 class seed potatoes. Generation 3 class seed potatoes must
65.12 not contain more than the allowable tolerances of disease and varietal mixture in subdivision
65.13 9.

65.14 Subd. 5. **Generation 4 class certified seed potatoes.** Generation 4 class seed potatoes
65.15 must originate from Generation 3 class seed potatoes. Generation 4 class seed potatoes must
65.16 not contain more than the allowable tolerances for disease and varietal mixture in subdivision
65.17 9.

65.18 Subd. 6. **Generation 5 class certified seed potatoes.** Generation 5 class seed potatoes
65.19 must originate from Generation 4 class seed potatoes. Generation 5 class seed potatoes must
65.20 not contain more than the allowable tolerances for disease and varietal mixture in subdivision
65.21 9.

65.22 Subd. 7. **Generation 6 class certified seed potatoes.** Generation 6 class seed potatoes
65.23 must originate from Generation 5 class seed potatoes. Generation 6 class seed potatoes must
65.24 not contain more than the allowable tolerances for disease and varietal mixture in subdivision
65.25 9.

65.26 Subd. 8. **Certified class certified seed potatoes.** Certified class seed potatoes must
65.27 originate from generation classes of seed potatoes. Certified class seed potatoes must not
65.28 contain more than the allowable tolerances for disease and varietal mixture in subdivision
65.29 9.

65.30 Subd. 9. **Allowable tolerances for diseases and varietal mixture by generation**
65.31 **class.** The numbers represent the percentage of potatoes that may be affected out of an
65.32 individual lot.

	<u>PN</u>	<u>G1</u>	<u>G2</u>	<u>G3</u>	<u>G4</u>	<u>G5</u>	<u>G6</u>	<u>C</u>	
66.1									
66.2	<u>Tolerances:</u>								
66.3	<u>Severe Mosaic from</u>								
66.4	<u>potato virus Y, A, M,</u>								
66.5	<u>0</u>	<u>0.5</u>	<u>0.5</u>	<u>0.5</u>	<u>0.5</u>	<u>0.5</u>	<u>0.5</u>	<u>1</u>	
66.6	<u>0</u>	<u>0.5</u>	<u>0.5</u>	<u>0.5</u>	<u>0.5</u>	<u>0.5</u>	<u>0.5</u>	<u>1</u>	
66.7	<u>0</u>	<u>0.5</u>	<u>0.5</u>	<u>0.5</u>	<u>0.5</u>	<u>0.5</u>	<u>0.5</u>	<u>1</u>	
66.8	<u>0</u>	<u>0.5</u>	<u>0.5</u>	<u>0.5</u>	<u>0.5</u>	<u>0.5</u>	<u>0.5</u>	<u>0.5</u>	
66.9	<u>Mycoplasm (haywire,</u>								
66.10	<u>witches broom, yellow</u>								
66.11	<u>0</u>	<u>0.5</u>	<u>0.5</u>	<u>0.5</u>	<u>0.5</u>	<u>0.5</u>	<u>0.5</u>	<u>0.5</u>	
66.12	<u>0</u>	<u>0.5</u>	<u>0.5</u>	<u>0.5</u>	<u>0.5</u>	<u>0.5</u>	<u>0.5</u>	<u>0.5</u>	
66.13	<u>0</u>	<u>0</u>	<u>0.2</u>	<u>0.5</u>	<u>1</u>	<u>exc.</u>	<u>exc.</u>	<u>exc.</u>	
66.14	<u>0</u>	<u>0</u>	<u>0</u>	<u>0.1</u>	<u>0.1</u>	<u>0.1</u>	<u>0.2</u>	<u>0.2</u>	
66.15	<u>Ring Rot and Spindle</u>								
66.16	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	
66.17	<u>Winter Test:</u>								
66.18	<u>Virus or expressing</u>								
66.19	<u>symptoms of chemical</u>								
66.20	<u>-</u>	<u>0.5</u>	<u>0.5</u>	<u>0.5</u>	<u>0.5</u>	<u>0.5</u>	<u>0.5</u>	<u>0.5</u>	

66.21 Sec. 32. **[21.125] MINNESOTA CERTIFIED SEED POTATO GRADES AND**
66.22 **TOLERANCES.**

66.23 **Subdivision 1. Certified seed potato grading.** Potatoes must meet the requirements of
66.24 sections 21.111 to 21.125 to be graded as certified seed potatoes.

66.25 **Subd. 2. Definitions.** (a) For the purposes of this section, the following terms have the
66.26 meanings given.

66.27 **(b) "Damage" means any defect or combination of defects that materially affects the**
66.28 **appearance of the individual potato, or that cannot be removed without a loss of more than**
66.29 **five percent of the total weight of the potato, including the peel covering the defective area.**

66.30 **(c) "Diameter" means the greatest dimension at right angles to the longitudinal axis.**
66.31 **Diameter means the long axis.**

66.32 **(d) "Dry rot" means decaying tissue that is dry.**

66.33 **(e) "Fairly clean" means that the individual potato is reasonably free from dirt, staining,**
66.34 **or other foreign matter.**

66.35 **(f) "Fairly well-shaped" means that the individual potato is not materially pointed,**
66.36 **dumbbell-shaped, or otherwise ill-formed.**

67.1 (g) "Mature" means that the outer skin does not loosen or feather readily during the
67.2 ordinary methods of handling.

67.3 (h) "Serious damage" means any defect or combination of defects that seriously affects
67.4 the appearance of the individual potato or that cannot be removed without a loss of more
67.5 than ten percent of the total weight of the potato, including the peel covering the defective
67.6 area.

67.7 (i) "Slightly dirty" means the appearance is not materially affected by dirt, staining, or
67.8 other foreign matter.

67.9 (j) "Soft rot" or "wet breakdown" means any soft, mushy, or leaky condition of potato
67.10 tissues.

67.11 (k) "Well-shaped" means the normal shape for a variety.

67.12 Subd. 3. **Damage.** The commissioner must find that one or more of the following defects
67.13 constitutes damage:

67.14 (1) a russet scab that materially detracts from the appearance of a potato;

67.15 (2) second growth or growth cracks that materially affect the appearance of an individual
67.16 potato;

67.17 (3) air cracks when removal of the air cracks causes a loss of more than five percent of
67.18 the total weight of a potato;

67.19 (4) a potato that is more than moderately shriveled, spongy, or flabby;

67.20 (5) an individual potato that has sprouts over one inch in length;

67.21 (6) a surface scab, powdery scab, or pitted scab that covers more than five percent of
67.22 the surface of a potato or a surface scab, powdery scab, or pitted scab that, when removed,
67.23 causes a potato to lose more than five percent of the potato's total weight, including peel
67.24 covering a defective area of the potato; or

67.25 (7) more than 50 percent of a potato's surface contains scattered, lightly caked soil or
67.26 more than 15 percent of a potato's surface is badly caked with soil.

67.27 Subd. 4. **Serious damage.** The commissioner must find that one or more of the following
67.28 defects constitutes serious damage:

67.29 (1) a russet scab that seriously detracts from the appearance of a potato;

67.30 (2) the appearance of a potato is seriously affected by caked or smeared dirt or other
67.31 foreign matter;

68.1 (3) both ends of a potato are cut or clipped, more than an estimated one-fourth of a potato
 68.2 is cut away from one end, or a remaining portion of a clipped potato weighs less than six
 68.3 ounces;

68.4 (4) one or more cuts that seriously affect the appearance of a potato or that cannot be
 68.5 removed without the loss of more than ten percent of a potato's total weight, including peel
 68.6 covering the defective area;

68.7 (5) a potato that is excessively shriveled, spongy, or flabby;

68.8 (6) a surface scab, powdery scab, or pitted scab that covers more than 25 percent of the
 68.9 surface of a potato or a surface scab, powdery scab, or pitted scab that, when removed,
 68.10 causes a loss of more than ten percent of a potato's total weight, including peel covering the
 68.11 defective area; or

68.12 (7) wireworm or air cracks that, when removed, cause a loss of more than ten percent
 68.13 of a potato's total weight.

68.14 Subd. 5. **Application of tolerance.** If the average of an entire lot is within the disease
 68.15 tolerances specified for the grade in section 21.124, subdivision 9, an individual container
 68.16 in the lot may contain no more than double the disease tolerance specified in section 21.124,
 68.17 subdivision 9, except that sprouts, at least one defective specimen with a defect other than
 68.18 bacterial ring rot, and one off size specimen is permitted. This subdivision does not apply
 68.19 to bulk conveyances.

68.20 Subd. 6. **Condition after transit.** Deterioration that developed in transit must affect the
 68.21 condition of potatoes. Deterioration that developed in transit must not affect the grade of
 68.22 potatoes.

68.23 Subd. 7. **Minnesota blue-tag-certified seed potato grade.** (a) To be graded as Minnesota
 68.24 blue-tag-certified seed potatoes, potatoes must meet the following requirements:

68.25 (1) at the time of the shipping point inspection, potatoes must be of one variety;
 68.26 unwashed; fairly well-shaped; free from bacterial ring rot, late blight, freezing, black heart,
 68.27 and soft rot or wet breakdown; free from damage caused by soil or other foreign matter,
 68.28 second growth, air cracks, cuts, shriveling, sprouts, pitted scabs, surface scabs, powdery
 68.29 scabs, russet scabs, dry rot, other diseases, insects or worms, mechanical or other means,
 68.30 or flattened or depressed areas with underlying flesh discoloration; and free from serious
 68.31 damage caused by hollow heart, wireworm, growth cracks, or internal discoloration other
 68.32 than hollow heart. Sunburn and silver scurf must not be considered factors that affect the

69.1 grading of potatoes. This clause does not apply to hollow heart if the potatoes are labeled
69.2 "hollow heart exempt" on the affixed tag or accompanying certificate; and

69.3 (2) for round or intermediate shaped varieties, the maximum potato size is 12 ounces
69.4 (340.2 grams) and, unless otherwise specified, the minimum size must not be less than 1-1/2
69.5 inches (38.1 millimeters) in diameter. For long varieties, the maximum size is 14 ounces
69.6 (396.9 grams) and, unless otherwise specified, the minimum size must not be less than 1-1/2
69.7 inches (38.1 millimeters) in diameter. For all varieties, the minimum diameter for size "B"
69.8 must not be less than 1-1/2 inches (38.1 millimeters) and the maximum size must not be
69.9 more than 2-1/4 inches (57.1 millimeters) in diameter. The department may grade potatoes
69.10 that do not meet the maximum and minimum size specifications as Minnesota
69.11 blue-tag-certified seed potatoes if the buyer agrees to accept potatoes of alternate size
69.12 specifications from the grower and the specifications are listed on the affixed tag or
69.13 accompanying bulk certificate issued by the department.

69.14 (b) To allow for variations incident to proper grading and handling, the following lot
69.15 tolerances are permitted:

69.16 (1) for defects:

69.17 (i) up to ten percent of a lot may be seriously damaged by hollow heart, unless labeled
69.18 "hollow heart exempt" on the affixed tag or accompanying certificate;

69.19 (ii) up to five percent of a lot may be seriously damaged by internal discoloration due
69.20 to causes other than hollow heart;

69.21 (iii) up to ten percent of a lot may be damaged by soil or other foreign matter;

69.22 (iv) up to 20 percent of a lot may be damaged by sprouts;

69.23 (v) up to ten percent of a lot may be seriously damaged by wireworm;

69.24 (vi) for potatoes that fail to meet the remaining requirements of the potatoes' grade, a
69.25 lot may contain up to a total of six percent of the following defects combined and must not
69.26 contain more than the following percentage of defects:

69.27 (A) soft rot, frozen, or wet breakdown, 0.5 percent;

69.28 (B) damage by surface scab, powdery scab, or pitted scab, 2.0 percent;

69.29 (C) damage by dry rot, 2.0 percent, of which not more than 1.0 percent is late blight
69.30 tuber rot;

69.31 (D) bacterial ring rot, 0.0 percent; and

- 70.1 (E) late blight tuber rot, 1.0 percent; and
- 70.2 (vii) the presence of the following does not affect seed quality and must not be scored
- 70.3 against the potatoes' grade:
- 70.4 (A) brown discoloration following skinning;
- 70.5 (B) dried stems;
- 70.6 (C) flattened or depressed areas showing no underlying flesh discoloration;
- 70.7 (D) greening;
- 70.8 (E) sunburn;
- 70.9 (F) skin checks; and
- 70.10 (G) silver scurf; and
- 70.11 (2) for off size:
- 70.12 (i) up to five percent of potatoes may fail to meet the required or specified minimum
- 70.13 size; and
- 70.14 (ii) up to ten percent of potatoes may fail to meet the required maximum size.
- 70.15 **Subd. 8. Minnesota yellow-tag-certified seed potato grade.** (a) To be graded as
- 70.16 Minnesota yellow-tag-certified seed potatoes, potatoes must meet the following requirements:
- 70.17 (1) at the time of the shipping point inspection, the potatoes must be of one variety;
- 70.18 unwashed; fairly well-shaped; free from bacterial ring rot, late blight, freezing, black heart,
- 70.19 and soft rot or wet breakdown; free from damage caused by second growth, air cracks, cuts,
- 70.20 shriveling, pitted scabs, surface scabs, powdery scabs, dry rot, other diseases, insects or
- 70.21 worms, or mechanical means or other means; and free from serious damage caused by soil
- 70.22 or other foreign matter, hollow heart, wireworm, growth cracks, russet scabs, or internal
- 70.23 discoloration other than hollow heart. Sunburn and silver scurf must not be considered
- 70.24 factors that affect the grading of potatoes. This clause does not apply to hollow heart if
- 70.25 labeled "hollow heart exempt" on the affixed tag or accompanying certificate; and
- 70.26 (2) for all varieties, the maximum potato size is 14 ounces (396.9 grams) and the
- 70.27 minimum size is 1-1/2 inch (38.1 millimeter) in diameter. For all varieties, the minimum
- 70.28 diameter for size "B" must not be less than 1-1/2 inches (38.1 millimeters) and the maximum
- 70.29 diameter must not be more than 2-1/4 inches (57.1 millimeters). The department may grade
- 70.30 potatoes that do not meet the maximum and minimum size specifications as Minnesota
- 70.31 yellow-tag-certified seed potatoes if the buyer agrees to accept potatoes with alternate size

71.1 specifications from the grower and the size specifications are listed on the affixed tag or
71.2 accompanying bulk certificate issued by the department.

71.3 (b) To allow for variations incident to proper grading and handling, the following lot
71.4 tolerances are permitted:

71.5 (1) for defects:

71.6 (i) up to 20 percent of potatoes may be seriously damaged by hollow heart, unless labeled
71.7 "hollow heart exempt" on the affixed tag or accompanying certificate;

71.8 (ii) up to five percent of potatoes may be seriously damaged by internal discoloration
71.9 due to a cause other than hollow heart;

71.10 (iii) up to ten percent of potatoes may be seriously damaged by soil or other foreign
71.11 matter;

71.12 (iv) up to ten percent of potatoes may be seriously damaged by wireworm;

71.13 (v) up to 20 percent of a lot may have defects if the potatoes fail to meet the remaining
71.14 requirements of the grade. Of the 20 percent of defects allowed, a lot may contain a total
71.15 of six percent of the following defects combined and must not contain more than the
71.16 following percentage of defects:

71.17 (A) soft rot, frozen, or wet breakdown, 0.5 percent;

71.18 (B) damage by surface scab, powdery scab, or pitted scab, 5.0 percent;

71.19 (C) damage by dry rot, 2.0 percent, of which not more than 1.0 percent is late blight
71.20 tuber rot;

71.21 (D) bacterial ring rot, 0.0 percent; and

71.22 (E) late blight tuber rot, 1.0 percent; and

71.23 (vi) the presence of the following does not affect seed quality and must not be scored
71.24 against the grade:

71.25 (A) brown discoloration following skinning;

71.26 (B) dried stems;

71.27 (C) flattened or depressed areas showing no underlying flesh discoloration;

71.28 (D) greening;

71.29 (E) sunburn;

71.30 (F) skin checks;

72.1 (G) silver scurf; and

72.2 (H) sprouts; and

72.3 (2) for off size:

72.4 (i) five percent for potatoes that fail to meet the required or specified minimum size;

72.5 and

72.6 (ii) ten percent for potatoes that fail to meet the required maximum size.

72.7 (c) The potatoes must be fairly well-shaped, with an exception for long varieties when

72.8 specified as "except for shape." When specified as "except for shape," the tubers may be

72.9 misshapen.

72.10 Subd. 9. Minnesota white-tag-certified seed potato grade. Minnesota white-tag-certified

72.11 seed potato grade consists of certified seed potatoes that are graded according to agreement

72.12 between the seller and the purchaser as to size and defects, except that not more than one-half

72.13 percent of soft rot, frozen, or wet breakdown and two percent dry rot, of which not more

72.14 than one percent late blight tuber rot is allowed.

72.15 Sec. 33. Minnesota Statutes 2024, section 21.891, subdivision 2, is amended to read:

72.16 Subd. 2. **Seed fee permits.** (a) A labeler who wishes to sell seed in Minnesota must
72.17 comply with section 21.89, subdivisions 1 and 2, and the procedures in this subdivision.

72.18 Each labeler who wishes to sell seed in Minnesota must apply to the commissioner to obtain
72.19 a permit. The application must contain the name and address of the applicant, the application
72.20 date, and the name and title of the applicant's contact person. Permit fees are based on the
72.21 initial sale of seed in Minnesota.

72.22 (b) The application for a seed permit covered by section 21.89, subdivision 2, clause
72.23 (1), must be accompanied by an application fee of \$75.

72.24 (c) The application for a seed permit covered by section 21.89, subdivision 2, clause
72.25 (2), must be accompanied by an application fee based on the level of annual gross sales as
72.26 follows:

72.27 (1) for gross sales of \$0 to \$25,000, the annual permit fee is \$75;

72.28 (2) for gross sales of \$25,001 to \$50,000, the annual permit fee is \$150;

72.29 (3) for gross sales of \$50,001 to \$100,000, the annual permit fee is \$300;

72.30 (4) for gross sales of \$100,001 to \$250,000, the annual permit fee is \$750;

72.31 (5) for gross sales of \$250,001 to \$500,000, the annual permit fee is \$1,500;

73.1 (6) for gross sales of \$500,001 to \$1,000,000, the annual permit fee is \$3,000; and

73.2 (7) for gross sales of \$1,000,001 and above, the annual permit fee is \$4,500.

73.3 (d) The application for a seed permit covered by section 21.89, subdivision 2, clause

73.4 (3), must be accompanied by an application fee of \$75. Labelers holding seed fee permits

73.5 covered under this paragraph need not apply for a new permit or pay the application fee.

73.6 Under this permit category, the fees for the following kinds of agricultural seed sold either

73.7 in bulk or containers are:

73.8 (1) oats, wheat, and barley, 9 cents per hundredweight;

73.9 (2) rye, field beans, buckwheat, and flax, 12 cents per hundredweight;

73.10 (3) field corn, 17 cents per 80,000 seed unit;

73.11 (4) forage, hemp, lawn and turf grasses, and legumes, 69 cents per hundredweight;

73.12 (5) sunflower, \$1.96 per hundredweight;

73.13 (6) sugar beet, 12 cents per 100,000 seed unit;

73.14 (7) soybeans, 7.5 cents per 140,000 seed unit;

73.15 (8) for any agricultural seed not listed in clauses (1) to (7), the fee for the crop most

73.16 closely resembling it in normal planting rate applies; and

73.17 (9) for native grasses and wildflower seed, \$1 per hundredweight.

73.18 (e) If, for reasons beyond the control and knowledge of the labeler, seed is shipped into

73.19 Minnesota by a person other than the labeler, the responsibility for the seed fees are

73.20 transferred to the shipper. An application for a transfer of this responsibility must be made

73.21 to the commissioner. Upon approval by the commissioner of the transfer, the shipper is

73.22 responsible for payment of the seed permit fees.

73.23 (f) Seed permit fees may be included in the cost of the seed either as a hidden cost or as

73.24 a line item cost on each invoice for seed sold. To identify the fee on an invoice, the words

73.25 "Minnesota seed permit fees" must be used.

73.26 (g) All seed fee permit holders must file semiannual reports with the commissioner,

73.27 even if no seed was sold during the reporting period. Each semiannual report must be

73.28 submitted within 30 days of the end of each reporting period. The reporting periods ~~are~~

73.29 ~~October 1 to March 31 and April 1 to September 30 of each year or July 1 to December 31~~

73.30 ~~and January 1 to June 30 of each year~~ must be determined by the commissioner and

74.1 communicated annually to permit holders. Permit holders may change their reporting periods
74.2 with the approval of the commissioner.

74.3 (h) The holder of a seed fee permit must pay fees on all seed for which the permit holder
74.4 is the labeler and which are covered by sections 21.80 to 21.92 and sold during the reporting
74.5 period.

74.6 (i) If a seed fee permit holder fails to submit a semiannual report and pay the seed fee
74.7 within 30 days after the end of each reporting period, the commissioner shall assess a penalty
74.8 of \$100 or eight percent, calculated on an annual basis, of the fee due, whichever is greater,
74.9 but no more than \$500 for each late semiannual report. A \$15 penalty must be charged when
74.10 the semiannual report is late, even if no fee is due for the reporting period. Seed fee permits
74.11 may be revoked for failure to comply with the applicable provisions of this paragraph or
74.12 the Minnesota seed law.

74.13 Sec. 34. Minnesota Statutes 2025 Supplement, section 28A.04, subdivision 1, is amended
74.14 to read:

74.15 Subdivision 1. **Application; date of issuance.** (a) Except as provided under section
74.16 28A.152, no person ~~shall~~ may engage in the business of manufacturing, processing, selling,
74.17 handling, or storing food without having first obtained from the commissioner a license for
74.18 doing such business. Applications for such license ~~shall~~ must be made to the commissioner
74.19 in such manner and time as required and upon such forms as provided by the commissioner
74.20 and ~~shall~~ must contain the name and address of the applicant, address or description of each
74.21 place of business, and the nature of the business to be conducted at each place, and such
74.22 other pertinent information as the commissioner may require.

74.23 (b) An applicant for a license must submit a nonrefundable application fee of \$50 with
74.24 each license application. The fee under this paragraph does not apply to annual license
74.25 renewals. The fee under this paragraph is not required for applications to operate solely as
74.26 a special event food stand or custom exempt food handler.

74.27 (c) A food handler license ~~shall~~ must be issued for the period January 1 to December
74.28 31 and ~~shall~~ must be renewed thereafter by the licensee on or before January 1 of each year,
74.29 except that:

74.30 (1) retail and wholesale food handler licenses issued for the period of July 1, 2025, to
74.31 June 30, 2026, must be renewed on or before July 1, 2026, for the period of July 1, 2026,
74.32 to December 31, 2026. The renewal fee for the period of July 1, 2026, to December 31,
74.33 2026, is one-half of the fee for a food handler specified in section 28A.08, subdivision 3;

75.1 (2) licenses for all mobile food concession units and retail mobile units must be issued
 75.2 for the period April 1 to March 31, and must be renewed thereafter by the licensee on or
 75.3 before April 1 of each year. A license issued for a temporary food concession stand must
 75.4 have a license issuance and renewal date consistent with appropriate statutory provisions;
 75.5 and

75.6 (3) a license for a food handler operating only at the State Fair must be issued for the
 75.7 period of July 1 to June 30 and must be renewed thereafter by the licensee on or before July
 75.8 1 of each year.

75.9 (d) A penalty for late renewal under paragraph ~~(b)~~ (c) must be assessed in accordance
 75.10 with section 28A.08.

75.11 (e) A custom exempt food handler license ~~shall~~ must be issued for the period July 1 to
 75.12 June 30 and must be renewed thereafter by the licensee on or before July 1 each year. The
 75.13 custom exempt food handler license is for businesses that only conduct custom exempt
 75.14 operations and mark all products as "Not For Sale." Food handlers that conduct retail exempt
 75.15 operations or other operations other than custom exempt processing or slaughter are not
 75.16 eligible for this license.

75.17 (f) On a quarterly basis during the licensing period, the commissioner must prorate the
 75.18 fee for an initial license issued under this chapter, except that:

75.19 (1) a person applying for a new license up to 14 calendar days before the effective date
 75.20 of the new license period under paragraph (c) must be issued a license for the 14 days and
 75.21 the next license year as a single license and pay a single license fee as if the 14 days were
 75.22 part of the upcoming license period; and

75.23 (2) a person applying for a license to operate as a special event food stand must pay the
 75.24 entire fee specified in section 28A.08, subdivision 3, regardless of when the application is
 75.25 filed.

75.26 Sec. 35. Minnesota Statutes 2024, section 28A.0752, is amended to read:

75.27 **28A.0752 DELEGATION OF POWERS AND DUTIES.**

75.28 Subdivision 1. **Agreements to perform duties of commissioner.** (a) The commissioner
 75.29 may enter into agreements to delegate licensing and inspection duties of the commissioner
 75.30 to community health boards pertaining to retail food handlers shall whose primary mode
 75.31 of business is to sell or to process and sell food directly to the ultimate consumer. An
 75.32 agreement under this section may include duties of licensing, inspection, reporting, and
 75.33 enforcement duties authorized under sections this chapter and chapters 29 and 30; section

76.1 17.04, ~~29.21, 29.23, 29.235, 29.236, 29.237, 29.24, 29.25, 29.26, 29.27, and 30.49;~~
 76.2 appropriate sections of the Minnesota Food Law, chapters 31 and 34A₅; and applicable
 76.3 Minnesota food rules.

76.4 (b) Agreements under this section are subject to subdivision 3.

76.5 (c) ~~This subdivision does not affect agreements entered into under section 28A.075 or~~
 76.6 ~~current cooperative agreements which base inspections and licensing responsibility on the~~
 76.7 ~~firm's most predominant mode of business. The commissioner must not delegate duties~~
 76.8 ~~under this section pertaining to custom exempt food handlers and food handlers inspected~~
 76.9 ~~under the state meat inspection program under chapter 31A.~~

76.10 (d) The commissioner must not delegate duties under this section pertaining to food
 76.11 handlers whose principal mode of business is to sell food to other business entities or
 76.12 establishments for resale.

76.13 (e) The commissioner must not delegate duties under this section pertaining to food
 76.14 handlers who conduct activities regulated under Code of Federal Regulations, title 21, part
 76.15 111; 112; 113; 114; 117, subpart C; 120; or 123.

76.16 Subd. 2. **Approval of agreements.** (a) An agreement under this section to delegate
 76.17 ~~licensing and inspection of retail food handlers~~ duties to a community health board must
 76.18 be approved by the commissioner ~~and is subject to subdivision 3.~~

76.19 (b) An agreement to delegate the commissioner's duties to a designated agent established
 76.20 before January 1, 2025, remains in effect if the designated agent's performance continues
 76.21 to meet the standards necessary to substitute for the commissioner's duties and complies
 76.22 with the requirements of subdivisions 1 and 3.

76.23 Subd. 3. **Terms of agreements.** (a) Agreements authorized under this section must be
 76.24 in writing and signed by the ~~delegating authority~~ commissioner and the designated agent.

76.25 (b) ~~The~~ An agreement under this section must list criteria that the delegating authority
 76.26 commissioner will use to determine if the designated agent's performance meets appropriate
 76.27 standards and is sufficient to replace performance by the ~~delegating authority~~ commissioner.

76.28 (c) ~~The~~ An agreement under this section may specify minimum staff requirements and
 76.29 qualifications, set procedures for the assessment of costs, and provide for termination
 76.30 procedures if the ~~delegating authority~~ commissioner determines that the designated agent
 76.31 has failed to comply with the agreement.

76.32 (d) A designated agent must operate according to the requirements of section 28A.06.

77.1 (e) By December 31, 2028, a designated agent that entered into an agreement to delegate
 77.2 the commissioner's duties to the designated agent before January 1, 2025, must comply with
 77.3 section 28A.06.

77.4 ~~(d)~~ (f) The ~~delegating authority~~ commissioner and the designated agent are required to
 77.5 perform inspections utilizing the Minnesota Food Code's minimum and maximum standards.

77.6 ~~(e)~~ (g) A designated agent must not perform licensing, inspection, reporting, or
 77.7 enforcement duties under ~~the an agreement~~ under this section in a territory outside its
 77.8 jurisdiction unless approved by the commissioner and governing body for that territory
 77.9 through a separate agreement.

77.10 (h) A designated agent may charge a fee to recover the estimated costs of performing
 77.11 duties according to terms of an agreement under this section if the duties involve enforcing
 77.12 the Minnesota Food Law and applicable Minnesota food rules. The fee charged by the
 77.13 designated agent must be fair, reasonable, and proportionate to the actual cost of the duties
 77.14 performed by the designated agent. A designated agent must only use a fee under this
 77.15 paragraph to cover the costs of performing duties according to terms of the agreement under
 77.16 this section.

77.17 ~~(f)~~ (i) The scope of agreements established under this section is limited to duties and
 77.18 responsibilities agreed upon by the parties. The agreement may provide for automatic
 77.19 renewal and for notice of intent to terminate by either party.

77.20 ~~(g)~~ (j) During the life of ~~the an agreement~~ under this section, the ~~delegating authority~~
 77.21 ~~shall~~ commissioner must not perform duties that the designated agent is required to perform
 77.22 under the agreement, except inspections necessary to determine compliance with the
 77.23 agreement and this section or as agreed to by the parties.

77.24 ~~(h)~~ (k) The ~~delegating authority shall~~ commissioner must consult with, advise, and assist
 77.25 a designated agent in the performance of its duties under the agreement.

77.26 ~~(i)~~ (l) This section does not alter the responsibility of the ~~delegating authority~~
 77.27 commissioner for the performance of duties specified by law and rule.

77.28 Sec. 36. Minnesota Statutes 2025 Supplement, section 28A.08, subdivision 3, is amended
 77.29 to read:

77.30 **Subd. 3. Fees effective August 1, 2025.**

77.31				Penalties	
77.32	Type of food handler	Risk	License	Late	No
77.33		Category	Fee	Renewal	License

78.1	1. Custom exempt food handler				
78.2	(a) Having \$50,000 or less gross sales or				
78.3	service for the immediately previous				
78.4	license or fiscal year		\$135	\$45	\$90
78.5	(b) Having \$50,001 to \$125,000 gross sales				
78.6	or service for the immediately previous				
78.7	license or fiscal year		\$200	\$67	\$133
78.8	(c) Having \$125,001 to \$500,000 gross				
78.9	sales or service for the immediately				
78.10	previous license or fiscal year		\$370	\$123	\$247
78.11	(d) Having \$500,001 to \$1,000,000 gross				
78.12	sales or service for the immediately				
78.13	previous license or fiscal year		\$475	\$158	\$317
78.14	(e) Having \$1,000,001 to \$5,000,000 gross				
78.15	sales or service for the immediately				
78.16	previous license or fiscal year		\$1,350	\$450	\$900
78.17	(f) Having \$5,000,001 to \$10,000,000 gross				
78.18	sales or service for the immediately				
78.19	previous license or fiscal year		\$1,750	\$583	\$1,167
78.20	(g) Having \$10,000,001 to \$15,000,000				
78.21	gross sales or service for the immediately				
78.22	previous license or fiscal year		\$2,150	\$717	\$1,433
78.23	(h) Having \$15,000,001 to \$20,000,000				
78.24	gross sales or service for the immediately				
78.25	previous license or fiscal year		\$2,550	\$849	\$1,700
78.26	(i) Having \$20,000,001 to \$25,000,000				
78.27	gross sales or service for the immediately				
78.28	previous license or fiscal year		\$2,950	\$984	\$1,967
78.29	(j) Having over \$25,000,001 gross sales or				
78.30	service for the immediately previous				
78.31	license or fiscal year		\$3,350	\$1,117	\$2,233
78.32	2. Food handler				
78.33	(a) Having gross sales of only prepackaged				
78.34	nonperishable food of less than \$30,000				
78.35	for the immediately previous license or				
78.36	fiscal year and filing a statement with the				
78.37	commissioner		\$90	\$30	\$60
78.38	(b) Having gross sales or service of less	High	\$285	\$95	\$190
78.39	than \$50,000 for the immediately previous	Medium	\$195	\$65	\$130
78.40	license or fiscal year	Low	\$135	\$45	\$90
78.41	(c) Having \$50,001 to \$125,000 gross sales	High	\$350	\$117	\$233
78.42	or service for the immediately previous	Medium	\$260	\$87	\$173
78.43	license or fiscal year	Low	\$200	\$67	\$133
78.44	(d) Having \$125,001 to \$250,000 gross	High	\$415	\$138	\$277
78.45	sales or service for the immediately	Medium	\$350	\$117	\$233
78.46	previous license or fiscal year	Low	\$265	\$88	\$177
78.47	(e) Having \$250,001 to \$500,000 gross	High	\$520	\$173	\$347
78.48	sales or service for the immediately	Medium	\$430	\$143	\$287
78.49	previous license or fiscal year	Low	\$370	\$123	\$247

79.1	(f) Having \$500,001 to \$1,000,000 gross sales or service for the immediately previous license or fiscal year	High	\$625	\$208	\$417
79.2		Medium	\$535	\$178	\$357
79.3		Low	\$475	\$158	\$317
79.4	(g) Having \$1,000,001 to \$5,000,000 gross sales or service for the immediately previous license or fiscal year	High	\$1,500	\$500	\$1,000
79.5		Medium	\$1,425	\$475	\$950
79.6		Low	\$1,350	\$450	\$900
79.7	(h) Having \$5,000,001 to \$10,000,000 gross sales or service for the immediately previous license or fiscal year	High	\$1,900	\$633	\$1,267
79.8		Medium	\$1,825	\$608	\$1,217
79.9		Low	\$1,750	\$583	\$1,167
79.10	(i) Having \$10,000,001 to \$15,000,000 gross sales or service for the immediately previous license or fiscal year	High	\$2,300	\$767	\$1,533
79.11		Medium	\$2,225	\$742	\$1,483
79.12		Low	\$2,150	\$717	\$1,433
79.13	(j) Having \$15,000,001 to \$20,000,000 gross sales or service for the immediately previous license or fiscal year	High	\$2,700	\$900	\$1,800
79.14		Medium	\$2,625	\$875	\$1,750
79.15		Low	\$2,550	\$849	\$1,700
79.16	(k) Having \$20,000,001 to \$25,000,000 gross sales or service for the immediately previous license or fiscal year	High	\$3,100	\$1,033	\$2,067
79.17		Medium	\$3,025	\$1,008	\$2,017
79.18		Low	\$2,950	\$984	\$1,967
79.19	(l) Having \$25,000,001 to \$50,000,000 gross sales or service for the immediately previous license or fiscal year	High	\$3,500	\$1,167	\$2,333
79.20		Medium	\$3,425	\$1,142	\$2,283
79.21		Low	\$3,350	\$1,117	\$2,233
79.22	(m) Having \$50,000,001 to \$100,000,000 gross sales or service for the immediately previous license or fiscal year	High	\$4,000	\$1,334	\$2,667
79.23		Medium	\$3,925	\$1,309	\$2,617
79.24		Low	\$3,850	\$1,284	\$2,567
79.25	(n) Having \$100,000,001 or more gross sales or service for the immediately previous license or fiscal year	High	\$4,500	\$1,500	\$3,000
79.26		Medium	\$4,425	\$1,475	\$2,950
79.27		Low	\$4,350	\$1,450	\$2,900
79.28	3. Food handler operating under authority of this chapter solely as a special event food stand as defined in Minnesota Statutes, section 157.15				
79.29					
79.30					
79.31				\$75	\$25
79.32	4. Meat or poultry processing solely under supervision of the U.S. Department of Agriculture				
79.33					
79.34					
79.35		(a) Having gross sales or service of less than \$125,000 for the immediately previous license or fiscal year		\$190	\$63
79.36	(b) Having \$125,001 to \$250,000 gross sales or service for the immediately previous license or fiscal year				
79.37					
79.38					
79.39	(c) Having \$250,001 to \$500,000 gross sales or service for the immediately previous license or fiscal year				
79.40					
79.41					
79.42	(d) Having \$500,001 to \$1,000,000 gross sales or service for the immediately previous license or fiscal year				
79.43					
79.44					
79.45	(e) Having \$1,000,001 to \$5,000,000 gross sales or service for the immediately previous license or fiscal year				
79.46					
79.47					
79.48					
79.49			\$725	\$241	\$483

80.1	(f) Having \$5,000,001 to \$10,000,000 gross			
80.2	sales or service for the immediately			
80.3	previous license or fiscal year	\$885	\$295	\$590
80.4	(g) Having \$10,000,001 to \$15,000,000			
80.5	gross sales or service for the immediately			
80.6	previous license or fiscal year	\$1,305	\$435	\$807
80.7	(h) Having \$15,000,001 to \$20,000,000			
80.8	gross sales or service for the immediately			
80.9	previous license or fiscal year	\$1,515	\$505	\$1,010
80.10	(i) Having \$20,000,001 to \$25,000,000			
80.11	gross sales or service for the immediately			
80.12	previous license or fiscal year	\$1,745	\$582	\$1,163
80.13	(j) Having \$25,000,001 to \$50,000,000			
80.14	gross sales or service for the immediately			
80.15	previous license or fiscal year	\$1,975	\$658	\$1,317
80.16	(k) Having \$50,000,001 to \$100,000,000			
80.17	gross sales or service for the immediately			
80.18	previous license or fiscal year	\$2,215	\$738	\$1,477
80.19	(l) Having \$100,000,001 or more gross			
80.20	sales or service for the immediately			
80.21	previous license or fiscal year	\$2,465	\$822	\$1,643

80.22 Sec. 37. Minnesota Statutes 2024, section 29.21, is amended by adding a subdivision to
80.23 read:

80.24 Subd. 12. **Quality assurance date.** "Quality assurance date" means any date after which
80.25 the manufacturer or processor reasonably determines that the product may, by spoilage,
80.26 wiltage, drying, or any other foreseeable and natural phenomenon, lose palatability or desired
80.27 or nutritive properties.

80.28 Sec. 38. Minnesota Statutes 2024, section 29.26, is amended to read:

80.29 **29.26 EGGS IN POSSESSION OF RETAILER.**

80.30 (a) All eggs sold or offered for sale at retail must have been candled and graded and
80.31 must be clearly labeled according to Minnesota consumer grades as established by rule
80.32 under section 29.23. No eggs shall be sold or offered for sale as "ungraded," "unclassified,"
80.33 or by any other name that does not clearly designate the grade. All eggs in possession of
80.34 the retailer, either in temporary storage or on display, must be held at a temperature not to
80.35 exceed 45 degrees Fahrenheit (7 degrees Celsius).

80.36 (b) Grade AA eggs held 31 days past the coded pack date for Grade AA eggs, or Grade
80.37 A eggs held 46 days past the coded pack date for Grade A eggs, lose their grades and must
80.38 be removed from sale-, except eggs that are past their quality assurance date may be donated
80.39 to and distributed by charitable food assistance programs if the eggs:

- 81.1 (1) are contained in their original packaging;
- 81.2 (2) have previously been candled and graded;
- 81.3 (3) are continuously refrigerated;
- 81.4 (4) are distributed to the end consumer prior to 30 days past the original quality assurance
81.5 date; and
- 81.6 (5) are contained in packaging affixed with a label that includes the following information:
- 81.7 (i) the name of the charitable food assistance program distributing the eggs;
- 81.8 (ii) a "distribute by" date of no more than 30 days past the original quality assurance
81.9 date; and
- 81.10 (iii) the following statement: "Donated Eggs - Not for Resale."

81.11 Sec. 39. Minnesota Statutes 2024, section 32D.30, subdivision 5, is amended to read:

81.12 Subd. 5. **Reporting.** No later than ~~July 1~~ September 15 of each even-numbered year,
81.13 the commissioner must submit a detailed accomplishment report and work plan detailing
81.14 future plans for, and the actual and anticipated accomplishments from, expenditures under
81.15 this section to the chairs and ranking minority members of the legislative committees and
81.16 divisions with jurisdiction over agriculture policy and finance. If the commissioner
81.17 significantly modifies a submitted work plan ~~during the fiscal year~~, the commissioner must
81.18 notify the chairs and ranking minority members.

81.19 Sec. 40. Minnesota Statutes 2024, section 41A.19, is amended to read:

81.20 **41A.19 REPORT; INCENTIVE PROGRAMS.**

81.21 ~~By January 15~~ Each year, the commissioner shall report on the incentive programs under
81.22 sections 41A.16, 41A.17, 41A.18, and 41A.20 to the legislative committees with jurisdiction
81.23 over environment and agriculture policy and finance in the report under section 41A.12,
81.24 subdivision 3. The report shall include information on production and incentive expenditures
81.25 under the programs.

81.26 Sec. 41. Minnesota Statutes 2024, section 41B.048, subdivision 2, is amended to read:

81.27 Subd. 2. **Establishment.** The authority shall establish and implement an agroforestry
81.28 loan program to help finance the production of short rotation woody crops, agroforestry
81.29 crops, agroforestry systems, such as silvopasture and alley systems, and other systems.

82.1 Sec. 42. Minnesota Statutes 2024, section 41B.048, subdivision 4, is amended to read:

82.2 Subd. 4. **Definitions.** (a) The definitions in this subdivision apply to this section.

82.3 (b) "Agroforestry" has the meaning given in section 17.458, subdivision 1.

82.4 (c) "Agroforestry system" means an agricultural production system that integrates trees,
 82.5 shrubs, or other woody perennial species or animals into the system, with the intention to
 82.6 harvest wood, food, feed, medicinal products, or other products from the system.

82.7 ~~(b)~~ (d) "Growing cycle" means the number of years from planting to harvest.

82.8 ~~(e)~~ (e) "Harvest" means the day that the crop arrives at the scale of the buyer of the crop.

82.9 ~~(d)~~ (f) "Short rotation woody crops" or "crop" means hybrid poplar and other woody
 82.10 plants that are harvested for their fiber within 15 years of planting.

82.11 Sec. 43. Minnesota Statutes 2024, section 41B.048, subdivision 5, is amended to read:

82.12 Subd. 5. **Eligibility for growers of short rotation woody crops.** To be eligible for this
 82.13 program, a borrower must:

82.14 (1) be a resident of Minnesota or any entity eligible to own farm land under section
 82.15 500.24;

82.16 (2) be or plan to become a grower of short rotation woody crops on agricultural land
 82.17 that is suitable for the profitable production of short rotation woody crops;

82.18 (3) be a member of a producer-owned cooperative that will contract to market the short
 82.19 rotation woody crop to be planted by the borrower;

82.20 (4) demonstrate an ability to repay the loan;

82.21 (5) not receive assistance under this program for more than \$150,000 in the producer's
 82.22 lifetime;

82.23 (6) agree to work with appropriate local, state, and federal agencies, and the marketing
 82.24 cooperative, to develop an acceptable establishment and maintenance plan;

82.25 (7) agree not to plant short-rotation woody crops within one-quarter of a mile of state
 82.26 or federally protected prairie; and

82.27 (8) meet any other requirements the authority may impose by administrative procedure
 82.28 or by rule.

83.1 Sec. 44. Minnesota Statutes 2024, section 41B.048, is amended by adding a subdivision
83.2 to read:

83.3 Subd. 5a. Eligibility for agroforestry systems and practices. To be eligible for this
83.4 program, a borrower must:

83.5 (1) be a resident of Minnesota or any entity eligible to own farm land under section
83.6 500.24;

83.7 (2) be a farmer or agricultural landowner implementing: (i) the use of an agroforestry
83.8 system, such as a silvopasture or an alley system, on agricultural land; or (ii) the use of
83.9 agroforestry practices, such as biochar processing, on agricultural land;

83.10 (3) demonstrate an ability to repay the loan;

83.11 (4) not receive assistance under this program for more than \$150,000 in the producer's
83.12 lifetime; and

83.13 (5) meet any other requirements the authority may impose by administrative procedure
83.14 or by rule.

83.15 Sec. 45. Minnesota Statutes 2024, section 41B.048, is amended by adding a subdivision
83.16 to read:

83.17 Subd. 6a. Loans for agroforestry systems and practices. (a) The authority may
83.18 participate with eligible lenders in agroforestry loans to farmers and agricultural landowners
83.19 who are eligible under subdivision 5a. The authority's participation is limited to 45 percent
83.20 or \$75,000 of total accumulative principal per loan.

83.21 (b) The interest rates and repayment terms of the authority's participation interest may
83.22 differ from those of the lender's retained portion of the loan.

83.23 (c) Standards for loan amortization must be set by the Rural Finance Authority and must
83.24 not exceed ten years.

83.25 (d) Security for the loan must be a personal note executed by the borrower and whatever
83.26 other security is required by the eligible lender or the authority.

83.27 (e) The authority may prescribe forms and establish an application process for applicants
83.28 to apply for a loan.

83.29 (f) The authority may impose a reasonable, nonrefundable application fee for each
83.30 application for an agroforestry loan under this program. The authority may review the fee
83.31 annually and make adjustments as necessary. The initial application fee is \$50. Application

84.1 fees received by the authority must be deposited in the Rural Finance Authority administrative
84.2 account established in section 41B.03.

84.3 (g) Loans under this program must be made using money in the revolving loan account
84.4 established in section 41B.06.

84.5 (h) All repayments of financial assistance granted under this section, including principal
84.6 and interest, must be deposited into the revolving loan account established under section
84.7 41B.06.

84.8 (i) The interest payable on loans for the agroforestry loan program must be at a rate
84.9 determined by the authority.

84.10 Sec. 46. Minnesota Statutes 2024, section 583.215, is amended to read:

84.11 **583.215 EXPIRATION.**

84.12 Sections 336.9-601, subsections (h) and (i); 550.365; 559.209; 582.039; and 583.20 to
84.13 583.32, expire June 30, ~~2027~~ 2032.

84.14 Sec. 47. **REPORT; PARAQUAT DICHLORIDE.**

84.15 By February 1, 2029, the commissioner of agriculture must report to the chairs and
84.16 ranking minority members of the legislative committees with jurisdiction over agriculture
84.17 finance and policy on the use of paraquat dichloride in the state over time and the status of
84.18 paraquat dichloride in the pesticide supply chain.

84.19 Sec. 48. **REPEALER.**

84.20 Minnesota Statutes 2024, sections 18K.02, subdivision 7; 18K.03, subdivision 2; and
84.21 28A.075, are repealed.

APPENDIX
Article locations for S5073-1

ARTICLE 1 AGRICULTURE APPROPRIATIONS..... Page.Ln 1.20
ARTICLE 2 AGRICULTURE POLICY..... Page.Ln 42.1

18K.02 DEFINITIONS.

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

18K.03 AGRICULTURAL CROP; POSSESSION AUTHORIZED.

Subd. 2. **Sale to medical cannabis manufacturers.** A licensee under this chapter may sell hemp products derived from industrial hemp grown in this state to medical cannabis manufacturers as authorized under sections 152.22 to 152.37.

28A.075 DELEGATION TO LOCAL COMMUNITY HEALTH BOARD.

(a) At the request of a local community health board that licensed and inspected grocery and convenience stores on January 1, 1999, the commissioner must enter into agreements before January 1, 2001, with local community health boards to delegate to the appropriate local community health board the licensing and inspection duties of the commissioner pertaining to retail food handlers that are grocery or convenience stores. At the request of a local community health board that licensed and inspected part of any grocery or convenience store on January 1, 1999, the commissioner must enter into agreements before July 1, 2001, with local community health boards to delegate to the appropriate local community health board the licensing and inspection duties of the commissioner pertaining to retail food handlers that are grocery or convenience stores. At any time thereafter, the commissioner may enter into an agreement with a local community health board that licensed and inspected all or part of any grocery or convenience store on January 1, 1999, to delegate to the appropriate local community health board the licensing and inspection duties of the commissioner pertaining to retail food handlers such as grocery or convenience stores. Retail food handlers inspected under the state meat inspection program of chapter 31A are exempt from delegation.

(b) A local community health board must adopt an ordinance consistent with the Minnesota Food Code, Minnesota Rules, chapter 4626, for all of its jurisdiction to regulate retail food handlers and the ordinance (Food Code) must not be in conflict with standards set in law or rule.

(c) A fee to recover the estimated costs of enforcement of this chapter must be established by ordinance and must be fair, reasonable, and proportionate to the actual cost of the licensing and inspection services. The fee must only be maintained and used for the estimated costs of enforcing this chapter.